

BOS Appointments to Committees

CIP Appointment:

Planning Board: Brad Reed, Alissa Welch
Budget Committee: *need to meet*
School Board: Janet Arsenault, Beth Paris
Board of Selectmen: George Plante, Scott Campbell (*already appointed*)
Members at Large: no nominees

ZBA: Joyce Wood

Conservation Comm: Dennis Garnham, Deborah McNelly

Cable: Debra Moore

Historic District Comm: David Hoelzel, Wayne Quintal, Diane Debruyckere



Lamprey Rivers Advisory Committee (LRAC)
Annual Report FY 2018 (Oct. 1, 2017 – Sept. 30, 2018)



Schoppmeyer Park Dedication Ceremony, Newmarket

Photo courtesy of Dave LeGault

We are pleased to feature a new Lamprey River park on the cover of the FY2018 annual report. The Lamprey Rivers Advisory Committee (LRAC) was heavily involved with improving public access this year:

- The LRAC contributed significantly to Newmarket's efforts to create a memorial park to honor Chris Schoppmeyer. The LRAC donated funding to help secure an easement on the property, landscape design to create a space for remembering Chris and his fellow law enforcement officers, and graphic design help to create a kiosk panel about the Lamprey River. The new park is conveniently located on Route 108 behind the Newmarket Community Church Thrift Shop and has benches, a picnic area, and a kayak dock. The Newmarket Recreation Department plans to install a kayak rack (previously donated by the LRAC) to hold boats that can be rented for exploring this impounded section of the river. Future plans for the kayak dock include a handicap launch assist system.
- The committee worked with Trout Unlimited to improve canoe passage on more than four miles between Epping and Lee. This natural section of the river has been largely inhospitable to paddlers for several years due to several large downed trees. After careful consideration for both public access and important wildlife habitat, enough wood to enable canoe passage was removed from the river way and repositioned back in the water to protect ecological values. Many thanks to the New Hampshire Charitable Foundation for funding this important pilot project.
- In partnership with the LRAC, the Epping Conservation Commission began work on a multi-year effort to improve access at the Tilton Conservation Area on Route 87. This site is a public canoe launch area and serves as the finish line for the annual Lamprey River Canoe Race and also marks the beginning of the improved Epping to Lee section noted above. Preliminary work included adding gravel to the parking lot to allow vehicles to turn safely, creating plans to revive the floodplain trail, and improving signage on site. Future work will include reconfiguring the canoe launch to improve safety and reduce erosion.
- As part of a Small Grant to the Newmarket Recreation Department, the LRAC provided program funding and educational support to novice paddlers. The project helped to increase awareness of ecological issues affecting the river and Great Bay and improved participation in the Lamprey River Splash and Dash race.
- For the second year, the committee sponsored an eco-paddle on the saltwater portion that offered participants a chance to meet researchers who are engaged in river herring migration, oyster restoration, eelgrass recovery efforts, and water quality issues.



About the Lamprey Rivers Advisory Committee (LRAC)

The LRAC is comprised of volunteer representatives nominated by the towns of the Lamprey River watershed and appointed by the commissioner of the NH Department of Environmental Services (NHDES). These volunteers serve as liaisons to NHDES and have two main duties: 1) Create a river management plan that protects or enhances the values for which the river was designated for extra protection under the NH Rivers Management and Protection Program under RSA 483 and 2) Review and comment on development or redevelopment project applications for the quarter mile corridor that parallels each side of the main stem Lamprey River and five designated tributaries and that require a state permit such as a wetlands or alteration of terrain permit.

The LRAC also serves as a partner to the National Park Service to protect and enhance the "outstandingly remarkable values" for which a 23 mile segment of the main stem Lamprey River was designated by the US Congress as a National Wild and Scenic River. As part of this partnership, the LRAC receives funding from the National Park Service (CFDA # 15.962 National Wild and Scenic Rivers System) to support its activities.

For more information about the Lamprey River and the LRAC, please visit www.lampreyriver.org.

LRAC Accomplishments:

Representatives from nine of the fourteen towns in the Lamprey River watershed worked hard to implement the comprehensive rivers management plan with help from towns, planning commissions, land protection organizations, wildlife professionals, and citizens. The final plan was approved on September 26, 2013 and is available at town offices and on www.lampreyriver.org.

Education and Outreach:

- The committee's website, www.lampreyriver.org, continued to be a public clearing house of Lamprey River information and resources.
- LRAC displays at four town celebrations and six presentations at town libraries encouraged local people to learn about the river and gave them a chance to share concerns.
- In May, the workgroup partnered with the New Hampshire Fish and Game Department to educate the public about river herring at the "Herring Aid" event at the Macallen Dam in Newmarket. Approximately 55 children and adults helped to count the fish and escort them from the fish ladder holding tank to the river where they were released.

- Using a separate, competitive grant from the National Park Service, the LRAC published and shared its *Twenty Years of Progress* report as a model for current and future Wild and Scenic Rivers.
- Three fourth grade classes from Mast Way School in Lee made extensive use of *The Lamprey River Curriculum* and participated in a river-based science field trip.

History:

- In Durham, the LRAC provided funding to build the Thompson Forest kiosk framework and will help to provide historical content for the kiosk panel.
- The LRAC provided historical content and artistic advice for kiosks at Schoppmeyer Park in Newmarket.

Land Protection:

- Working with partners such as the Southeast Land Trust, the Natural Resource Conservation Service, The Nature Conservancy, town conservation commissions, and others, the Wild and Scenic Subcommittee continued to provide expertise toward protecting ecologically significant land along the river. As of September 2018, LRAC had contributed funding totaling \$4,934,881 to protect 3512 acres and 16.3 miles of river frontage. For every dollar LRAC provided, three dollars from other sources (such as landowner donations of land value and matching funds from towns and conservation organizations) were used.
- The LRAC awarded a grant of \$5000 to the Barrington Conservation Commission, in partnership with Strafford Regional Planning Commission, for the purpose of updating its natural resource inventory and planning for strategic conservation action. Final products will include co-occurrence mapping where multiple natural resource features are co-located or are in near proximity. The maps will include the most up-to-date conservation data, such as climate change resilience studies, to support wildlife habitat, preserve working farms and forests, and ensure clean water resources. The template for producing the GIS maps can be easily shared with other communities that need to update their natural resource inventories or conservation planning. The headwaters of the Little River, one of the five state-protected tributaries of the Lamprey River, are located in Barrington. Protection of the tributaries is essential to the protection of the Lamprey River.

Project Review:

- The project review workgroup commented on 23 proposed development or redevelopment projects along the main river and tributaries that required state environmental permits.
- Complaints or concerns about activities along the river were referred to local code enforcement officers who then contacted NHDES for enforcement as appropriate.

Recreation:

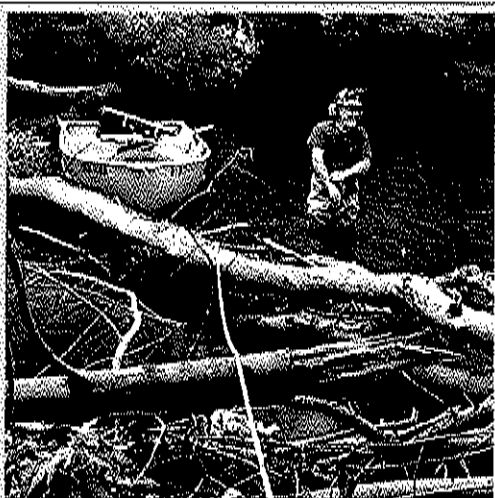


photo by Preston Samuel

With help from a generous grant from the New Hampshire Charitable Foundation, paddling conditions between Epping and Lee were improved as part of a pilot project to enhance canoe passage while protecting ecological values of instream wood. The LRAC worked in partnership with Trout Unlimited to evaluate each obstacle and remove enough wood to allow canoe passage at base flow. The wood was relocated back into the river to protect fish habitat. Work was completed in late August and a public paddle will be offered in early October.

- In partnership with the LRAC, the Epping Conservation Commission began work on a multi-year effort to improve access at the Tilton Conservation Area on Route 87. This site is a public canoe launch area and serves as the finish line for the annual Lamprey River Canoe Race and also marks the beginning of the improved Epping to Lee section noted above. Preliminary work included adding gravel to the parking lot to allow vehicles to turn safely, creating plans to revive the floodplain trail, and improving signage on site. Future work will include reconfiguring the canoe launch to improve safety and reduce erosion.
- As part of a Small Grant to the Newmarket Recreation Department, the LRAC provided program funding and educational support to novice paddlers. The project helped to increase awareness of ecological issues affecting the river and Great Bay and improved participation in the Splash and Dash race.
- For the second year, the committee sponsored an eco-paddle on the saltwater portion that offered participants a chance to meet researchers who are engaged in river herring migration, oyster restoration, eelgrass recovery efforts, and water quality issues.

Water Quality and Quantity:

- The LRAC continued to provide financial assistance the Lamprey River Watershed Association to test and report water quality data as part of the New Hampshire Volunteer River Assessment Program. Wild and Scenic Subcommittee funding ensured that years of data were not interrupted by cuts to the state program.
- Work continued on a project to collate and interpret water quality data spanning 25 years to create a report that is accessible and understandable to the public. Despite a few areas of low dissolved oxygen, the river is otherwise meeting criteria for “fishable and swimmable” conditions. To view Part I of the report, visit http://www.lampreyriver.org/UploadedFiles/Files/water_qual_23_yr_report_2016.

pdf. Part 2 of the report will be available shortly at www.lampreyriver.org under the "multi-media center/Lamprey River research" tab.

- Flows in the Lamprey were above average following three years of low water. NHDES did not need to release any "relief pulses" from dams to help fish survive. As one of two pilot rivers in the NHDES instream flow management program, the Lamprey serves as a model for other rivers in the NH Rivers Management and Protection Program whose instream flow management plans are being drafted.

Wildlife and Ecology:

- In Newmarket, about 60,000 alewives passed through the Macallen Dam fish ladder during the annual spring spawning run. Of those fish, about 45,000 passed through the Wiswall Dam fish ladder in Durham. The Macallen tally is close to average for the past ten years, while the Wiswall tally is the best since the fish ladder there opened in 2012. The next obstacle to full access is Wadleigh Falls in Lee. Despite significant effort at the state level, privately-owned Wadleigh Falls will remain an impassable obstacle to fish passage for the foreseeable future.
- The LRAC funded acoustic bat surveys at eight sites in Epping, Lee, Nottingham, and Raymond. Results were analyzed by software and then verified by human experts. Seven of the eight species expected in New Hampshire, including three species that are listed as endangered in New Hampshire, were detected.
- The LRAC awarded a grant to NH Fish and Game to support the creation of nesting habitat for Blanding's turtles. With the widening of Route 108, soft shoulders frequently used by females to lay eggs were hardened to discourage deposition of eggs and subsequent road kill of mothers and hatchlings. New nesting areas were created in well protected areas far from the road. Preliminary data show that turtles visited the created site and might have laid eggs.

Plans for 2019 and Issues to Watch:

The full committee will continue its main duties to work on issues identified in the *2013 Lamprey Rivers Management Plan* and review projects proposed for the quarter mile corridor around the main stem Lamprey River and the five designated tributaries. The LRAC will continue to support research, volunteer water quality monitoring, and outreach efforts. Special projects for 2019 include the following:

- A follow-up study of turtles along the main stem Lamprey River is being planned.
- At the Route 87 landing in Epping, canoe access will be revised to improve safety and reduce erosion. A public canoe access sign will be installed and the existing kiosk will be updated. The floodplain nature trail will be repaired and improved.
- Phase 3 of the long-term water quality analysis will be undertaken.
- A new community grant program will be developed to help towns and civic organizations pursue projects related to the Lamprey River.



Lamprey River Advisory Committee (LRAC) Community Grants Program 2019-2020

Program Description

The Community Grants Program (formerly the Small Grants Program) is intended to support community efforts that protect or enhance river resources or needs that build on goals identified in the *Lamprey Rivers Management Plan 2013 Update*. The *Update* can be found at <http://www.lampreyriver.org/about-us-2013-mgmt-plan-revision>. Grants will be for one-time projects that can be completed within a specified time frame and are not to be used for on-going projects or extensions of projects previously funded by the LRAC. The products of the grants are to be accessible to and usable by individuals and groups who have a connection to or interest in the Lamprey River watershed. Preference will be given to projects that enhance the National Wild and Scenic River designations for ecology, anadromous fishery, history/archaeology, or clean water.

Applications for 2019-2020 will be accepted on an on-going basis. Once granted, projects should be completed within 6 months. Applicants are encouraged to contact Mr. Joe Foley, LRAC chair, for more information or to discuss potential projects. Completed application forms (available at <https://www.lampreyriver.org/about-us-small-grants-program>) should be emailed to spetersen.lrac@comcast.net or mailed to Joe Foley, 87 Hedding Road, Epping, NH 03042.

Funding

Each Community Grant shall not exceed \$6000. The grant money is to be used for expenses directly associated with the project, with not more than 10% going to overhead. Grantees are expected to provide full disclosure as to how funds were spent and provide receipts as appropriate. Grantees are required to complete an IRS Form W-9 for tax and accounting purposes. All projects and associated publicity/outreach will acknowledge LRAC funding:

"Funding for this project was provided by the National Park Service under CFDA 15.962
– National Wild and Scenic Rivers System."

As a sub-recipient, the grantee or contractor is responsible for meeting the audit requirements of OMB Circular A-133 regarding the expenditure of \$750,000 or more in federal awards during the contractor's fiscal year, and for compliance with other laws, regulations, and the provisions of the parent grant agreement.

Who May Apply:

Eligible entities include, but are not limited to, town planning boards, conservation commissions, libraries, recreation departments, schools, and other town-sanctioned committees. Community-based nonprofit 501(c)(3) organizations, such as historical societies, churches, garden clubs,

and local land trusts are also eligible. Individuals interested in applying are encouraged to partner with either a town or nonprofit organization.

Projects

Project proposals should meet the following criteria:

- Complement on-going LRAC projects, especially those defined in the *2013 Lamprey Rivers Management Plan*. Examples include the following:
 - conservation, restoration, or enhancement of ecological, historic, or recreational resources
 - protection or enhancement of clean water in or going into the rivers
 - efforts to promote resiliency in the face of climate change and increasing human population
 - public education about the river and its resources
 - protection of land and soils along the rivers
 - research intended to further our understanding of resources in and along the rivers
- Be of value beyond the date of completion.
- Educate people about the river and watershed.
- Engage partnerships with municipalities or community groups.
- Acknowledge LRAC and the National Park Service funding for all projects.

Each proposal must contain the following information:

- project title
- name, address, telephone number(s), e-mail address
- affiliation (if appropriate)
- objectives
- intended audience
- location of project
- project procedures
- budget (maximum 10% administrative overhead)
- task timeline
- specific *2013 Lamprey Rivers Management Plan* portions addressed by the proposal
- evaluation
 - how the project will protect the river, its tributaries, and the watershed
 - who will benefit from the project
 - how the project will increase public awareness of the rivers

Application Review Criteria:

Project proposals will be evaluated based on the following criteria. Projects do not need to meet all criteria to be eligible; however, stronger proposals will address many of the following:

- Does the proposal address the protection, enhancement, or promotion of one or more of the goals noted in the *2013 Lamprey Rivers Management Plan*?
- Does the plan provide enough detail to show that all resources- financial and human- will be available to complete the project in the proposed timeline?

- Does the applicant have a plan to evaluate the project's effectiveness and impact relative to the project goals?
- Is there demonstrated support of the project from all involved parties?
- Does the project engage partners or raise public awareness about the rivers?
- Are there any matching funds or in-kind contributions to the project? (These are strongly encouraged, but not required.)
- Does the proposal demonstrate sufficient experience or available expertise needed to complete the project (either from the applicant or through partners or contractors?)
- Are results of the projects sustainable after completion of the project? Will future activities or decision at the community, municipal, or regional level build on the results of the proposed project? How will maintenance or future work be funded?

Reports and Products:

Open communication between the grantee and the Community Grants Subcommittee is encouraged. At least one written interim report updating the subcommittee on progress is required within four months of the award date. An interim presentation to the subcommittee is also encouraged.

The final report and products are generally required six months after the award date. Final reports must contain the following:

- ✓ a brief description of the project, including title, purpose, audience, procedures, & evaluation procedures
- ✓ a list of valuable accomplishments & who benefited
- ✓ funds budgeted and how they were spent
- ✓ two copies of any products (reports, press releases, photos)

The LRAC retains copyright rights and may use any and all materials generated as it sees fit without any additional compensation.

Grantees may be requested to speak to the full LRAC when their project is completed.

Payment to grantees

Due to the short-term nature of the Community Grants projects, one half of the total grant will be paid to the grantee upon notification of grant approval by the committee. The remaining half will be paid to the grantee upon completion of the project and receipt of the final report and any associated products.

Previous Projects

2009

- development of database and soil conservation outreach to Lamprey River landowners in Strafford County
- *Wiswall's Mill: A Short History* DVD
- *The Lamprey River Tour: Mary Blair Park and Streamwalk* DVDs
- documentation and mapping of historic mills along the Lamprey River

2010

- nitrogen pollution outreach in Durham and making rain barrels
- creation of lending library of invasive weed removal tools housed at Great Bay Discovery Center
- development of the Deerfield Community Trail network and map

2011

- pilot project for on-site septic system review and outreach for homeowners
- revision and update of *The Lamprey River Curriculum*
- fly-over filming and production of *Connecting Lives on the Lamprey River* DVD

2012

- enhanced database of dams along the lower Lamprey River with focus on improving fish passage
- creation of natural playground plan for Mary Blair Park
- creation of historic and nature trail system at Mary Blair Park

2013

- creation of "The Lamprey River Big Tree Tour" booklet and guided tour
- outreach about local and global water issues and creation of a public participatory "Stream of Conscience" art installation
- creation of "Reflections of a River" video to celebrate 30 years of volunteer service to protect the Lamprey

2014

- bioinventory and stewardship plan for the Rothwell Reserve in Lee

2015

- eradication of invasive weeds at Rothwell Reserve in Lee
- documentation of process and findings for limited large woody material relocation
- watershed-wide stream clean-up event
- identifying stormwater improvement demonstration sites and potential barriers to implementation

2016

- stormwater demonstration project in Newmarket
- first annual Lamprey River Splash & Dash kayak race in Newmarket

2017

- Blanding's turtle nesting area enhancements pilot project in Durham

2018

- trail and signage improvements at the Route 87 access in Epping
- Hammock to 3K kayak race preparation and river education series
- updating conservation action plan and co-occurrence map in Barrington

2019

- improving communication and outreach to watershed residents



Article 18 – Purchase of One (1) Public Works Vehicle

*Shall the Town of Raymond vote to raise and appropriate the sum of **One Hundred and Eighty-Three Thousand (\$183,000)** for the purchase of one (1) Public Works Vehicle and to authorize the use in that amount of December 31, 2018 fund balance for this purpose. This will be a non-lapsing appropriation per RSA 32:7, VI and will not lapse until the vehicle is purchased or by December 31, 2020, whichever comes first. (Majority vote required).*

Estimated 2019 Tax Impact: \$0.000

Points of Discussion

- Purchase recommendation prepared and proposed by the Capital Improvement Committee
- Secures one-time funding outside of the operation budget and Capital Improvement (Article 16) to purchase a six-wheel dump truck used for highway construction and snow operations
- This Warrant Article allows the replacement of a vehicle in excess of 18 years of age (purchased in 2001)
- The old vehicle will be auctioned off and the revenue generated will transfer to the Unassigned Fund Balance at the end of the year
- The Town is using the Unassigned Fund Balance to cover the cost of this Warrant Article, eliminating any tax impact

Donations to Recreation Programs

March 1 – April 5, 2019

<i>Business Name</i>	<i>Payment Date</i>	<i>Check#/Cash</i>	<i>Amount</i>	<i>Group Donated To</i>
Sandra Bourque	2/4/2019	Check#122	\$100.00	2019 Grad Night
I.C. Reed & Sons, Inc	3/26/2019	Check#31210	\$400.00	2019 Grad Night
Hampshire Family Dental	3/27/2019	Check#6242	\$200.00	2019 Grad Night
Donahue, Tucker & Ciandella	3/28/2019	Check#06343	\$100.00	2019 Grad Night
Shookus Special Tools, Inc.	4/5/2019	Check#1087	\$500.00	Scholarships
Shookus Special Tools, Inc.	4/5/2019	Check#1087	\$500.00	2019 Grad Night
		Total	\$1,800.00	

Approved by the Board of Selectmen

April 22, 2019

George Plante, Chair _____

Scott Campbell _____

Jack Barnes _____

Christopher Long _____

Kathleen Hoelzel _____

4/10/19

To: Raymond Board of Selectmen
Cc: Joe Hisley, Town Manager
From: Kevin Woods, Resident
Re: Citizen Based Solid Waste & Recycling Advisory Committee

A group of Raymond residents would like to request the Board of Selectmen establish and appoint members to a citizen based **Solid Waste & Recycling Advisory Committee**.

Much like the Cable Advisory Committee, the Recreation Advisory Committee, and the Highway Safety Committee, we believe that we can provide research, support and assistance to the Public Works Director, Town Manager and the Selectmen with issues surrounding the curbside trash & recycling program (PAYT), the transfer station and helping to keep Raymond beautiful.

Attached is a draft mission statement that outlines the design of the committee and some of the areas we feel we can help with. |

Commented [KW1]:

|
We are asking the Board to formalize this committee by appointment so that it will be more than an ad-hoc committee. It will have structure, organization, credibility, and abide by all Raymond and State of NH laws & regulations.

The following residents have come forward and offered to be a part of this committee with the indicated roles:

Kevin Woods – Committee member
Kathy Masso – Committee member
Mark Desrochers – Committee member
Kathy MacDonald – Committee member
Kathy Pouliot – Committee member
Neva Austrew-Cole – Alternate
Wayne Watjus – Alternate

In addition, there are others who have volunteered to assist the committee in research and projects.

William Pineo
Jeanne Reardon
Faith Jordan
Tina Benjamin
Danielle Dugas
Kathy Biery
Lorene Donaven

Respectfully Submitted,
Kevin Woods
25 Nancy Lane
Raymond, NH 03077

SOLID WASTE & RECYCLING ADVISORY COMMITTEE

The Solid Waste & Recycling Advisory Committee shall be comprised of five (5) Raymond residents who will be appointed by the Select Board for three (3) year terms.

The Committee will elect a Chair, a Vice Chair, and a Secretary. Agendas and minutes will be posted in accordance with RSA-91A. The mission of this committee is as follows:

Advise and assist the Department of Public Works (DPW) Director, the Town Manager and the Board of Selectmen regarding the Town of Raymond's solid waste & recycling management program (PAYT) and the Transfer Station with the primary goals of reducing costs, optimizing operations, encourage recycling, and provide programs and education to benefit the residents of Raymond. Key components are:

1. Research new waste disposal technologies and new or changed governmental regulations and make recommendations for possible new approaches for solid waste disposal.
2. Assist with the RFP's for solid waste hauling and recycling and the Transfer station contracts and review of submitted proposals.
3. Investigate changes in the local and worldwide demand for recycled materials and make recommendations for best practices and maximum revenue.
4. Review operations of the Transfer Station and make recommendations to update policies and enhance its use.
5. Assist with the coordination of the Town's Household Hazardous Waste Day collection, including review of bid proposals and assistance to obtain state grants to defray part of the collection costs.
6. Research and organize other community-based activities such as Composting, Swap days, Bulk materials day, etc
7. Promote recycling and conservation education and efforts in Raymond Schools.
8. Create a public education and communication program to engage residents, businesses, civic groups, and town committees on matters related to solid waste disposal and recycling, with an emphasis on encouraging and increasing recycling and reducing solid waste.
9. Enhance Raymond's physical appearance with the help of the community, including the following:
 - a. Organizing the annual town-wide spring cleanup
 - b. Reducing town litter
 - c. Maintaining Raymond's Welcome signs and their landscaping.

Town of Raymond
Board of Selectmen Draft Minutes
Monday, February 25, 2019
6:00 PM
Raymond High School Media Center

Meeting Called to Order at High School by: Chair, Selectman Barnes; 6:00 p.m.

Board of Selectmen in Attendance:

Jack Barnes
George Plante
Wayne Welch
Gregory Bemis

Town of Raymond Staff:

Joseph Ilsley – Town Manager

Board of Selectmen Excused: Scott Campbell

Pledge of Allegiance: The Pledge of Allegiance was recited.

Moment of Silence: Malcom Noyes, Jeremiah “Jerry” Kissane

Non-Public – RSA 91A:3, II (d) Property – Minutes sealed for 3 years (2-25-2022)

Non-Public – RSA 91A:3, II (a) Personnel – Minutes sealed for 6 months (8-25-19)

Non-Public – RSA 91A:3, II (L) Consideration of Legal Advice – Minutes sealed for 30 days (3-25-19)

Chairman Barnes made a motion to enter into nonpublic under the above-mentioned nonpublic sessions, seconded by Selectmen Plante. He also stated that the Board will be returning from nonpublic to reveal the dates (if necessary) of the timeline for either sealing or not sealing these minutes and returning to public session. The Board was polled, Selectmen Bemis, Y, Selectmen Welch, Y, Selectmen Plante, Y.

Public Comment: n/a Public Comment closed at 7:03 p.m.

Agenda Items:

Town Moderator:

Ms. Hoelzel Town Moderator and the Asst. Town Moderator, Sharon Walls, Town Clerk Tax Collector came before the board to give information and directives to the Board members regarding the Town Voting Date. March 12, 2019 from 7AM – 7PM. She also informed the public regarding absentee ballots and directions on how to register to vote.

Tax Deeded Property (Bald Hill Rd): Map 8, Lot 36:

The Board made a motion to table this agenda item to allow further investigation and gather more information. Motion to table to future meeting, MOTION CARRIED 4-0-0.

Fremont Road Property Follow Up:

Mr. Ilsley stated that per the Board’s direction to assess the property, he, Steve Brewer and Ernie Creveling has a meeting with the NHDES regarding the EPA mandates for water quality for the Town of Raymond and it was determined that holding this property back from sale until we know the full scope of what they are going to demand for clean water quality and if we can leverage this property for clean water initiatives it would be wise. Selectman Welch made a motion to agree to hold back and wait until the Town Manager can bring forward more information, seconded by Selectman Plante, MOTION CARRIED 4-0-0.

53 **Petition for Permit- Pole & Conduits for Class VI Rd. (Branch Road):**

54 Selectman Barnes asked the Board to table this agenda item as we are awaiting further information. Town Manager
55 Ilsley made a point of clarification; that there are some issues that need to be addressed to make it legitimate
56 regarding the easement and some potential legal issues regarding some other cases we have open and would like to
57 vet these items out. He stated that the town is working with the petitioner, so we are not ready at this time to
58 discuss. The motion to table was made by Selectmen Bemis, seconded by Selectman Welch, MOTION CARRIED
59 4-0-0.
60

61 **SRF Loan Principal Water Forgiveness:**

62 DW Director, Steve Brewer came forward to address the Board. He stated that the Well work is completed for both
63 wells. WE now know what the loan payment will be and the final costs. In the budget we forecasted an amount
64 including principal and interest payment of \$235,191. Because we received principal forgiveness of \$588,136 the
65 loan payment was reduced to \$151,485. This leaves a surplus in the water budget this year as a result of these
66 efforts. The total costs of both Well 1 and Well 2 was \$2,940,860.80. We were authorized to borrow \$3,151,000.
67 With the surplus funds we will use these funds for repairs to the water treatment plant and thinking about using any
68 leftover funds for CIP items. The Board thanked Mr. Brewer for his continued costs saving items.
69

70 **Back Flow Testing Bid Openings:**

71 DPW Director, Steve Brewer came forward to address the Board. He is looking to the Board to open the bids for the
72 Back-Flow Testing. He explained that the town has several back-flow devices. The back flow prevents water that
73 could be contaminated going back into the drinking water for residents.
74

- 75 New England Back Flow - \$9,730.00
- 76 Weston/Sampson Services - \$8,325.50
- 77 DSG Back Flow Preventative Services - \$9,112.00

78 **Right to Know Public Records:**

79 The Town brought forward a fee schedule for the board to accept in order to charge residents, if necessary, for
80 copying of town records. Mr. Ilsley explained that the Town is adopting a RTK procedure process for residents to
81 request information from the town. This information and form will be placed on the website. Selectman Plante
82 made a motion accept the fee schedule for paper copies, seconded by Selectman Welch, MOTION CARRIED, 4-0-
83 0.
84
85

86 **Approval of Public Minutes:**

87 Selectman Bemis made a motion to accept the public minutes as written, seconded by Selectman Welch, MOTION
88 CARRIED 4-0-0.
89

90 **Board Correspondence:**

91 The Board read through any correspondence.
92

93 **Citizens Questions/Concerns:** n/a
94

95 **Town Manager's Report:**

96 **Back Taxes:** Mr. Ilsley announced a follow up on the deeded properties. The back-tax initiative basically
97 reconciled all the back taxes from 2012 to current deed year. The initiative yielded \$683,000 in back taxes signed
98 up; we have 178,000 in current taxes being paid; and \$219,000 in total new revenue (combination of back taxes
99 being paid and new taxes coming in). We will be moving forward to capture the 2016 – 2018 taxes.

100 **Operation Raymond Clean Up:** There are a lot of areas within the town that need a cleanup. We are partnering
101 with the RCFY and initiate a major clean up. We are asking for any volunteers to join us on April 22nd. He is
102 authorizing alternate duty locations for town staff who want to join us as well.

103 **NHDES Update:** What they are offering for strategies offers a lot of work for the town but achieves nothing. He
104 would like to get a group of people together to develop a strategy for water quality develop of our lakes, streams
105 and rivers. We would like this to be a long-term initiative; possibly partner with some colleges to see if they can do

106 some environmental studies and clean up the waterways in Raymond. We are looking for volunteers, get involved.
107 Any questions please reach out to my office through Deb Intonti.
108 **91A Policy:** Has already been discussed we will be moving forward with that within the next 60 days.
109 **Town Hall Efficiency Actions:** We are looking at efficiency actions to streamline processes and be more efficient
110 in the services that we provide. The first area to concentrate on will be the tax office. We will be closing for 1 ½
111 hours on Wednesdays in order for the tax team and myself can work through these initiatives, work policy review
112 and procedures and be able to surge to meet residents needs without a tax burden to the taxpayer. We anticipate this
113 will take approximately 6 months to work through and we thank the residents in advance for their patience while
114 we work this initiative.
115 **Trash Bags:** He announced that the town has purchased new durable YELLOW trash bags for our PAYT program.
116 We will move forward with this whether or not the WA passes or fails.
117 Joe thanked Selectman Bemis and Selectmen Welch for their guidance and service to the Town of Raymond.
118

119 **Board of Selectman Report:**

120 Selectman Bemis will be attending the ZBA meeting coming up this week, he commented on the Deliberative and
121 went very well. Selectman Welch will attend the Firemen's Breakfast, Selectman Plante stated that the Ice Golf for
122 the American Legion fundraiser went very well they raised over \$10,000 for charity. He thanked Selectman Welch
123 and Selectmen Bemis for their years of service on the Board of Selectman. Selectman Barnes will attend the
124 Fireman's Breakfast.
125

126 **Motion to Adjourn:**

127 A motion to adjourn was made by Selectman Plante, seconded by Selectman Bemis; public meeting adjourned at
128 6:47 p.m.
129

These minutes are in draft form and therefore
a subject to change.

130
131 Minutes Recorded By:

132 Deborah Intonti, Executive Assistant to the
133 Board of Selectmen and Town Manager
134

**Town of Raymond
Board of Selectmen Draft Minutes
Monday, March 18, 2019
6:00 PM
Raymond High School Media Center**

Meeting Called to Order at High School by: Chair, Selectman Barnes; 6:00 p.m.

Board of Selectmen in Attendance:

Jack Barnes
George Plante
Wayne Welch
Gregory Bemis
Scott Campbell

Town of Raymond Staff:

Joseph Hsley – Town Manager

Board of Selectmen Excused: n/a

Pledge of Allegiance: The Pledge of Allegiance was recited.

Moment of Silence: Florence Desoto, Cecelia Decelles, John Page, Sr.

Sworn In Members: Town Clerk Tax Collector, Sharon Walls swore in Kathleen Hoelzel and Christopher Long as the two new Board of Selectmen members for three years.

Agenda Items:

Town Voting Overview:

Moved to the end of the meeting under Board of Selectmen reports.

Board of Selectmen Organization/Vote to Appoint Chair and Vice Chair:

Chairman Barnes made a motion to nominate George Plante as the new Chairman of the Board of Selectmen; Selectman Hoelzel seconded the motion to nominate George Plante; no other nominations were brought forward at this time, MOTION PASSED.

Chairman Plante asked for nominations for Vice Chair of the Board of Selectmen; Selectman Barnes nominated Scott Campbell for the Vice Chair of the Board of Selectman; seconded by Selectman Hoelzel; no other nominations were brought forward at this time, MOTION PASSED.

Board of Selectmen Organization/Board Assignments to Committees:

Chairman Plante read off the committees and each Board member signed up.

COMMITTEE	BOARD MEMBER	BOARD ALTERNATE MEMBER
Budget	Selectman Barnes	Chairman Plante
Cable	Selectman Long	Selectman Hoelzel
Capital Improvements	Chairman Plante	Vice Chairman Campbell
Historic District	Selectman Hoelzel	Selectman Long
Highway Safety	Chairman Plante	Vice Chairman Campbell
Planning	Chairman Plante	Selectman Barnes
Recreation Advisory	Selectman Hoelzel	Vice Chairman Campbell
RREDT	Vice Chairman Campbell	Selectman Barnes

COMMITTEE	BOARD MEMBER	BOARD ALTERNATE MEMBER
Scholarship	Selectman Hoelzel	Selectman Barnes
Zoning Board	Vice Chairman Campbell	Selectman Long

43

44 **Public Comment:** Opened at 6:15p.m., no comments, closed at 6:15p.m.

45

46 **BTLA NH Electric Co-Op Settlement Agreement:**

47 Town Manager Ilsley gave an overview of the town's litigations that are moving forward one of which is with New
 48 Hampshire Electric Co-Op. Basically the State of New Hampshire has never been able to assess utility easements
 49 within the state. There are three lawsuits that the town is engaged in at this point, hopefully will be cleared up by the
 50 end of this year. The Town Manager and the DPW Director attended a forum in Plymouth New Hampshire along
 51 with other communities where we engaged in a mitigation to agree to a settlement. We also have PSNH and FairPoint
 52 which are pending litigations. The goals of these mitigations are to reduce the liability to the taxpayer and a way
 53 forward on how to address future taxation. There proposal was to look at 2014- 2016, but we would also need to
 54 address 2017-2019 as the town was going to be sued for these years as well. All communities stood together to resolve
 55 this issue to reduce liabilities to these communities and then began the process of negotiating the amount that the
 56 were seeking. The original ask from the utility company for Raymond was negotiation down 55% of their original
 57 ask saving the town a substantial amount of money. He read the data points from the settlement agreement. The Town
 58 is not paying them in a cash settlement, we are paying in credits. In 2019 the town will provide in the amount of
 59 \$33,458 in tax credit, the same amount in 2020, 2021- 2022. This mediation is estimated to save the town
 60 approximately \$450,000. In addition to that we will be paying in credits the amount of \$200,000 over three years.
 61 The 2018 valuation and reduced it 20%, and reduced 2019 and 2020, 20% which links to HB700 which covers the
 62 assessment of those utilities. This will stabilize the next couple years of these utilities, gets us out of years of litigation
 63 and protects the tax rate. This is just one of three litigations going forward. Selectman Campbell asked if this is the
 64 same agreement that all towns agreed to. Mr. Ilsley explained that the bundled towns worked together, but there were
 65 different rates for each town. Chairman Plante made a motion to accept and sign the BTLA Settlement Agreement
 66 for NH Electric Co-Op; seconded by Vice Chairman Campbell, MOTION PASSED, 5-0-0.

67

68 **Petition for Permit Utility Poles and Conduit – Branch Road:**

69 Chairman Plante recused himself from this discussion. Vice Chairman Campbell stepped in to continue the meeting.
 70 Mr. Brewer, DPW Director explained the new permit process. This is a petition for a permit to place an electric line
 71 on a Class VI road. RSA 231:161 which allows the town to permit electric poles and conduits on a Class VI road also
 72 a section that allows the licensing on a Class IV road. In this case we are talking about Branch Road (Class VI Road)
 73 located off Route 102. At the end of Branch Road there is a parcel of land that Mr. Cole has built and constructed a
 74 residential home. He is petitioning the Board of Selectmen to place electrical service within the road corridor. This
 75 permit requires the builder to provide surveyed Right-of-Way (ROW) corridor, and it within that corridor that the
 76 Board has the jurisdiction. Within this diagram/surveyed plan it indicated where the poles and conduit would be
 77 placed and a number of additional pieces of information with regard to how it would be constructed and restored. The
 78 Building retained the services of a surveyor (Roscoe Blaisdell). The surveyor did not indicate a lot of roadway search
 79 going back historically delineating exactly the width of the road. It is believed to be a two-rod road; it is also believed
 80 that an in-depth investigation would concur with the findings. The builder has received from Eversource three
 81 different utility options to get electric to the house. There is an exiting overhead line that comes in from the
 82 Sportsmen's Club and terminates at the Sportsmen's Club except for one additional length that goes over Branch
 83 Road and there is a pole placed on the land of Mr. W. Page. Eversource's Option A shows a pole set within the ROW
 84 just before that pole set by Mr. Page; and from that would be series of poles that the wire over land to the location
 85 down the road about 600 feet where the builder has built the house. Option B is dropping a pole in the same location
 86 near Mr. Page's pole and putting in an underground conduit from that location to the structure; 600 feet down Branch
 87 Road; Option C is a similar arrangement a pole placed, same location, and a meter pedestal and an underground
 88 service line. The difference between B and C is that the wire in the road under B would be owned by Eversource;
 89 under C next to the meter pedestal would be owned and maintained by the homeowner. That meter would be 600 feet
 90 away from the house, down at the telephone pole. This process is being reviewed by myself and the Town Manager

91 and then forwarded to the Board for review and approval or not. See Memo from Mr. Brewer attached. We are asking
92 approval from the Board to seek and clean up these administrative issues and proceed.
93 Selectman Barnes asked if the Sportsmen's Club had issues and wanted to know if there was anyone who could speak
94 on their behalf?

95
96 Mr. Norman Pinard, President of the Sportsmen's Club. He expressed his concerns stating that they were approached
97 after the foundation was put in place, he would have preferred to have been approached ahead of time and they could
98 have worked collaboratively. Mr. Pinard also expressed that he did prefer the underground option, as to not disrupt
99 the surroundings and also would hope that the road would be fixed to its original condition The Sportsmen's Club
100 maintains that road, plows the places gravel on the road. He stated that the road needs to be kept option so that they
101 can maintain their access to the Sportsmen's Club. Selectman Barnes asked the builder, Mr. Cole if he was accepting
102 of the underground option; he stated yes. Mr. Plante came forward as a citizen added that he spoke to Mr. Page and
103 did not have a problem with Option B. He read a statement from Mr. Page." *As I stated and re-laid my feelings*
104 *as an abutting land owner who will be affected by the decisions made. The least evasive action would be to*
105 *allow Mr. Cole to put a conduit down my pole at the road end of my property. Whether that pole has a*
106 *transformer on top or not. No meter to be installed there AND a detailed plan to upgrade the road and*
107 *driveway end of my property to deter deterioration to pieces affected by construction. You can forward this*
108 *to all concerned. Walter Paige Jr. 19 Branch Rd".* Selectman Barnes asked what action they should take
109 tonight. Mr. Ilsley commented that his recommendation would be for the Board's best interests to agree to
110 it based on the contingencies that Mr. Brewer outlined that way we can work with the landowner and get
111 these items formalized instead of waiting another month. If there are any issues regarding these
112 contingencies, then we would bring to Board's attention immediately, if we can work them out internally,
113 then we would finish this project. Selectman Barnes made a motion to move forward with this project,
114 seconded by Selectman Long; Selectman Hoelzel asked about the possibility of this road becoming a town
115 road. DPW Director Brewer stated very little. Mr. Plante speaking as a citizen asked Mr. Cole if he planned
116 on putting extra conduit for telephone and cable? Mr. Cole responded he did not. MOTION PASSED, 4-0-
117 1.

118
119 **Street Sweeping Bids;**

120
121 Immaculate Power Sweeping, LLC: Total Estimated: \$21,590.00

122
123 FB Hale: Total Estimated: \$17,600 - \$22,000

124
125 **Vote to Accept 4th of July Donation: \$2,450**

126 Selectman Barnes made a motion to accept the 4th of July funds thus far, seconded by Selectman Hoelzel, MOTION
127 CARRIED 5-0-0.

128
129 **Approval of Public Minutes:**

130 Tabled to next meeting.

131
132 **Other Business:**

133 Next Meeting of the Board of Selectmen will be on Monday, April 22, 2019 at 6:00 p.m.

134
135 **Citizens Questions/Concerns: n/a**

136
137 **Board Correspondence:**

138 The Board read through any correspondence.

139
140 **Town Manager's Report:**

141 **Vote Impact:** Prior to voting; the estimated tax rate if all Warrant Articles passed would be \$5.81 and netted
142 approximately a \$.77 per thousand or 12% reduction in the Municipal Tax Rate.

143 However, as you are aware the Tax subsidy for Pay as You Throw failed along with Lamprey Health Care Social
144 Services.

145 These results have further cut municipal appropriations by \$311,000.00 and are estimated to further reduce the
146 municipal tax rate by an additional \$.33 per thousand.

147 As it stands now (we still may have a tax impact with the utility litigation); our efforts are projected to net a Municipal
148 Tax Rate of \$5.48 per thousand which is an estimated reduction of \$1.10 off the 2018 Municipal Tax Rate or a total
149 percentage decrease of nearly 17%.

150 What has been accomplished this year with the Boards support gives us the best opportunity to secure one of the
151 largest single Municipal tax cuts in Raymond history and potentially the lowest Municipal Tax Rate since 2010
152 (rolling back nearly 10 years of tax increases).

153 **Offsite:** On March 6th, 2019, the Town of Raymond held an offsite working group planning meeting consisting of
154 the Town Manager and the Department Heads, to help shape the priorities of work for the next 2 years.

155 The intent of this effort was to address and bring to closure, long-term "legacy issues" present in the Town, identify
156 the focus and parameters of "needs assessments" or "audits" to facilitate strategic planning and enhance the
157 stewardship of tax payers' dollars. In addition, the working group evaluated and prioritized community and employee
158 enhancement initiatives, focused on attracting and retaining both residents and those who serve the community.

159 The working group also identified current Town Hall initiatives requiring further attention until they are fully brought
160 to closure, major administrative milestone requiring action. Once all these items were identified the task were further
161 clarified regarding the estimated time required to complete, prioritized based on importance and time sensitivity and
162 then applied to a two-year work cycle.

163 The Working Group Identified 98 Action Items to address. Out of these 97 items 46 will require a complete analysis
164 to determine the scope of the work required to address the issues. Considering the magnitude of this undertaking
165 plus the need to still perform the requirements of managing the Town and addressing unforeseen situation; the
166 execution strategy is broken out in phases spread across 27 months. In addition, some of the major strategies for the
167 Town (Master Plan and Economic Development Strategy) will be dependent on the information obtained from the
168 analysis of the 43 other action items and strategies.

169 Once complete, the full report will be presented to the Board of Selectmen and to allow them to incorporate their
170 goals into this initiative.

171 **Pay As You Throw (PAYT) Transition Strategy:** As you are all aware, PAYT Warrant Article failed and now the
172 Town must transition to a pure fee-based system.

173 This transition has been broken down in to 4 phases:

174 **Phase 1: Sale of New Bags and Price Adjustment:** Remove Green Bags from sale and implement sale of new
175 yellow bags at new rate (\$4.25 for Large, \$3.25 for Small). This is estimated to start on April 1st but is dependent on
176 when the new bags arrive. If there is an inability for a retailer to start on the arrival date, a list of available retailers
177 will be provided to the community.

178 **Phase 2: Dual Pick-Up of Both Bags Allowed:** To help facilitate the transition there will be a two-week period
179 where the Town will allow pick up of both bags to allow residents time to purchase the new bag. This phase will be
180 initiated with Phase 1 and is estimated to start on April 1st and end on April 15th but is dependent on when the new
181 bags arrive. After the completion of this phase, Waste Management will no longer pick up trash in Green bags.

182 **Phase 3: Bag Exchange:** For 30 days after the arrival of the new bags, residents can exchange their old bags at the
183 Town Hall Town. The exchange will be based on the sale value of the old bags and the current cost of the new bags.
184 After this period ends the Town will no longer exchange bags. (\$1.80 & \$2.35)

185 **Phase 4: New PAYT Program Fully Online:** 30 days after the new Bags go sale the Town will fully transition to
186 a 100% PAYT Program. The Town will monitor revenue and expenses to ensure the rates call fully cover the cost
187 of services and to ensure bag rates are not higher than required.

188 **Recommendations:**

- 189 1) Do not hoard Green Bags; the Program is switching to a new bags and 30 days after this transition the old
190 bags will no longer be allowed.
191 2) Use the Bag Exchange Period to transition your household into the new system
192 3) Recycle; bolstering home recycling can have significant impacts on helping reduce the cost of each weeks
193 pick up.

194 **Point of Clarification:**

- 195 1) If you do not participate in the PAYT through bag purchases, you are not allowed to participate in the
196 recycling part of the program.
197 2) Bag Exchanges will only occur at Town Hall and only for a 30-day duration.
198 3) Individuals concerned with Illegal disposal of trash; the Town will aggressively address any illegal dumping
199 and will take appropriate legal recourse for a violator who illegally dumps in the Town

200 **School Impact Fees:** The 2018 reconciliation of the School impact fees has resulted in unanticipated revenue of
201 \$98,800.00 which exceed historical revenue by 300-400%. In addition, Finance has found minimal shortages to the
202 account over the past couple of years of \$3,600 which is projected to be added to this amount for a total of 101,600.00.
203 Finance will be working with the school to help them receive these funds. A full update will be provided at the next
204 BOS meeting. Currently we are validating if the release of these funds requires BOS approval.

205 **Projects Owed to the Board by Next Meeting:**

- 206 1. Appointment Questions and Process
207 2. Bald Hill Property
208 3. Town Department Priorities of Work
209

210 **Board of Selectmen's Report:**

211 Selectman Heelzel, gave an overview of the town elections. 7,435 voters voted, added 28 new people, removed 12
212 people 7,451 is the current voter checklist. 1,024 voters our of the 7,451 voters. She stated that the new moderator is
213 Wayne Welch until next term. Selectmen Long, no comments, Selectmen Barnes, no comments, Selectmen
214 Campbell, no comments, Selectmen Plante read the letters of merit for the Raymond Police Department and letter of
215 merit for the Raymond Fire Department. He stated that he attended a Joe with Joe discussion. He appreciates what
216 he does, and he will be doing some evening sessions to capture some residents that cannot make it during the day.
217 They are held at the Longbranch on Friday's at 10:00 a.m. He also commented on a check that was issued from the
218 American Legion to the Raymond Historical Society in memory of Stephen Goldthwaite. Money was raised by a
219 fundraising event.

220
221 **Motion to Adjourn:**

222 A motion to adjourn was made by Selectman Campbell, seconded by Selectmen Plante; public meeting adjourned at
223 7:17 p.m.
224

225
226 Minutes Recorded By:

These minutes are in draft form and therefore
a subject to change.

227 Deborah Intonti, Executive Assistant to the
228 Board of Selectmen and Town Manager
229

230 *See Attached Documents: Branch Road Memo*



TOWN OF RAYMOND


Department of Public Works

TOWN OFFICES

4 Epping Street Raymond, New Hampshire

Office: 603-895-7035 Fax: 603-895-7064

MEMORANDUM

FROM: Stephen Brewer, Director of Public Works 

TO: The Honorable Board of Selectmen and Joseph S. Hisley, Town Manager

cc: Craig Sykes, Highway Superintendent
Rich Nunziato, Highway Foreman

DATE: March 15, 2019

SUBJECT: Petition for Permit Utility Poles / Underground Conduit along a Class VI Road

Road under consideration: Branch Road

Petitioner: Kevin Cole – KWC Excavation & Paving

The Petitioner wishes to provide electrical power to a residential building that he has constructed. He has provided a survey plot plan depicting the portion of Branch Road where the proposed work would occur.

Three options to provide electrical service have also been provided for your consideration

Option A

This option involves the installation of 4 utility poles and an overhead wire to provide electrical service to the new home.

Option B

This option involves the installation of one utility pole with a drop down the pole to an underground conduit (3" dia) connecting to a pad mounted transformer serving the property.

Option C

This option involves the installation of one utility pole with a drop down the pole to a freestanding meter pedestal, then a private electric service line from the pedestal to the house.

The application form requires:

- submission of two signed copies of the permit
- surveyed road Right of Way Corridor Plan

deed research which supports the delineation of the road corridor depicted on the plan
pole / conduit location plan
construction details
surface restoration plan

Application deficiencies:

Application Form:

The new permit form (issued March 7, 2019) needs to be completed and signed by Mr. Cole and by Eversource. It also must be signed by any other utility service providers that intend to attach to the pole system or co-exist within the conduit system. Others might include Comcast for internet and cable service.

Deed / Road Research:

The Plan notes specifically state that the Applicant requested that no research of the road records be done and acknowledge that the corridor is likely to be 2 rods wide (33 ' feet).

Construction Details

No specific construction details have been submitted regarding the trench, backfill, conduit material, pad mounted transformer size, shape, or any offset requirements.

Surface Restoration Plans

No statement or information has been provided about restoration of the road impacted by construction

Given the status of the Permit materials submitted, it is my recommendation that:

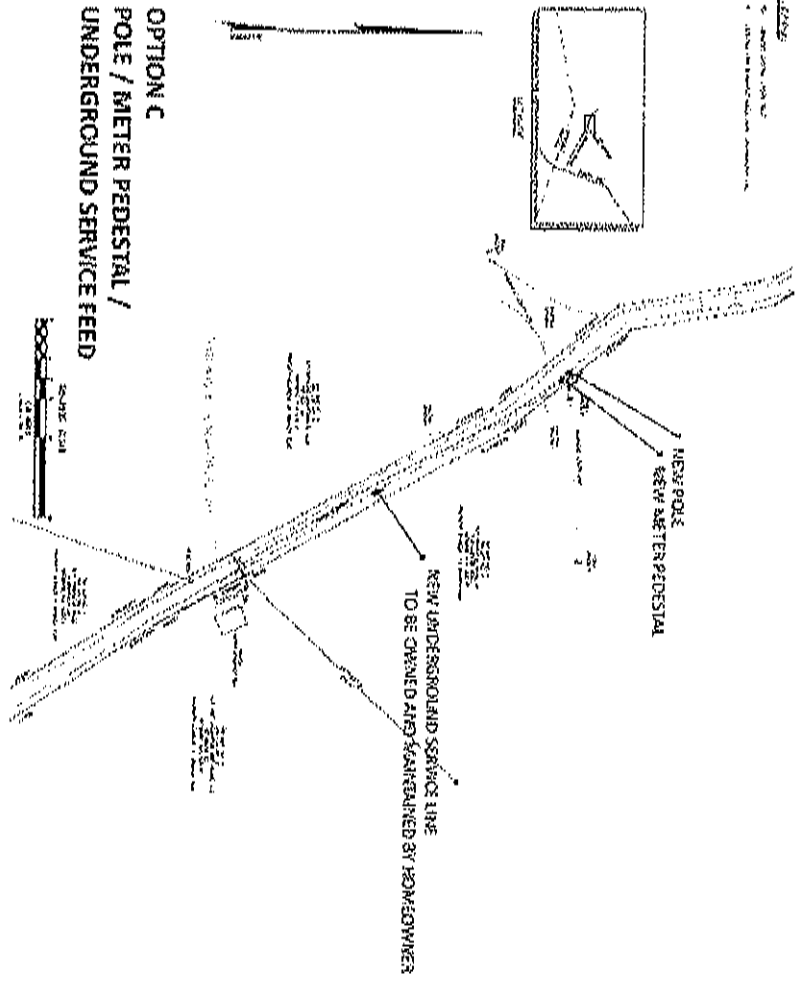
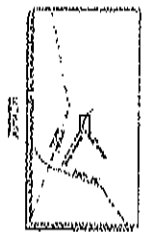
1. The only option available for the Board of Selectmen to consider is Option B, the conduit option. It is the only option that ensures that the infrastructure will be situated within the public road corridor and not on private property.
2. Should the Board wish to proceed to grant the permit for the installation of Option B, the approval should be subject to the follow conditions:

No construction activity shall occur until:

- a. the new permit form has been executed by the Applicant, Eversource and any other utility service provider to that will be placed within the road corridor under this permit and accepted by the Town.
- b. all construction details have been submitted and approved by the Director of Public Works.
- c. the previously required road maintenance agreement between Mr. Cole and the abutters to Branch Road has been executed and submitted to the Community Development Department.
- d. a road restoration plan has been submitted and approved by the Director of Public Works

further, that any approval granted by the Board require that construction be executed in a manner that accommodates and does not unduly disrupt the flow of traffic on Branch Road. Construction should be coordinated with the adjacent abutters to minimize impacts to vehicular circulation.

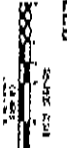
2000
1. 2000
2. 2000



OPTION C
POLE / METER PEDESTAL /
UNDERGROUND SERVICE FEED

NEW POLE
NEW METER PEDESTAL

NEW UNDERGROUND SERVICE LINE
TO BE OWNED AND MAINTAINED BY HOMEOWNER



**Town of Raymond
Board of Selectmen Draft Minutes
Monday, April 15, 2019
5:30 PM
Raymond High School Media Center**

Meeting Called to Order at High School by: Selectman Chair, Plante; 5:30 p.m.

Board of Selectmen in Attendance:

George Plante
Jack Barnes, Jr.
Kathleen Hoelzel

Town of Raymond Staff:

Joseph Hisley – Town Manager

Board of Selectmen Excused: Scott Campbell, Christopher Long

Pledge of Allegiance: The Pledge of Allegiance was recited.

Agenda Items:

Bid Openings:

Pavement Markings:

Markings, Inc:

\$49,241.25

Industrial Traffic Lines, Inc

\$40,345.25

Hi-way Safety Systems, Inc.

\$26,769.00

Catch Basins:

Eastern Pipe Services, Inc

Per Basin Rate – Cleaning: \$40.00

Per Basin Rate – Inspection: \$20.00

Per Hour Rate – Cleaning: \$150.00

Hartigan Wastewater Services:

Per Basin Rate – Cleaning: \$39.78

Per Basin Rate – Inspection: \$19.89

Per Hour Rate – Cleaning: \$165.75



Cemetery Mowing:

ASAP Landscape & Design LLC

All-inclusive for 1 full and complete lawn maintenance operation at Old Pine Cemetery

\$12,000 each for 2019

All-inclusive for 1 full and complete lawn maintenance operation at New Pine Cemetery

\$12,000 each for 2019

All-inclusive hourly crew rate for leaf collection services (if requested)

\$100.00/hr for 2019

All-inclusive for 1 full and complete lawn maintenance operation at Old Pine Cemetery

\$12,000 each for 2020

All-inclusive for 1 full and complete lawn maintenance operation at New Pine Cemetery

\$12,000 each for 2020

All-inclusive hourly crew rate for leaf collection services (if requested)

\$100.00/hr for 2020

All-inclusive for 1 full and complete lawn maintenance operation at Old Pine Cemetery

\$12,000 each for 2021

All-inclusive for 1 full and complete lawn maintenance operation at New Pine Cemetery

\$12,000 each for 2021

All-inclusive hourly crew rate for leaf collection services (if requested)

\$100.00/hr for 2021

Blue Sky Landscaping:

All-inclusive for 1 full and complete lawn maintenance operation at Old Pine Cemetery

\$600.00 each for 2019

All-inclusive for 1 full and complete lawn maintenance operation at New Pine Cemetery

\$300.00 each for 2019

All-inclusive hourly crew rate for leaf collection services (if requested)

\$140.00/hr. for 2019

All-inclusive for 1 full and complete lawn maintenance operation at Old Pine Cemetery

\$630.00 each for 2020

All-inclusive for 1 full and complete lawn maintenance operation at New Pine Cemetery

\$315.00 each for 2020

All-inclusive hourly crew rate for leaf collection services (if requested)

\$150.00/hr. for 2020

All-inclusive for 1 full and complete lawn maintenance operation at Old Pine Cemetery

\$693.00 each for 2021

All-inclusive for 1 full and complete lawn maintenance operation at New Pine Cemetery

\$346.00 each for 2021

All-inclusive hourly crew rate for leaf collection services (if requested)

\$165.00/hr. for 2021

Capital Improvement Committee (CIP):

Selectman Plante was given a copy of the Town Code along with a draft Appointment Application for their review and comments. Mr. Ilsley explained that if anyone is putting forth a recommendation to the CIP Committee, the Board of Selectmen have to appoint them to the committee. (See attached Appointment Application). Selectman Plante read the Town Code and the draft Application into the record. Selectman Hoelzel made a motion to accept the Town of Raymond Appointment Application as written updated April 2019, seconded by Selectman Barnes, MOTION CARRIED, 3-0-0.

Other Business:

Next meeting of the Board of Selectmen will be on Monday, April 22, 2019 at 6PM, Raymond High School Media Center.

Non-Public RSA 91A:3 II, (c) Reputation; Non-Public RSA 91A:3 II, (d) Property:

Chairman Plante announced that the Board would be entering into non-public under the following RSA's listed above; motion was made to enter into the stated non-public meetings by Selectman Hoelzel, seconded by Selectman Barnes. The Board was polled, Selectman Hoelzel, Y; Selectman Barnes, Y, Chairman Plante, Y. The Board will be coming out of non-public to announce the non-public sessions and then to adjourn.

Board entered into non-public session at 6:10 p.m.

Board returned from non-public session at 6:42 p.m. **Non-Public RSA 91A:3 II, (c) Reputation:** Chairman Plante motioned that after discussion with town council the Board of Selectmen have decided not to pursue any further legal action against the Zoning Board of Adjustment (ZBA) regarding the Ben Ash property, seconded by Selectman Barnes, MOTION CARRIED 3-0-0. These minutes are not sealed.

Non-Public RSA 91A:3 II, (d) Property: Chairman Plante motioned that these minutes will be sealed until April 15, 2021.

Signing of Town Documents:

All documents were signed in public session.

Adjournment:

Selectman Barnes made a motion to adjourn, seconded by Selectman Hoelzel; meeting adjourned at 6:50PM.

Attachment: Town of Raymond Appointment Application

Minutes Recorded By:

Deborah Intonti, Executive Assistant to the
Board of Selectmen and Town Manager

*These minutes are in draft form and therefore a
subject to change.*

BOS Correspondence

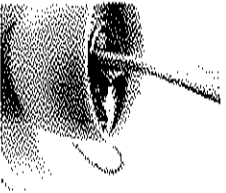
April 22, 2019

- Operation Clean Up Raymond Schedule
- National Day of Prayer – Breakfast and Ceremony on Common
- Eversource letter dated 2/20/19
- Letter from Exec. Council of State of NH – Russell Prescott
- Xfinity letter from Comcast
- Public Notice from Dragon Mosquito
- 4/12/19; 4/5/19; 3/29/19 Legislative Bulletins
- DRAFT of BOS Rules of Procedure – Review only

Operation Raymond Clean-Up

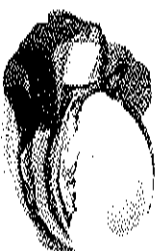
Friday, May 3, 2019 [Rain date May 10]

- 8:00 am Meet at RHS**
- Welcome
 - Break into groups with section leader
 - Go over plan for day & safety rules
- 8:45 am Board busses for work locations**
- 9:00 am Arrive at work sites**
- Section leader will go over safety plan
 - Bathroom locations / trash pick-up areas
- 10:30 am Check-in / Snack break**
- Section leaders will have snack / water refill for all
 - Check-in with participants
- 12:00 pm End work / pack up area / pick up any supplies**
- 12:15 pm Bus pick up / walk to lunch area**
- Section leader confirm bus/group counts
- 12:30 pm Lunch at Tannery Site (corner of Old Manchester Road & Wight Street)**
Thank you Tuckaway Tavern
- 1:30 pm Load buses to return to High School**
- All students must return on the bus



YOU'RE INVITED TO BREAKFAST!

National Day of Prayer Breakfast



Join us **Thursday, May 2nd**
6:30 a.m. to 9:30 a.m.
at Raymond Baptist Church (145 Rt 27)



We would like to express our appreciation to the Town of Raymond workforce (paid and volunteers) for your services on behalf of our community by serving you breakfast. At 8:00 a.m., we will have a few words of prayer for you and others in service to our community.



780 N. Commercial Street
P. O. Box 330
Manchester, NH 03105-0330

Christopher J. Allwarden
Senior Counsel

603-634-2459
christopher.allwarden@eversource.com

February 20, 2019

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Board of Selectmen
Town of Raymond
4 Epping Street
Raymond, NH 03077

Dear Sir/Madam:

Enclosed is Public Service Company of New Hampshire d/b/a Eversource Energy's Application for Abatement of Taxes Pursuant to New Hampshire RSA 76:16, which is filed with respect to taxes assessed by Raymond as of April 1, 2018.

Should you have any questions concerning our abatement request, you may direct them to me or to Eversource Energy's Tax Manager, Richard Heitz at (860) 665-2746.

Very truly yours,

A handwritten signature in black ink, appearing to read "C. J. Allwarden", written over a horizontal line.

Christopher J. Allwarden
Senior Counsel, Law Department

CJA:mlp
Enclosure

cc: R. Heitz
N. Cadwallader
M. Nelson, Esq.

STATE OF NEW HAMPSHIRE

Town of Raymond

Application for Abatement of Taxes
Pursuant to New Hampshire RSA 76:16

To the Board of Selectmen:

Pursuant to New Hampshire RSA 76:16, Public Service Company of New Hampshire, doing business as Eversource Energy, a New Hampshire corporation with a principal place of business at 780 North Commercial Street, Manchester, New Hampshire 03101 (hereinafter "PSNH"), applies for abatement of taxes as follows:

(1) PSNH was, on April 1, 2018, the owner of certain transmission and/or distribution assets and other property, as described on the attached schedule, located in Raymond, and was liable to pay not more than a just and proportionate tax on its taxable property in Raymond.

(2) PSNH duly complied with all the requirements of New Hampshire RSA Chapter 74 with respect to its 2018 property taxes in Raymond.

(3) Raymond, by its Assessor, appraised PSNH's property for the purposes of ad valorem taxes as of April 1, 2018, in the aggregate sum of \$15,303,200 and assessed against PSNH a tax upon its said property aggregating \$368,961 and notified PSNH of said tax. PSNH paid said tax in full by delivering to Raymond's Collector of Taxes checks totaling \$368,961.

(4) Said appraisal of \$15,303,200 is in excess of a just and proportionate valuation of PSNH's taxable property in Raymond; the said tax assessed thereon is illegal, excessive in amount, disproportionate and unjust; and therefore, PSNH maintains that just cause exists for the abatement of a portion of the taxes assessed against its property as of April 1, 2018. PSNH is requesting abatement of the taxes assessed against all of the properties listed on the attached schedule of its assessed properties in Raymond.

(5) In support of its abatement request, PSNH submits that:

(a) The Town's assessment substantially exceeds the fair market value of PSNH's taxable property in Raymond.

(b) The Town's assessment of PSNH's taxable property in Raymond does not adequately and fairly reflect the impact of continued economic regulation on the value of such property.

(6) Among other things, PSNH submits that the following evidence demonstrates that the Town's assessment is excessive and disproportional and does not reflect the fair market value of its real estate.

(a) Pursuant to RSA 83-F, the New Hampshire Department of Revenue Administration ("DRA") annually conducts an appraisal to determine the market value of PSNH and allocates the aggregate value to all communities served by PSNH. In doing its appraisals, the DRA employs generally accepted appraisal techniques and methodology and utilizes the same standard

of market value as prescribed for *ad valorem* assessments under RSA 75:1. See RSA 83-F:3. PSNH understands that the DRA advises all communities of the value allocated to each community under its appraisal. Based on the DRA's 2018 appraisal, the fair market value of PSNH's taxable real estate in the Town of Raymond for 2018 was \$6,143,623.

(b) PSNH understands that there have been a number of sales of utility property, all of which transacted at or about the property's net book value, the base of utility earnings. Those sales include the 2012 sale of the assets and operations of Granite State Electric Company, a New Hampshire electric distribution utility, to Liberty Utilities, which was approved by the New Hampshire Public Utilities Commission.

(c) The New Hampshire Supreme Court affirmed a decision of the Merrimack County Superior Court in favor of PSNH with respect to its tax appeals involving the Town of Bow for tax years 2012 and 2013. See *PSNH v. Town of Bow*, 170 N.H. 539 (2018). Among other things, the Supreme Court made clear that net book value is an appropriate valuation methodology for regulated transmission and distribution property which the finder of fact can properly rely upon based on its evaluation of the evidence presented.

(7) PSNH reserves the right to present additional information in support of its request for abatement, including an appraisal by an independent appraisal firm utilizing all applicable approaches to value.

(8) PSNH hereby requests a hearing before the Selectmen to discuss its request for an abatement and reserves the right to present additional relevant information in support of its request.

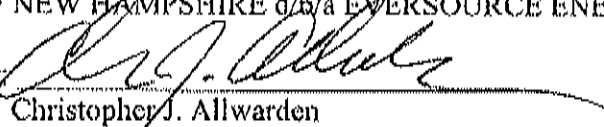
(9) By signing below, PSNH certifies and swears under the penalties of perjury that this application has a good faith basis and the facts stated are true to the best of its knowledge.

WHEREFORE, PSNH requests (a) that the Board of Selectmen reconsider the matter of a just and proportional valuation of PSNH's property for the purpose of *ad valorem* property taxation as of April 1, 2018, and re-determine a just and proportional valuation thereof and a just and proportional tax thereon; and (b) that so much of the taxes assessed against PSNH on account of said property as of April 1, 2018, as may be found to have been unjust, disproportional and unreasonable in light of such re-determined valuation be abated and refunded to PSNH together with interest from the date of payment of said taxes to the date of repayment; and (c) such other or further relief on account of said taxes as may be just and equitable.

Respectfully submitted,

PUBLIC SERVICE COMPANY
OF NEW HAMPSHIRE d/b/a EVERSOURCE ENERGY

Dated: 2/20/19

By: 
Christopher J. Allwarden
Senior Counsel, Law Department
780 North Commercial Street
Manchester, NH 03101
(603) 634-2459

TOWN: RAYMOND

DIVISION: SEA/NOR

	DESCRIPTION	MAP/LOT NO.	LAND	BUILDINGS	ASSESSMENT
1	TRANSMISSION/UTILITY	007/000/06C	180,200	14,199,500	14,379,700
2	TRANSMISSION LINES	013/000/003	227,500	0	227,500
3	TRANSMISSION LINE	037/000/005	197,600	0	197,600
4	TRANSMISSION LINES	031/000/006	133,200	0	133,200
5	TRANSMISSION LINES	043/000/006	121,200	0	121,200
6	TRANSMISSION LINE	019/000/004	62,000	0	62,000
7	SHATAGEE RD/SOUTHSIDE	007/000/006	50,400	0	50,400
8	TRANSMISSION LINES	043/000/007	4,700	0	4,700
9	SHATAGEE RD	007/000/010	7,300	0	7,300
10	TRANSMISSION LINES	035/000/098	13,800	0	13,800
11	TRANSMISSION LINES	027/002/005	17,000	0	17,000
12	TRANSMISSION LINES	029/000/068	1,100	0	1,100
13	TRANSMISSION LINES	031/000/048	87,700	0	87,700
			<u>1,103,700</u>	<u>14,199,500</u>	<u>15,303,200</u>



The Executive Council of the State of New Hampshire
State House, 107 North Main Street, Concord, NH 03301

RUSSELL E. PRESCOTT
EXECUTIVE COUNCILOR
DISTRICT THREE

April 2, 2019

Greetings from the Office of the Executive Council for the State of New Hampshire. My name is Russell Prescott, and I am the Executive Councilor for District 3. I am writing today to share with you a little information about the Executive Council and to let you know that as your elected official, I remain available as a resource to assist you with anything that may arise, especially within executive functions of State Government.

The Executive Council of the State of New Hampshire, together with the Governor, has the authority and responsibility over the administration of the affairs of the State as defined in the New Hampshire Constitution, the New Hampshire statutes, and the advisory opinions of the New Hampshire Supreme Court and the Attorney General.

Each of the five Executive Councilors represent 250,000 citizens of the total population of the State of New Hampshire and are elected every two years, concurrently with the Governor.

The Councilors participate in the active management of the business of the State. Our meetings are open to the public and are held about every two weeks in the historic Council Chambers in the State House in Concord. During the summer months, we hold the meetings throughout each district in an effort to provide the public a better, closer opportunity to see their government in action. We review lengthy agendas outlining numerous contracts to approve or reject expenditure requests presented by the Commissioners of the various departments and divisions. The Governor and Council are aided by the Commissioner of the Department of Administrative Services and the Attorney General who review all requests involving State funds since no expenditure can be legally authorized without adequate funding being available.

The Executive Council approves the appointments of Judges, Commissioners, Notary Public, Justice of the Peace, Commissioners of Deeds, and nominees that serve on the 300+ Boards and Commissions made up of the citizenry of our State.

I invite you to reach out to me with any questions, concerns or needs you may have and together we can work to solve any challenges you may run into. If you or someone you know have an interest in serving on one of the 300+ State Boards or Commissions, please let me know.

Thank you for allowing me the opportunity to reacquaint you with the Executive Council Office. I look forward to the opportunity to continue to serve as your Executive Councilor for District 3 and to hearing from you.

You can reach me at: State House Office: (603) 271-3632 or Cell: (603) 231-7822

Sincerely,

A handwritten signature in cursive script that reads "Russell E. Prescott".

Russell E. Prescott
Executive Councilor, District 3



March 30, 2019

Board of Selectmen
Town of Raymond
4 Epping Street
Raymond, NH 03077

Re: Acorn TV

Dear Chairman and Members of the Board:

We are committed to keeping you and our customers informed about changes to Xfinity TV services. Accordingly, please note that as of May 2, 2019, the monthly rate for Acorn TV will change from \$4.99 to \$5.99 per month. This price change is due to an increase in programming costs from Acorn TV.

We are notifying customers who currently subscribe to Acorn TV through bill messages.

Please feel free to contact me at 603.334.3603 if you have any questions.

Very truly yours,

Jay Somers

Jay Somers, Sr. Manager
Government Affairs

PUBLIC NOTICE

TOWN OF RAYMOND

Mosquito Control

The Mosquito Control program begins the week of April 15, 2019 in the Town of Raymond. Crews from Dragon Mosquito Control will be checking swamps, marshes, woodland pools, ditches, storm drains and other shallow, stagnant water for mosquito larvae. When mosquitoes are found, the following insecticides may be used:

VectoBac (Bacillus thuringiensis israelensis 2.8%)
Natular (spinosad 2.5%)
Altosid (methoprene 4.25%)
AquaBac 200G (Bacillus thuringiensis israelensis 2.86%)
Fourstar MBG (Bacillus thuringiensis israelensis 3.0% & Bacillus sphaericus 3.0%)
VectoMax FG (Bacillus thuringiensis israelensis 4.5% & Bacillus sphaericus 2.7%)
CocoBear MLO (mineral oil 10%)
BVA 2 Mosquito Larvicide Oil (mineral oil 97%)

If Eastern Equine Encephalitis or West Nile Virus is found in or near Raymond, then emergency spraying may be conducted using the following products:

Cross Check Plus (bifenthrin 7.9%)	Permanone (permethrin 10.0%)
Duet (sumithrin 5.0% & prallethrin 1.0%)	Merus 3.0 (pyrethrins 5.0%)

Emergency spray treatments may be conducted at the following locations:

Raymond High School	Welch Fields	Liberty Skateboard Park
Iber Holmes Gove Middle School	Cammett Fields	Town Common
Lamprey River Elementary School	Riverside Park	

It is not possible to predict if emergency spraying will be necessary. The spray schedule is based upon mosquito surveillance data, disease test results and weather conditions. Further communication will be given if emergency spraying is going to take place.

Residents who do not want their wetlands treated may use our No-Spray Registry online at www.dragonmosquito.com/no-spray-registry or write to Dragon Mosquito Control, P.O. Box 46, Stratham, NH 03885. Be sure to include your name, physical address, phone number, a description of your house and acreage.

LEGISLATIVE BULLETIN

Stricter Arsenic Standards

On Tuesday, April 16, at 9:45 a.m., in State House Room 103, the Senate Energy and Natural Resources Committee will hold a hearing on HB 261, which requires the Department of Environmental Services to enact administrative rules lowering the ambient groundwater quality standard for arsenic to a value of 5 micrograms per liter or less. We are concerned that neither the initial version of the bill, nor the amended version that passed the House, had a fiscal note estimating the potential costs to public drinking water systems for compliance with this proposed stricter standard. Local officials with municipal water systems that may be challenged to meet this proposed standard are encouraged to testify at the hearing or submit their concerns to members of the Energy and Natural Resources Committee. As always, please forward a copy of any written testimony to NHMA so we can share your concerns with other legislators.

House Passes State Biennial Budget

On Thursday, almost completely along party lines, the House passed HB 1 and HB 2, the biennial state operating budget and associated trailer bill for fiscal years 2020 and 2021. As we have mentioned in previous *Bulletins*, there is a one-time appropriation of **\$12.5 million** in the second year of the biennium for municipal aid to be paid by September 1, 2020. Here is a list estimating the amount of municipal aid distribution by municipality. The meals and rooms tax distribution of **\$68.8 million** each year is the same amount it has been since 2017, approximately 19.5% and 18.5% of the total meals and rooms tax revenue budgeted for fiscal years 2020 and 2021, respectively, compared to the 40% municipal share prescribed in law. Highway block grant funding is approximately **\$36 million** each year, slightly higher than the current level. Municipal bridge aid is **\$6.8 million**, which continues a ten-year backlog based on the number of bridges currently seeking this aid. The budget includes **\$5.7 million** to fund 58 of the 70 wastewater projects addressed in HB 352 and SB 254, but continues the moratorium on funding any new projects completed after December 2018.

Bulletin 16 — 2019 Session
April 12, 2019

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GOVERNMENT AFFAIRS CONTACT INFORMATION

Margaret M.L. Byrnes, Executive Director

Cardell A. Johnston, Government Affairs Counsel

Barbara T. Reid, Government Finance Advisor

Natch Greyes, Municipal Services Counsel

Timothy W. Fortier, Communications & Member Services Coordinator



25 Triangle Park Drive
Concord NH 03301
Tel: 603.224.7447 / Email:
governmentaffairs@nhmunicipal.org
Website: www.nhmunicipal.org

This weeks' to-do list

- ✓ Tell your senator and members of the Energy and Natural Resources Committee your concerns about **HB 261**, requiring DES to impose stricter arsenic standards for public drinking water systems.
- ✓ Follow the links in the budget article below to see how the House-passed budget would distribute municipal and education aid to your municipality. For extra credit, read the 910-page budget and the 109-page trailer bill.
- ✓ Talk to your assessor about how the utility valuation bill, **HB 700**, would affect your municipality, and let your senator know if you have concerns.
- ✓ Make sure your representatives know that it would be impossible for municipalities to comply with **SB 271**, the prevailing wage bill, and that the municipal exemption needs to be clarified.
- ✓ Take a look at **SB 79**, regarding solid waste reporting, and let us know if it would be difficult for your municipality to comply.
- ✓ Tune in to the Legislative Half-Time webinar on Wednesday.

In [Bulletin#15](#) we mentioned that the House budget includes additional education funding to school districts in the amount of approximately **\$165 million** over the amounts estimated based on current law. This, along with the municipal aid mentioned above, is intended to provide the significant property tax relief that legislators have been hearing from their constituents is sorely needed. The [Education Funding Analysis spreadsheet](#) shows the estimated difference in education funding from current law.

We also previously mentioned that the budget is predicated on new revenue sources, including an expansion of the interest and dividends tax to capital gains, sports wagering, and a tax on e-cigarettes. These revenue sources, as well as a number of significant funding priorities in the budget, account for the partisan vote in the House, and may cause concern as the Senate now has its turn at crafting a biennial budget reflecting its priorities and revenue estimates. We will keep you posted as this process continues!

Senate Hearing on Utility Valuation

The Senate hearing on [HB 700](#), which establishes a uniform methodology for valuation of utility property, is scheduled for next Wednesday. This will be the last formal opportunity for municipalities to weigh in on this bill, which passed the House unanimously three weeks ago.

We have written about this bill several times, but here is a recap of its major provisions:

- The bill establishes a formula for determining the value of a utility's **distribution assets only** within each municipality.
- The bill does not apply to the following utility assets, which the municipality would continue to appraise using any legal method:
 - electric company property classified as [transmission](#) assets according to FERC standards, and associated land or land rights;
 - electric [generation](#) facilities and associated land and land rights;
 - gas transmission pipeline facilities regulated by FERC and associated land rights;
 - telephone, cable, or internet provider assets; or
 - large-scale natural gas and propane gas liquid storage and processing facility assets.
- For electric and gas utility company assets (other than land and land rights), value would be based on a weighted average of 70 percent of each asset's original cost and 30 percent of each asset's net book cost.

(Utility Valuation—Continued from Page 2)

- For water utility company assets, the formula would be 25 percent of each asset's original cost and 75 percent of each asset's net book cost.
- Each company would be required to report annually to each municipality the original cost and net book value of all of its assets located within the municipality.
- Three percent of the value derived using the above formula would be added to the value to account for the use of public rights-of-way and private easements. Land owned in fee, as well as office buildings, garages, and warehouses, would be assessed using regular assessing practices outside the formula.
- The new formula would be phased in over a five-year period, so that in the first year the value would be a weighted average of 80 percent of the locally assessed value for the 2018 tax year and 20 percent of the value determined using the new formula, in the second year the split would be 60-40, and so on until the formula is fully implemented.

As we have explained before, NHMA has not taken a position on the bill, which would reduce values in some municipalities and increase them in others. The prospect for lower valuations should be balanced against the fact that the utility companies have been challenging their valuations every year; and, while the local valuations have mostly been upheld, they have not always—and the losses, when they happen, can be disastrous. Further, the bill is much better than some that have come close to passing in recent years; another legislature in another year could do something much worse.

For these reasons, we encourage local officials to review the bill carefully, weigh the costs and benefits of accepting its results versus continuing to do battle in the legislature and the courts, and then let your senators know what you think. The hearing is scheduled for **Wednesday, April 17, at 10:10 a.m. in State House Room 100**, before the Ways and Means Committee.

House to Hear Murky Prevailing Wage Bill

The House Labor Committee has scheduled a hearing next Wednesday on **SB 271**, the bill that would require payment of the “prevailing wage” on state-funded public works projects. This is a state-level version of the federal Davis-Bacon Act, which applies to projects using federal funds.

As we wrote previously, it is not entirely clear whether **SB 271** would apply to any municipal public works projects. Most of the bill's language refers only to the state or its “agency, officer, board commission, or authorized agent,” and it contains an express exemption for county and municipal projects. However, that exemption leaves room for interpretation. It reads:

This chapter shall not apply to workers who are employed on public works construction projects for county or municipal bodies, or any political subdivision or the agencies thereof, *unless such a public works construction project is funded wholly or in part with state-administered funds* that meet or exceed the threshold for executive council approval for the relevant state contract.

(Emphasis added.)

(Prevailing Wage - Continued from Page 3)

At the Senate hearing on the bill, NHMA expressed concern about how the term “state-administered funds” will be interpreted. For example, if a town paves a road using money from its highway block grant, would that project be subject to the prevailing wage requirement? We think not, but we can imagine someone arguing otherwise. We suggested an amendment to clarify this, but the Senate did not adopt it.

This issue was raised during the March 14 Senate floor debate on the bill, and the discussion indicated that senators themselves had different interpretations; this lack of consensus demonstrates that the matter still needs to be clarified. Compliance with this complex law would be *extremely* burdensome, if not impossible, for most New Hampshire municipalities, and it is essential that the municipal exemption be clarified.

The committee’s hearing is scheduled for **Wednesday, April 17, at 10:00 a.m., in LOB Room 307. Please contact members of the committee and urge them to either fix the bill or report it as *Inexpedient to Legislate*.**

Solid Waste Reporting

The House hearing on **SB 79**, which would require municipalities to report certain information about solid waste collection and disposal to the Department of Environmental Services, has been scheduled for Tuesday, April 23. This bill was amended in the Senate to address concerns we had raised, but we have subsequently realized that it may need some more work.

The bill would require every municipality to report annually “the weight of all solid waste collected by the town,” and then report (1) the weight of the waste that was diverted to recycling, composting, or reuse, and (2) the weight of the waste that was sent to a landfill or incinerator. We believe most or all municipalities can provide information about the weight of their *outgoing* waste, because they pay tipping fees at the landfill or incinerator based the weight determined at the receiving facility, and the companies that take their recyclables also provide information about weight. However, in many towns this does not account for all of the solid waste collected.

For example, if the town has a burn pile for wood and brush, or a compost pile, anything deposited there is not likely to be weighed. In some towns recyclable materials are picked up by the local Boy Scouts or another nonprofit organization and therefore would not be weighed. We suspect there are other examples.

We plan to work with DES to address these issues; we do not believe anyone is trying to make municipalities report information that they do not have. Please continue to let us know if you see other problems with the bill. The hearing is scheduled for **Tuesday, April 23, at 10:00 a.m., in LOB Room 303, before the Environment and Agriculture Committee.**

HOUSE CALENDAR

TUESDAY, APRIL 16, 2019

MUNICIPAL AND COUNTY GOVERNMENT, Room 301, LOB

- 10:00 a.m. **SB 43**, establishing a commission to study barriers to increased land development in New Hampshire.
- 11:00 a.m. **SB 21**, relative to notice to cut timber.
- 1:00 p.m. **SB 53-L**, relative to maintenance of roads and highways to summer cottages.
- 2:00 p.m. **SB 154**, allowing municipalities to adopt a credit against property taxes for certain workforce housing, and authorizing the sale of certain property by the town of Milton.

WEDNESDAY, APRIL 17, 2019

ENVIRONMENT AND AGRICULTURE, Rooms 301-303, LOB

- 10:00 a.m. **SB 77-FN**, relative to costs of care for animals seized in cruelty cases and prohibiting the future ownership of animals in certain animal cruelty cases.

LABOR, INDUSTRIAL AND REHABILITATIVE SERVICES, Room 307, LOB

- 10:00 a.m. **SB 271-FN-L**, relative to requiring prevailing wages on state-funded public works projects.
- 11:00 a.m. **SB 20**, relative to notification requirements for employees, workplace inspections, and the youth employment law.

THURSDAY, APRIL 18, 2019

JUDICIARY, Room 208, LOB

- 1:00 p.m. **SB 36**, creating a cause of action for certain constitutional deprivations of right.

TUESDAY, APRIL 23, 2019

ENVIRONMENT AND AGRICULTURE, Room 303, LOB

- 10:00 a.m. **SB 79**, relative to required reporting on waste reduction.
- 11:00 a.m. **SB 163**, relative to permits for operation of solid waste management facilities.

FINANCE, Rooms 210-211, LOB

- 1:00 p.m. **SB 169**, relative to recovery of expenditures from the drinking water and groundwater trust fund.

MUNICIPAL AND COUNTY GOVERNMENT, Room 301, LOB

- 10:00 a.m. **SB 286-FN-L**, relative to aggregation of electric customers by municipalities and counties.
- 2:00 p.m. **SB 285-FN**, establishing a coastal resilience and economic development program.

PUBLIC WORKS AND HIGHWAYS, Room 201, LOB

- 10:30 a.m. **SB 39**, relative to the repair of roads not maintained by a municipality.
- 1:00 p.m. **SB 221**, establishing a commission to study highway fund revenue for hybrid and electric vehicles.

WEDNESDAY, APRIL 24, 2019

FINANCE, Rooms 210-211, LOB

- 11:00 a.m. **SB 254-FN-A**, appropriating funds to the department of environmental services for the purpose of funding eligible wastewater projects under the state aid grant program.
NHMA Policy.

SENATE CALENDAR

TUESDAY, APRIL 16, 2019

ENERGY AND NATURAL RESOURCES, Room 103, SH

- 8:30 a.m. **HB 495**, establishing a commission on drinking water.
8:50 a.m. **HB 737**, establishing a commission to investigate and analyze the environmental and public health impacts relating to releases of perfluorinated chemicals in the air, soil, and groundwater in Merrimack, Bedford and Litchfield.
9:30 a.m. **HB 707**, relative to settlement money from actions pertaining to the contamination of groundwater or drinking water.
9:45 a.m. **HB 261**, requiring the commissioner of the department of environmental services to revise rules relative to arsenic contamination in drinking water.
10:30 a.m. **HB 494**, relative to removal or containment of contaminants from the Coakley Land fill.

JUDICIARY, Room 100, SH

- 9:30 a.m. **HB 286-L**, relative to free inspection of records under the right-to-know law.
9:40 a.m. **HB 334-L**, relative to disposition of certain municipal records.

WEDNESDAY, APRIL 17, 2019

ELECTION LAW AND MUNICIPAL AFFAIRS, Room 102, LOB

- 9:30 a.m. **HB 539-FN**, establishing a committee to study the implementation of the One4All ballot in municipal elections.
9:45 a.m. **HB 105-FN**, relative to domicile residency, voter registration, and investigation of voter verification letters.
10:15 a.m. **HB 106**, relative to the terms "resident," "inhabitant," "residence," and "residency."

EXECUTIVE DEPARTMENTS AND ADMINISTRATION, Room 101, LOB

- 9:40 a.m. **HB 710-FN**, relative to adoption of state building code and fire code amendments.
10:00 a.m. **HB 562**, relative to the state building code.
10:15 a.m. **HB 259**, relative to building code violations.
10:30 a.m. **HB 343**, relative to application of the state fire code to foster homes.

WAYS AND MEANS, Room 100, SH

- 10:10 a.m. **HB 700**, relative to valuation of utility company assets for local property taxation.

HOUSE FLOOR ACTION

Thursday, April 11, 2019

HB 1-A, making appropriations for the expenses of certain departments of the state for fiscal years ending June 30, 2020 and June 30, 2021. **Passed with Amendment.**

HB 2-FN-A-LOCAL, relative to state fees, funds, revenues, and expenditures. **Passed with Amendment.**

HB 25-A, making appropriations for capital improvements. **Passed with Amendment.**

SENATE FLOOR ACTION

Thursday, April 11, 2019

HB 136, increasing the maximum period for the zoning board of adjustment to hold a public hearing. **Passed.**

HB 148, relative to electric bicycles. **Passed.**

HB 167, allowing the town of Kingston to hold a bonfire event in 2019. **Passed.**

HB 245, relative to the planning board's procedures on plats. **Passed.**

HB 391, relative to permits for vehicle registration. **Passed.**

HB 418-FN, relative to the limitations on part-time employment under the New Hampshire retirement system. **Inexpedient to Legislate.**

HB 675-FN, relative to the purchase of service credit in the state retirement system. **Passed.**

2019 NHMA UPCOMING EVENTS FOR MEMBERS

Apr. 10	2019 Local Officials Workshop (All day), Rochester
Apr. 17	Webinar: Legislative Half-time
May 03	Regional Right-to-Know Workshop in Dover
May 08	2019 Local Officials Workshop (All day), Lebanon
May 10	How to Avoid Costly Mistakes! A Wage & Hour Compliance Workshop

To register for an upcoming event, go to our website: www.nhnmunicipal.org and scroll down on the left under CALENDAR OF EVENTS. Click on the green bar *View the Full Calendar* and go to the workshop or webinar you are interested in. For more information, please call NHMA's Workshop registration line: (603) 230-3350.

LEGISLATIVE BULLETIN

House to Vote on Biennial State Budget

On Wednesday the House Finance Committee voted 13 - 9 along party lines to recommend Ought to Pass with Amendment on **HB 1** and **HB 2**, the biennial state operating budget and associated trailer bill. The House will vote on the two budget bills next Thursday, April 11. Last week's Legislative Bulletin included a summary of the municipal funding included in the Finance Committee's recommended budget, briefly listed here:

- **\$12.5 million** of municipal aid to be paid by September 1, 2020. The list of estimated amounts by municipality is available [here](#). This represents approximately 50% of the former revenue sharing program (RSA 31-A) that has been suspended since 2010.
- **\$68.8 million** each year for meals and rooms tax distribution, with the statutory catch-up formula suspended for the biennium, thereby freezing the distribution amount at the fiscal year 2017 level.
- Approximately **\$36 million** each year of the biennium for highway block grants.
- **\$6.8 million** each year for municipal bridge aid, resulting in a ten-year backlog based on the current number of municipal bridges on the waiting list for this funding.
- **\$5.7 million** over the biennium for state aid grants (SAG) for wastewater projects substantially completed by December 1, 2018. This includes 58 of the 70 projects addressed in **HB 352**. **HB 2** continues the moratorium on funding any new projects completed subsequent to December 1, 2018.
- **\$887,000** each year for reimbursements to municipalities involved in interstate flood control compacts.
- **\$200,000** each year in the Department of Transportation budget for assisting public transit operators in meeting non-federal match requirements.

Bulletin 15 — 2019 Session
April 5, 2019

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We typically don't include in the *Bulletin* detailed information regarding education funding. However, we want to note that **HB 2** includes changes to the education funding laws that result in an additional **\$165 million** of state aid to school districts in fiscal years 2020 and 2021 over the amounts estimated in current law. The right two columns of the Education Funding Analysis spreadsheet provided to the House Finance Committee show the estimated difference by municipality in **HB 2** as compared to current law.

Hearing on Town Meeting Postponement Bill

The House hearing on **SB 104**, which clarifies the moderator's authority to postpone either session of a town meeting because of an emergency, has been scheduled for next **Wednesday, April 10, at 2:00 p.m., in LOB Room 308**, before the Election Law Committee. As we have written previously, we support SB 104 as amended by the Senate, because it preserves the moderator's authority and addresses legitimate concerns about the postponement process. This implements one of NHMA's most important policies, and we will ask the committee to support the bill. Please let us know if you have any questions or concerns.

Independent Redistricting Commission

On Tuesday, the House Election Law Committee will hold a hearing on **SB 8**, the **NHMA policy bill** that establishes an independent commission to draw the boundaries for all state and federal election districts. NHMA's members support an independent redistricting commission because they believe legislative districts should be stable and based on legitimate geographic considerations, rather than tailored to the interests of whatever political party happens to control the legislature. Voters and municipal officials want to know their legislators and not find themselves constantly moved from one district to another to achieve someone else's political goals.

The most frequently cited objection to **SB 8** has been that it unconstitutionally takes the authority for establishing election districts away from the legislature. That claim does not hold up.

It is true that the New Hampshire Constitution directs the legislature to create House and Senate districts, but no one seriously expects all 424 members to sit down and draw a map. Some person or group of persons must draw a map and present it to the legislature for approval. Historically that has been done in private by a very small group of legislators, who do not constitute "the legislature" any

This week's to-do list

- ✓ Ask members of the House Election Law Committee and your own representatives to support SB 8, establishing an independent redistricting commission.
- ✓ Ask members of the House Labor Committee and your own representatives to oppose SB 148, imposing new requirements on municipalities with respect to union membership.
- ✓ Thank your representatives if they voted in favor of **HB 641**, allowing municipalities to collect a local option hotel occupancy fee.
- ✓ Tell your senator that **HB 616**, granting a COLA to NHRS retirees, will increase property taxes and is an unconstitutional unfunded mandate.
- ✓ Tune in to the House session on the General Court website on Thursday at 10:00 to listen to the several-hour debate on the state budget.
- ✓ Sign up for a Local Officials Workshop, the Legislative Half-Time webinar, and the New Hard Road to Travel Workshop.

(Redistricting— Continued from Page 2)

more than an independent commission would; yet the constitutionality of that process has not been questioned (although the result frequently has been). **SB 8** requires that the commission's redistricting plan be presented to the legislature, and leaves final approval to the legislature, exactly as the constitution requires.

The hearing on **SB 8** is scheduled for **Tuesday, April 9, at 2:00 p.m., in LOB Room 308.** Please encourage members of the Election Law Committee and your own representatives to support SB 8.

Municipalities May Be Forced to Provide Info on Union Dues

The House Labor Law Committee will hold a hearing next week on **SB 148**, a troubling bill that, among other things, would require every public employer to provide written notice to all employees, at the time of hiring, regarding "the employee's constitutional right to decide whether to join or not to join a union and the estimated cost to the employee of joining a union." Although this may seem like just another minor, easily accommodated administrative requirement, it is not. Cities and towns that already collect union dues through a payroll deduction will have this information, but most New Hampshire municipalities have no unionized employees, so they have no information on union dues.

Further, dues may vary from one union to another. There are, for example, at least six different affiliated unions that represent police officers in New Hampshire, plus a number of non-affiliated unions. Even if information on each union's dues were publicly available, how would a town with no unionized employees know which dues amounts to include in its notice?

Even if dues information were readily available, it seems inappropriate to saddle municipalities with this requirement. Again, most municipalities have no unionized employees, and in many cases there are not enough employees to form a legal bargaining unit, even if anyone were interested. Thus, the bill requires towns to provide hypothetical information about joining a bargaining unit that can't even be created. In the private sector, it is the union, not the employer, that is required (under federal law) to provide this notice to employees when they are asked to join. That makes sense.

The bill as introduced consisted only of the notice requirement described above. The Senate amended the bill to also require a public employer to give union representatives access to members of the bargaining unit that the union represents, including: (1) the right to meet with employees on the work premises to investigate and discuss grievances; (2) the right to conduct worksite meetings during lunch and other breaks and before and after the workday to discuss workplace issues and union matters; and (3) the right to meet with newly hired employees for 60 minutes not later than 10 days after hire. These obligations probably are manageable—and the bill does allow the municipality to charge the union for additional maintenance and security costs related to on-site meetings—but it is unclear why they are necessary. It is already illegal for an employer to interfere with relations between a union and its members, and public employee unions have managed for decades without these additional accommodations.

(Union Bill— Continued from Page 1)

Testimony at the Senate hearing indicated that these “pro-union” provisions were added to the bill as a compromise to balance the “anti-union” notice requirement in the original bill. But in the compromise between the pro-union and anti-union forces, the municipal employers are the ones that get caught in the middle. We think a better compromise would be to leave the law as it is, and just let the bill die.

The hearing is scheduled for next **Tuesday, April 9, at 10:00 a.m., in LOB Room 307.** ***Please let your representatives and members of the Labor Committee know that SB 148 imposes undue burdens on local government, and ask them to oppose the bill.***

House Passes Retiree COLA Bill

On Thursday by a roll call vote of 219-150, the House passed **HB 616**, which provides a 1.5% cost-of-living-adjustment (COLA) to New Hampshire Retirement System (NHRS) retirees who have been retired at least 5 years by July 1, 2019. The COLA will be calculated on the first \$50,000 of the retiree’s pension and paid to each retiree on his or her first retirement anniversary date following July 1, 2020. The cost to terminally fund this COLA is slightly less than \$77 million, which will be added to the \$5 billion unfunded liability (*i.e.*, deficit) that currently exists in the NHRS pension fund. The COLA will be funded by ***increased employer contribution rates*** beginning July 1, 2021.

As explained in previous Bulletins, we continue to be concerned that financing retiree COLAs through increased employer contribution rates violates the unfunded mandate provision in Part 1, Article 28-a of the New Hampshire Constitution. Additionally, **HB 616** is contrary to the desire expressed by many legislators to lower property tax burdens across the state.

HB 616 now heads to the Senate for consideration, where it will likely have a hearing before the Senate Executive Departments and Administration Committee, which deals with retirement bills. Please talk with your senator about the unfunded mandate and increased property tax concerns associated with **HB 616**.

Local Option Hotel Occupancy Fee Heading to Senate

On Thursday the House passed **HB 641**, an **NHMA policy bill** that authorizes municipalities to adopt a local option hotel occupancy fee of up to \$2 per night for hotel room rentals. This is an important local control bill that will provide a reliable and sustainable revenue option to pay for costs associated with transient populations and tourist-related services, rather than continually increasing property taxes to cover those costs.

Please thank the representatives who supported local control by voting “yes” on **HB 641**. The bill will now go to the Senate, where we hope for a similar outcome.

HOUSE CALENDAR

TUESDAY, APRIL 9, 2019

ELECTION LAW, Room 308, LOB

- 1:30 p.m. **SB 283-FN**, relative to post-election audits of electronic ballot counting devices.
2:00 p.m. **SB 8**, establishing an independent redistricting commission. **NHMA Policy.**

MUNICIPAL AND COUNTY GOVERNMENT, Room 301, LOB

- 1:30 p.m. **SB 22**, relative to the construction property tax exemption.
2:00 p.m. **SB 31**, relative to membership of the New Hampshire community development advisory committee.

TRANSPORTATION, Room 203, LOB

- 1:30 p.m. **SB 52-FN**, requiring the department of transportation to install a traffic light in the town of Conway.

WEDNESDAY, APRIL 10, 2019

ELECTION LAW, Room 308, LOB

- 10:00 a.m. **SB 7-FN-L**, establishing the secure modern accurate registration act (SMART ACT).
1:00 p.m. **SB 45**, relative to electioneering at polling places.
1:30 p.m. **SB 44**, relative to election procedures, delivery of ballots, and assents to candidacy.
2:00 p.m. **SB 104-L**, relative to the postponement of city, town, village, and school district elections. **NHMA Policy.**

EXECUTIVE DEPARTMENTS AND ADMINISTRATION, Room 306, LOB

- 10:00 a.m. **SB 49**, relative to the state fire code.

LABOR, INDUSTRIAL AND REHABILITATIVE SERVICES, Room 307, LOB

- 10:00 a.m. **SB 148**, relative to notification to public employees regarding their right to join or not join a union.
2:00 p.m. **SB 59-FN**, adding post traumatic stress disorder and acute stress disorder to the definition of "injury" for purposes of workers' compensation and reestablishing the commission to study the incidence of post-traumatic stress disorder in first responders.

RESOURCES, RECREATION AND DEVELOPMENT, Room 305, LOB

- 10:00 a.m. **SB 74-FN-A**, relative to register of deeds fees used to support the land and community heritage investment program (LCHIP), and establishing a committee to study the economic impact of land conservation.
10:30 a.m. **SB 164**, establishing a committee to study unprotected drinking water sources and estimating the costs of protecting such sources.

SCIENCE, TECHNOLOGY AND ENERGY, Room 304, LOB

- 11:00 a.m. **SB 122-FN**, relative to expenditures from the energy efficiency fund.

WEDNESDAY, APRIL 17, 2019

ENVIRONMENT AND AGRICULTURE, Rooms 301-303, LOB

- 10:00 a.m. **SB 77-FN**, relative to costs of care for animals seized in cruelty cases and prohibiting the future ownership of animals in certain animal cruelty cases.

THURSDAY, APRIL 18, 2019

JUDICIARY, Room 208, LOB

1:00 p.m. **SB 36**, creating a cause of action for certain constitutional deprivations of right.

SENATE CALENDAR

WEDNESDAY, APRIL 10, 2019

ELECTION LAW AND MUNICIPAL AFFAIRS, Room 102, LOB

9:15 a.m. **HB 301-FN-L**, relative to funeral and burial or cremation expenses for assisted persons.
9:30 a.m. **HB 303**, relative to certification of building code compliance inspectors.
9:45 a.m. **HB 312**, establishing a committee to study tiny houses.
10:00 a.m. **HB 370**, relative to membership on city and town planning boards.

EXECUTIVE DEPARTMENTS AND ADMINISTRATION, Room 101, LOB

9:00 a.m. **HB 110-FN-A**, relative to the cost of fiscal analysis of legislation relating to the retirement system.
9:15 a.m. **HB 468-FN-L**, relative to the inclusion of attendance stipends as earnable compensation in the retirement system.

WEDNESDAY, APRIL 17, 2019

EXECUTIVE DEPARTMENTS AND ADMINISTRATION, Room 101, LOB

9:40 a.m. **HB 710-FN**, relative to adoption of state building code and fire code amendments.
10:00 a.m. **HB 562**, relative to the state building code.
10:15 a.m. **HB 259**, relative to building code violations.
10:30 a.m. **HB 343**, relative to application of the state fire code to foster homes.

WAYS AND MEANS, Room 100, SH

10:10 a.m. **HB 700**, relative to valuation of utility company assets for local property taxation.

HOUSE FLOOR ACTION

Thursday, April 4, 2019

HB 116-FN, relative to the job classification of positions in the retirement system. **Passed.**

HB 407-FN, clarifying the non taxability of certain telecommunications devices and equipment. **Passed.**

HB 481-FN-A-LOCAL, relative to the legalization and regulation of cannabis and making appropriations therefor. **Passed with Amendment.**

HB 616-FN, relative to a cost of living adjustment for retirees in the state retirement system. **Passed with Amendment.**

(House Floor Action— Continued from Page 6)

HB 641-LOCAL, allowing municipalities to collect an occupancy fee from operators of local room rentals. **Passed. NHMA Policy.**

HB 729-FN-A, establishing a citizen's right-to-know appeals commission and a right-to-know law ombudsman and making an appropriation therefor. **Inexpedient to Legislate.**

SENATE FLOOR ACTION

There was no Senate floor action for the week.

2019 NHMA UPCOMING EVENTS FOR MEMBERS	
Apr. 10	2019 Local Officials Workshop (All day), Rochester
Apr. 17	Webinar: Legislative Half-time
Apr. 24	NHMA/NHMLA Workshop: Exactions and Open Space
May 03	Regional Right-to-Know Workshop in Dover
To register for an upcoming event, go to our website: www.nhnmunicipal.org and scroll down on the left under CALENDAR OF EVENTS. Click on the green bar <i>View the Full Calendar</i> and go to the workshop or webinar you are interested in. For more information, please call NHMA's Workshop registration line: (603) 230-3350.	

LEGISLATIVE BULLETIN

House Finance Committee to Vote on Proposed Biennial State Budget

This week the three divisions of the House Finance Committee completed their review of the governor's proposed budget, amending, deleting, and adding to the budget line items in **HB 1** and associated provisions in **HB 2**, the companion budget "trailer" bill. On **Monday, April 1, at 1:00 p.m.** and **Tuesday, April 2, at 10:00 a.m. in LOB Room 210**, the three divisions will brief the full House Finance Committee on the budget changes recommended by a majority of each division. After those briefings, on **Wednesday, April 3, at 1:00 p.m. in LOB Room 210**, the Finance Committee will vote on the recommended biennial budget to be presented to the House on **Thursday, April 11**. Assuming the House passes **HB 1** and **HB 2** (which did not happen two years ago), the House version of the budget will go to the Senate, where the detailed deliberations will begin all over again with members of the Senate Finance Committee.

Although the divisions have finalized their recommendations, we are likely to see budget amendments proposed next Wednesday before the House Finance Committee vote – and we can't predict what those may be! However, we can tell you where things stand right now in terms of funding for cities and towns:

- **Municipal Aid** – provides **\$12.5 million** to municipalities in the second year of the budget, to be distributed by September 1, 2021, based on the revenue sharing formula in RSA 31-A:4. This is intended to fund approximately fifty percent of the revenue sharing that has been suspended since 2010, and provide municipal property tax relief that many legislators have indicated is a budget priority. Click [here](#) for a list of the estimated amounts by municipality.
- **Meals and Rooms Tax Distribution** – funds the meals and rooms tax distribution at **\$68.8 million** each year of the biennium, the same dollar amount as fiscal year 2019.

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March 29, 2019

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- **Highway Block Grants** – funds highway block grants at slightly more than **\$72 million** over the biennium (exact amounts per year will be based on twelve percent of revised revenue estimates from the gas tax and motor vehicle fine revenues).
- **Municipal Bridge Aid** – funds municipal bridge aid at **\$6.8 million** each year of the biennium, which should fund repairs or replacement of approximately 8 to 10 bridges each year.
- **State Aid Grants (SAG)** – increases SAG by **\$5.7 million** over the biennium to fund the state share for 58 of the 70 wastewater projects listed in **HB 352** (projects substantially completed by December 1, 2018). Total state funding for these specific projects is estimated to be approximately **\$51 million** over the next 20 years. The list of 58 projects is available [here](#).
- **Flood Control** – includes **\$887,000** each year for reimbursements to municipalities involved in flood control compacts.
- Most of the projects included in the governor’s Capital Infrastructure Revitalization Fund were deleted. A few of those projects, which were included as “priority needs” of specific state agencies, were retained. There will be more definitive information regarding those projects after the briefings next week.

Remember that we are in the mid-stage of the state budget process, with many changes still likely to occur. For example, the budget is predicated on new revenue generated from sports wagering, and from expanding the interest and dividends tax to include capital gains, which has been proposed in the past but not enacted. We will keep you posted in the *Bulletin* as this process proceeds.

Local Option Occupancy Fee

On Wednesday the House Ways and Means Committee recommended Ought to Pass with Amendment by a vote of 12-8 on **HB 641**, the **NHMA policy bill** that authorizes municipalities to adopt a local option hotel occupancy fee of up to \$2 per night for hotel room rentals. The [amendment](#) includes a reference to the term “occupancy” as defined in the RSA 78-A:3, VI, the meals and rooms tax law, and was recommended by the Department of Revenue Administration.

As we explained in [Bulletin #9](#), although this bill may not be of interest to all municipalities, we hope that all NHMA members would support the principle of local control to address the needs and circumstances unique to each municipality. This bill does that by providing a local option fee to help a number of municipalities. **HB 641** will go to the full

This week’s to-do list

- ✓ Urge your representative to **vote down** the House Finance Committee’s recommendation of Ought to Pass on **HB 616** (COLA for NHRS retirees) next Thursday.
- ✓ Ask your representatives to **support** the House Ways & Means Committee’s recommendation of Ought to Pass on **HB 641** (local option hotel occupancy fee) on Thursday.
- ✓ Let your legislators know if you have concerns about **SB 100** and **HB 253**, which would limit a municipality’s ability to request information about a job applicant’s criminal history.
- ✓ Let us know if **SB 79**, requiring reporting of solid waste information, will cause problems for your municipality.
- ✓ Sign up for one of NHMA’s April workshops and the April 17 legislative webinar.

(Occupancy Fee— Continued from Page 2)

House for a second vote on **Thursday, April 4**. *Please urge your representatives to support local control by voting YES on the committee recommendation of Ought to Pass with Amendment.*

Finance Committee Recommends Retiree COLA

On Wednesday, the House Finance Committee recommended Ought to Pass by a vote of 12-8 on **HB 616**, which provides a 1.5% cost of living adjustment (COLA) for all New Hampshire Retirement System (NHRS) retirees who have been retired at least 5 years on or before July 1, 2019. The COLA will be based on the first \$50,000 of a retiree's pension. The cost for the COLA is slightly less than NHRS estimated in the original version of the bill (which did not limit the COLA to the first \$50,000) but is in the vicinity of **\$77 million**. This amount will be added to the current \$5 billion unfunded liability of the NHRS and will be paid for over 20 years through *increased employer contribution rates* of approximately \$4.4 million per year beginning in July 2021.

We continue to express concern that financing retiree COLAs through increased employer contribution rates violates the unfunded mandate provision in Part 1, Article 28-a of the New Hampshire Constitution. We have no objection to COLAs, but in the past COLAs have always been paid for by the state or from the "special account," not by additional assessments on municipal, school, and county employers. Please share this concern with your representatives as they prepare to vote for a second time on **HB 616**. *The bill will go to the full House next Thursday, April 4. Please ask your representatives to vote down the committee recommendation and then support a motion of Inexpedient to Legislate.*

Moderator Authority Postponed No Longer

On Wednesday the Senate passed **SB 104**, relative to postponing the official ballot session of town meetings. Though the bill passed uneventfully on the consent calendar, it was a moment worth celebrating. **SB 104** represents the work of many individuals, including town moderators and other local officials. The bill recognizes moderator authority to postpone voting in towns, village districts, school districts, and cities. Importantly, it also sets a procedure for postponement, including a National Weather Service weather event warning as a "triggering" event, communication between the moderator and other local officials such as the police and fire chiefs, provisions for absentee voting in the event of a postponement, and a procedure for postponement in multi-town school districts. It now moves on to the House.

Bills Prohibit Asking About Criminal History

By a 14-10 vote, the Senate this week passed **SB 100**, which prohibits any public or private employer from "inquir[ing] about a prospective employee's prior arrests, criminal charges, or convictions on an employment application, unless the employer needs to screen applications for specific criminal convictions because it is prohibited from hiring those with such convictions under state or federal law." The employer could ask about criminal history in a job interview, but not before then, nor could it perform a criminal background check before the initial interview.

(Criminal History— Continued from Page 3)

We have serious concerns about this bill. A police department would never hire someone with a long history of violent crime, and a municipality would not (we hope) hire a convicted embezzler for a job as finance director or tax collector. It's fine that the employer may ask such questions in an interview, but why waste both the employer's and the applicant's time on an interview if there is no chance that the applicant will be hired? The bill will go to the House for a hearing in the next few weeks.

The House passed a similar bill, **HB 253**, in February, and that bill is awaiting a Senate hearing. Although we have similar concerns about that bill, it does contain some exceptions that make it a bit more palatable. It does not apply when a person is applying for a job with a law enforcement agency, or for "a position that requires a standard fidelity bond or equivalent bond, where the applicant's conviction of a crime would disqualify the applicant from obtaining such a bond." The latter exception presumably would encompass any of the town officials and employees who are required to be bonded under RSA 41:6.

But that still leaves a lot of territory. Should the town have to wait until an interview to learn that the applicant for a truck driver position has a long history of DWI, or that an applicant for a library aide position is a convicted sex offender?

We would prefer to see a blanket municipal exemption in both bills; or, failing that, to see the bills killed. ***Please let your senator and representatives know if you have concerns about these bills.***

Net Energy Metering

HB 365, the NHMA policy bill that increases to five megawatts (from one megawatt) the capacity limit for a customer-generator to participate in net energy metering, and which passed the House just last week, has already been scheduled for a Senate hearing. See last week's Bulletin for a discussion about the bill. The Senate hearing is next **Tuesday, April 2, at 9:00 a.m., in State House Room 103**, before the Energy and Natural Resources Committee.

Meanwhile, the Senate this week passed the almost-identical **SB 159** by a 24-0 roll call vote. That ought to be veto-proof!

Senate Action on Municipal Bills

Facing its deadline to act on all Senate bills, the Senate took final action this week on many bills that affect municipalities. The more notable ones were:

Third-party inspections for planning boards. The Senate *re-referred* **SB 152**, which would require a planning board to solicit proposals from at least three qualified firms before hiring a third-party consultant to monitor construction of an approved project. Nothing further will happen with the bill until the fall, when the Election Law and Municipal Affairs Committee will make a recommendation. NHMA opposed the bill.

Right-to-Know Law ombudsman. The Senate *passed* **SB 313**, which creates the position of an ombudsman to hear Right-to-Know Law complaints and establishes a citizens' commission on the Right-to-Know Law. However, the Senate then immediately tabled the bill. Presumably

(Municipal Bills— Continued from Page 4)

this is because, like many other bills that the Senate passed and then tabled, it requires an appropriation of state funds, so the matter will be revisited when the Senate gets the budget bill from the House. Meanwhile, the House Finance Committee this week reported a similar bill, **HB 729**, as Inexpedient to Legislate. That bill will go to the full House next week. NHMA has expressed some concerns about both bills, but does not oppose them in principle.

Lobbying with public funds. The Senate *re-referred* **SB 158**, the bill that would prohibit an organization (like NHMA) from using any appropriation of municipal funds to lobby or attempt to influence legislation. The Election Law and Municipal Affairs Committee will review the bill further this fall and make a recommendation for next year. NHMA opposed the bill.

Solid waste reporting. The Senate *passed* **SB 79**, which requires municipalities to report certain information about solid waste disposal and recycling to the New Hampshire Department of Environmental Services. The bill included an amendment that DES and NHMA had endorsed. We subsequently heard from one town that even with the amendment, the town would not be able to provide some of the information required by the bill. If you have similar concerns, please let us know, as we may be able to make further changes to the bill when it gets to the House.

Health facilities licensing. The Senate *passed* **SB 97**, relative to health facilities licensing. NHMA had opposed this bill because it would make it all but impossible to establish an urgent care or walk-in facility within 15 miles of a critical access hospital; this is of concern to municipalities because of the likely effect on health insurance costs. However, the Senate amended the bill to remove the restrictions on those facilities and instead establish a committee to study the issue. We are satisfied with that amendment.

Housing appeals board. The Senate passed **SB 306**, establishing a housing appeals board to hear appeals of local land use board decisions on housing development projects. The bill was then immediately tabled. (See explanation under “Right-to-Know Law ombudsman,” above.) NHMA did not oppose the bill, but had expressed some concerns, most of which were addressed in an amendment.

HOUSE CALENDAR

TUESDAY, APRIL 2, 2019

CRIMINAL JUSTICE AND PUBLIC SAFETY, Room 204, LOB

2:00 p.m. **SB 173-FN**, relative to criminal history background checks by employers and public agencies.

EXECUTIVE DEPARTMENTS AND ADMINISTRATION, Room 306, LOB

1:00 p.m. **SB 257-FN**, prohibiting foams containing perfluoroalkyl chemicals for use in fighting fires.

WEDNESDAY, APRIL 3, 2019

EXECUTIVE DEPARTMENTS AND ADMINISTRATION, Room 306, LOB

10:00 a.m. **SB 28**, relative to an active retirement system member appointment to the independent investment committee.

LABOR, INDUSTRIAL AND REHABILITATIVE SERVICES, Room 307, LOB

10:00 a.m. **SB 19**, relative to the privacy of certain information concerning public employees.

11:00 a.m. **SB 18**, relative to authorized employee wage deductions.

1:00 p.m. **SB 151-FN**, establishing an administrative hearing procedure and penalty for an employer who fails to make payment of wages or who fails to secure workers' compensation coverage.

FRIDAY, APRIL 12, 2019

ASSESSING STANDARDS BOARD (RSA 21-J:14-a), Room 303, LOB

9:30 a.m. Regular meeting.

SENATE CALENDAR

TUESDAY, APRIL 2, 2019

ENERGY AND NATURAL RESOURCES, Room 103, SH

9:00 a.m. **HB 365**, relative to net energy metering limits for customer generators. **NHMA Policy.**

JUDICIARY, Room 100, SH

9:30 a.m. **HB 396-FN-L**, relative to delay or denial of records under the right-to-know law.

10:10 a.m. **HB 637-FN**, relative to criminal history background checks by employers and public agencies.

TRANSPORTATION, Room 103, LOB

1:15 p.m. **HB 391**, relative to permits for vehicle registration.

2:00 p.m. **HB 592**, relative to OHRV operation and license.

WEDNESDAY, APRIL 3, 2019

ELECTION LAW AND MUNICIPAL AFFAIRS, Room 102, LOB

9:00 a.m. **HB 128**, establishing a committee to study veterans' property tax credits and exemptions.

9:15 a.m. **HB 145**, relative to the counting of secret ballots.

9:45 a.m. **HB 146**, relative to the counting of defective ballots.

10:15 a.m. **HB 167**, allowing the town of Kingston to hold a bonfire event in 2019.

10:30 a.m. **HB 245**, relative to the planning board's procedures on plats.

EXECUTIVE DEPARTMENTS AND ADMINISTRATION, Room 101, LOB

9:40 a.m. **HB 675-FN**, relative to the purchase of service credit in the state retirement system.

10:00 a.m. **HB 418-FN**, relative to the limitations on part-time employment under the New Hampshire retirement system.

HOUSE FLOOR ACTION

There was no House floor action for the week.

SENATE FLOOR ACTION

Wednesday, March 27, 2019

Thursday, March 28, 2019

- SB 8**, establishing an independent redistricting commission. **Passed with Amendment.**
- SB 36**, creating a cause of action for certain constitutional deprivations of right. **Passed.**
- SB 45**, relative to electioneering at polling places. **Passed.**
- SB 46**, relative to qualifications of the inspectors of election. **Re-referred.**
- SB 49**, relative to the state fire code. **Passed.**
- SB 60**, relative to advance notice to hourly employees of work schedules. **Re-referred.**
- SB 74-FN-A**, relative to register of deeds fees used to support the land and community heritage investment program (LCHIP), and establishing a committee to study the economic impact of land conservation. **Passed.**
- SB 79**, relative to required reporting on waste reduction. **Passed with Amendment.**
- SB 97**, relative to licensure of health facilities near a critical access hospital. **Passed with Amendment.**
- SB 100**, relative to discrimination in employment based on criminal background checks. **Passed with Amendment.**
- SB 103-L**, authorizing municipalities to engage in multi-town bonding projects. **Passed.**
- SB 104-L**, relative to the postponement of city, town, village, and school district elections. **Passed with Amendment.**
- SB 113**, relative to municipal authority regarding the state building code. **Re-referred.**
- SB 148**, relative to notification to public employees regarding their right to join or not join a union. **Passed with Amendment.**
- SB 152**, relative to third party inspections conducted pursuant to a planning board approval. **Re-referred.**
- SB 154**, allowing municipalities to adopt a credit against property taxes for certain workforce housing. **Passed with Amendment.**
- SB 157**, making undeclared voters eligible to be inspectors. **Re-referred.**

(Senate Floor Action— Continued from Page 7)

SB 158, relative to town and city membership in a nonprofit, nonpartisan organization and prohibiting recipients of municipal or county funds from using such funds for lobbying. **Re-referred.**

SB 159, relative to net energy metering limits for customer-generators. **Passed with Amendment. NHMA Policy.**

SB 204, relative to distributed energy resources and consumer energy storage. **Passed with Amendment.**

SB 243-FN, relative to the low and moderate income homeowners property tax relief program. **Passed; tabled.**

SB 283-FN, relative to post-election audits of electronic ballot counting devices. **Passed.**

SB 306-FN, establishing the housing appeals board. **Passed; tabled.**

SB 313-FN, establishing a citizens' right-to-know appeals commission and a right-to-know law ombudsman and making an appropriation therefor. **Passed; tabled.**

2019 NHMA UPCOMING EVENTS FOR MEMBERS	
Apr. 3	Regional Workshop: RTK Law & Governmental Meetings (Berlin)
Apr. 10	2019 Local Officials Workshop (All day), Rochester
Apr. 16	2019 Local Officials Workshop (All day), Peterborough
Apr. 17	Webinar: Legislative Half-time
Apr. 24	NHMA/NHMLA Workshop: Exactions and Open Space
Apr. 26	Local Road Regulation + Enforcement: New Hard Road to Travel
To register for an upcoming event, go to our website: www.nhmunicipal.org and scroll down on the left under CALENDAR OF EVENTS. Click on the green bar <i>View the Full Calendar</i> and go to the workshop or webinar you are interested in. For more information, please call NHMA's Workshop registration line: (603) 230-3350.	

NEW HAMPSHIRE MUNICIPAL ASSOCIATION (/)

Event

Regional Right-to-Know Workshops - The Right-to-Know Law and Governmental Records (Dover)

Event Date: 03 May, 2019


Time: 1:30 PM - 4:30 PM

Contact: Ashley Methot

Contact Email: nhmaregistrations@nhmunicipal.org

Contact Phone: 800.852.3358 ext. 3350

Location: City of Dover Police Department (Police Training Room), 46 Chestnut Street Dover, NH 03820

 [Map This Location \(https://goo.gl/maps/Kd1ykWRRVm52\)](https://goo.gl/maps/Kd1ykWRRVm52)

Regional Right-to-Know Workshop - The Right-to-Know Law and Governmental Records (Dover)

WHEN: 1:30 pm - 4:00 pm, Friday, May 3, 2019

WHERE: City of Dover Police Department (Police Training Room), 46 Chestnut Street, Dover, NH 03820

COST: Workshop fee is \$35.00 without publication and \$55.00 with NHMA publication, *A Guide to Open Government: New Hampshire's Right-to-Know Law*.

PROGRAM DESCRIPTION:

Join NHMA's Executive Director Margaret Byrnes and Municipal Services Counsel Natch Greyes and who will share strategies to assist municipalities in handling governmental record matters arising under the Right-to-Know Law.

Handling governmental records requests requires an understanding of all aspects of request processing including: the requirements for availability, storage, electronic records, redaction, cost estimates, mandated access for certain records and appointments for review of records.

Guidance will be provided on determining what is a governmental record, and when and how access and copies of public records must be provided. This workshop will also address what records are exempt from disclosure, along with whether a record request that would require a search for multiple documents must be fulfilled or whether a request impermissibly seeks to create a record that does not exist. In addition, guidance will be provided on the retention of governmental records and how claims under the Right-to-Know Law are enforced.

There will be ample time for questions and answers.

REGISTER HERE! (<https://nhmunicipal.wufoo.com/forms/z1txzpwv03mhgrn/>)

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New Hampshire Municipal Association

25 Triangle Park Dr.

Concord, NH 03302

603.224.7447

[nhmainfo@nhmunicipal.org \(mailto:nhmainfo@nhmunicipal.org\)](mailto:nhmainfo@nhmunicipal.org)

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NEW HAMPSHIRE MUNICIPAL ASSOCIATION (/)

Event

How to Avoid Costly Mistakes! A Wage & Hour Compliance Workshop for Cities and Towns

Event Date: 10 May, 2019

Time: 9:00 AM - 12:30 PM

Contact: Ashley Methot

Contact Email: amethot@nhmunicipal.org

Location: NHMA Offices, 25 Triangle Park Drive, Concord, NH

 Map This Location (<https://goo.gl/maps/wQI2z>)

How to Avoid Costly Mistakes!

A Wage & Hour Compliance Worskhop for Cities and Towns

Cost: \$35.00

Compliance with the Fair Labor Standards Act (FLSA) can be complicated, and many municipal employers unintentionally violate the law with common mistakes such as failing to properly pay employees for hours worked, incorrectly computing overtime, or misapplying overtime exemptions.

Steven McKinney, the Community Outreach Specialist for the Northern New England District Office of the United States Department of Labor, Wage and Hour Division, will discuss some of the most common FLSA pitfalls and errors, how to avoid these costly mistakes, and options for correcting unintentional under payment.

Other topics will include volunteers, compensatory time, special exemptions that may apply to local government.

Cancellation must be received 48 hours in advance. If cancellation is not received 48 hours in advance, NHMA will charge you \$20 to cover workshop costs, including any meals.

REGISTER HERE! (<https://nhmunicipal.wufoo.com/forms/wage-hour-compliance-workshop/>)

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NEW HAMPSHIRE MUNICIPAL ASSOCIATION (/)

Event

2019 Local Officials Workshops - NHMA Offices, Concord

Event Date: 08 June, 2019

Time: 9:00 AM - 4:00 PM

Contact: Ashley Monier

Contact Email: NHMAregistrations@nhmunicipal.org

Contact Phone: 800.852.3358 ext. 3350

2019 Local Officials Workshops

Click Here for Workshop Flyer! (<http://www.nhmunicipal.org/Resources/ViewDocument/1155>)

A FREE workshop for seasoned and new municipal officials and employees of NHMA member municipalities. Attendees will receive a complimentary copy of NHMA's 2019 edition of the publication, *Knowing the Territory*.

Presented by New Hampshire Municipal Association's Legal Services attorneys, the 2019 Local Officials Workshops provide elected and appointed municipal officials with the tools and information to effectively serve their communities.

Workshop Overview

Topics will include the Right-to-Know Law, ethics and conflicts, town governance, municipal roads, and more. Ample time allowed for questions, answers and discussion.

9:00 a.m. - 4:00 p.m. Registration and continental breakfast start at 8:30 a.m. Program begins at 9:00 a.m.. **No registration fee but pre-registration is required.**

Lunch is on your own from noontime to 1:00 pm.

DATES AND LOCATIONS*

Wednesday, April 10— Rochester (Frisbie Memorial Conference Center) - Lunch provided.

Tuesday, April 16—Peterborough (Peterborough Community Center) - Lunch on your own.

Wednesday, May 8 - Lebanon (River Valley Community College) - Lunch on your own.

Tuesday, May 21— Sugar Hill (The Meeting House) - Lunch on your own.

Saturday, June 8 - Concord, (NHMA Offices) - Lunch on your own.

*These workshop dates and locations subject to change. Please check our website regularly.

You must be an appointed or elected official, or an employee of a New Hampshire Municipal Association member to participate.

REGISTER HERE! (<https://nhmunicipal.wufoo.com/forms/2019-local-officials-workshops/>)

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BOARD OF SELECTMEN

RULES OF PROCEDURE

Public Comments:

- One 15-minute Public Input session will be allowed during each Board of Selectmen Meeting. Time will be divided equally among those wishing to speak; however, no person will be allowed to speak for more than 3 minutes.
- No person may address the Board more than twice on any issue in any meeting. Comments must be addressed to the Chair and we ask that the speaker conduct themselves in a respectful manner.
- Questions cannot be directed to an individual Board member and must not be personal in nature. Issues raised during Public Input, which cannot be resolved or answered at that time, or which require additional discussion or research, will be noted by the Town Manager who will be responsible for researching and responding to the comment directly during normal work hours or by bringing to the Board for discussion at a subsequent meeting. The Chair reserves the right to end questioning if the questions depart from clarification to deliberation.
- Board members may request a comment be added to New Business at a subsequent meeting.
- No one may speak during Public Input except the person acknowledged by the Chair. Direct questions or comments from the audience are not permitted during Public Input.

CITIZEN QUESTION/ANSWER COMMENTS:

- Any questions must be directly related to the topic being discussed and must be addressed to the Chair only, who after consultation with Board and Town Manager, will determine if the question can be answered at that time.
- Issues raised during Citizen Questions/Answer Comments, which cannot be resolved or answered at that time, or which require additional discussion or research, will be noted by the Town Manager who will be responsible for researching and responding to the comment directly during normal work hours or by bringing to the Board for discussion at a subsequent meeting. The Chair reserves the right to end questioning if the questions depart from clarification to deliberation.

