



Selectmen's Meeting
Town Office 6:00 P.M.
Wednesday, February 15, 2012
Present: Jed Brummer, Sam Seppala, Patricia Lang Barry, Carlotta Pini

APPROVED Minutes

CALL TO ORDER / PLEDGE OF ALLEGIANCE

APPROVAL OF:

- Manifests: Accounts Payable & Payroll – Pat motioned to approve both manifests for the week of 2/16. Sam seconded, and all were in favor.

VOTER'S GUIDE:

Carlotta Lilback Pini, Town Administrator: One year, a lawsuit was filed against the Town relative to the Voter's Guide, so we need to make sure that it is authorized by the Board of Selectmen. We have gotten explanations from the Planning Board on each of their articles. The other explanations are the ones that appeared in the PowerPoint presentation at the Deliberative Session. The folks that presented the article on the Stanley Fry property sent me a suggestion for the explanation of Article 17 after it was amended, so I do need to substitute that, but basically I'm looking for an authorization from the Board to publish the Voter's Guide with the explanations published here and we would intend to have that printed and sent to all postal customers in the town probably around the first of March. We have done this every year since we've been an SB2 town. This year, we've had two requests for inserts in our Voter's Guide – Mr. Gagnon and Mr. Fry would like to develop a one-page informational insert about their article (but it couldn't ask people to vote a certain way on the article), and the Neighborhood Crime Watch group wants to add an insert relative to their monthly meeting. Jed Brummer, Chair of the Select Board: I'm unsure about the Fry insert if it might open future doors to including literature to influence votes. Pat Barry, Selectman: those who can afford to do that would have an advantage over those who don't. It could create a slippery slope. I'm not in favor of that. But the Crime Watch insert is a different issue, though I'd like to review the copy for it.

MOTION: Sam Seppala motioned to approve the Voter's Guide and Crime Watch insert subject to the Board of Selectmen's review. Pat seconded, and all were in favor.

Police Chief Mike Sielicki: The Crime Watch group is up to roughly 90 members now and they've come up with a logo and a flyer with a tear-off portion that you can fill in to become a member. Citizen: Someone just tore my mailbox out of the ground; I've been a resident for seven years and my family has been here 100 years. I thought I'd get away from all that, living here. My point is that later I think you may be talking about hiring a police officer. As a member of Citizen Watch, I'm adamant about supporting hiring a police officer. Jed: My mailbox was destroyed on two occasions. Citizen: Now, my wife is concerned about her safety when I travel. I think it's time to take a stand, and this is a wonderful way, with positive energy, to support the Police Department.

CITIZEN'S FORUM:

Bob Cleland: Weatherization of the Police Station will be finished tomorrow.

Roberta Oeser: The BAC was concerned about Mutual Aid. Roberta talked to Susan Emerson. She was on the County Committee – she would like to see the criteria by which SW Fire Mutual Aid is billing the Town. The County used to have oversight of that, but now they don't. Susan Emerson said the assessed valuation should have nothing to do with our bill for SWNH Fire Mutual Aid. Dave Drouin: According to *The Keene Sentinel*, the charges attributable to Fire Mutual Aid are going down. Carlotta: Roberta has a point—we do need to learn more about Fire Mutual Aid; they have a Board of Directors but I was not able to find a copy of their by-laws. We have tried to do that as well with the ambulance service. Roberta: if they wanted to base their billing on commercial property assessment, that would make sense, but not residential. Carlotta: our County Commissioner, Aaron Patt, talked with us when this was being contemplated, but maybe we should have a representative from Fire Mutual Aid come to talk at a Selectmen's Meeting. Roberta: we're getting hit twice because of the population of the college and the summer cottages that

inflate population temporarily, and there's no oversight committee anymore—there's a board. Jed: good point—Rindge is now the second-highest contributor to the County.

John Kauer: you had asked me whether there are any other trusts set up for the town. There was one set up in the 1930s with \$500, plus interest since then. You might want to ask the Trustees. Carlotta: we have a list of all the trusts in the Town Report.

John: how much did it take to repair the command truck? Consensus: think it was around \$8,000.

John: Is the car on the warrant for the Fire Department a replacement or an addition? Pat: Past practice has been to have that car; we don't have it now, so it's a replacement.

John: Has the \$2,500 consultant work been completed? Selectmen: no, not yet.

GENERAL BUSINESS

APPOINTMENT OF DEPUTY FIRE CHIEF:

Fire Chief Rick Donovan recommended that Rob Jackson be appointed as Deputy Fire Chief. Pat: please summarize what a Deputy Chief is responsible for: Rick: all administrative duties in my absence. We work together to train the Fire Department and make sure they have the equipment to operate safely. Sam: is it a full-time, paid position? Rick: No, it is not. Jed: are you aware of the duties and ready to carry them out? Rob: yes.

MOTION: Pat motioned to accept the Chief's recommendation to accept Rob Jackson as the Deputy Fire Chief, Jed seconded, and all were in favor.

NEIGHBORHOOD CRIME WATCH SIGNS:

Chief Sielicki and Dave DuVernay distributed a copy of the new proposed Crime Watch sign. New Concepts in Rindge came up with a reasonable price for the sign featuring reflective lettering and an eye logo. Dr. Birge, president of Franklin Pierce University, and FPU's Safety Director came to the Crime Watch meeting. Doug Lear, head of FPU facilities, will keep our signs if a University event is held and put them back up afterwards. New Concepts is coming up with a composite, high-density material that looks like wood but won't rot. Dave DuVernay: based on Mike Cloutier's experience, they still may need to be replaced eventually. They will hang below the main sign. Pat Barry: I think it's great that you've done this. John Kauer: who is going to pay the annual sign inspection fee? Answer: It is owned by the Town, so the sign is probably exempt. If not, then Crime Watch could donate the signs to the Town; it won't be an issue.

MOTION: Pat motioned to accept the Crime Watch signs as described, Sam seconded, and all were in favor.

Chief Sielicki: these Crime Watch members have been very active in the community and have a lot of energy. Jed: becoming a member is a great way to serve the community while protecting your interests. Thank you for a job well done, and for taking pride in the Town of Rindge. Rindge has a lot going for it, but it's taking ownership of it that will make the difference and this Crime Watch group is a positive step. We said at one point that one thing lacking during the ice storm was a group who could identify who on their street was housebound, invalid, or in need of checking in on by the National Guard. We thought if we ever got a Crime Watch group together, that was something they could take on. Citizen: this group is a vehicle for neighbors to get to know one another, and its benefits go beyond crime prevention.

SUNRIDGE NEIGHBORHOOD GROUP RE: USE OF HUNT PROPERTY – MAP 11, LOTS 1 & 8:

Carlotta: this issue came forward because we were contacted by Attorney Joseph Hoppock of Keene, so I think it would be appropriate to hear from him first. He is representing folks who live in the neighborhood where John and Lynda Hunt reside. The Hunts are being represented by Attorney Michael Bentley, and I imagine he would like to respond to some of the concerns raised. And Dave DuVernay and I would like to share the thoughts of our own Town Counsel.

Hoppock: The Board of Selectmen is authorized to enforce the zoning ordinances along with your Code Enforcement Officer. The Hunts live in the Castle, and they say they occasionally rent it out from time to time which implies it's not too busy. The people I'm representing say there are up to 50 renters at one time causing too much traffic and density of people. Our argument is that they're running a tourist home, which is not a permitted under Article V. It only is if they have a Special Exception for which they applied in 2009 but withdrew their application when Dave DuVernay said it would violate the rules. A tourist home provides temporary lodging for compensation. The ads on Rental By Owner indicate that Mr. Hunt is renting the Castle by the day, week, or month—that's temporary. Regarding being owner-occupied: the owners don't have to be there when the guests are there. Mr.

Hunt withdrew the Special Exception request when it was apparent he would not carry the day. The renters have loud parties with fireworks late at night and devalue the surrounding property. They're not quiet; they're disturbing the peace of the neighborhood—it was not as the Planning Board intended that neighborhood to be.

Bed and breakfasts existed as of March 1990, but the Castle was built in 1993, so it couldn't get a Special Exception then. The activity that goes on up there disturbs the neighbors' peace. We think we have a problem up there and we think you are the Board to solve it, and not the Court.

Mr. Michael Bentley representing John and Lynda Hunt: The concern is whether the Town ought to get involved at all—I suggest that you shouldn't because this is just neighbors disagreeing with neighbors. The Selectmen have the authority to enforce the zoning ordinances. If there are issues with alcohol, etc., the neighbors ought to call the Police who should protect the citizens of the town of Rindge. The fact that there are activities going on isn't enough to get the Selectmen involved in a matter that doesn't concern the Town. Hoppock is primarily saying it's a tourist home. Owner-occupied means you have to be there while the activity is going on. The Hunts are renting 100% of the property. They're not there while the renters are. There is nothing in your zoning ordinance that gives the Town the authority to regulate the rental of property in the Town. There are plenty of rentals; more so in summer than in winter. People have the right to rent their property. You could adopt an ordinance at the Town Meeting to restrict that—try to see if you can pass it. But today there is no such ordinance. The neighbors are trying to drag the Town into this dispute. The Castle is large, and to fill it up with either the Hunt family or renters means a lot of people. It shouldn't have been built in the first place if you didn't agree. There's a beach. The neighbors don't like the fireworks—they're legal with a permit in the Town of Rindge. If they're not legal, the Police can respond to those complaints depending on their availability.

The road is a private road—if people get lost, well, people get lost on private roads. Should we put up signs—“Castle this way?” The Hunts provide directions to their tenants on how to get there; the owners have a right to that activity. The discussion centered on whether this is a tourist home operation or not. My understanding is that they withdrew the application because it was not considered a tourist home, not because Mr. Hunt didn't think his argument would carry the day. If the neighbors have a complaint, they can bring their complaint to the proper authority. We would suggest that the Town stay out of this because it doesn't involve the Town.

Fire Chief Rick Donovan: here's the opinion from the Fire Marshall's office. Based on the package from the Chamber of Commerce, if you rent out a one- or two-family dwelling to 17 or more different people, then it would be considered a hotel, not a single-family home under the fire code.

Hoppock: some of the material from the Castle website includes comments from people who stayed there – 10 adults and nine kids all under 7 years old. “We had 21 people” on 12/5/11.... So there were 21, 24, 17-19 people at any one time. On August 20 there were 20. One young woman writes that she and 12 girlfriends stayed at the Castle for their reunion. We have a legitimate zoning question, and the key narrow issue is whether the Hunts need to live there while the tenants are there. No, they don't have to be at the house while the people are there. They can defeat the purpose of the ordinance by saying they're not there. It is a tourist home and we ask that you enforce the zoning ordinance and make it stop.

Jed: The Town will not be dragged into a civil case; we will rule on the ordinances.

Bentley: When the Hunts rent, it's to a single tenant at a time, thought that tenant may include various parties.

Dave DuVernay: In the Zoning Board of Adjustment (ZBA) case in which the Hunts applied for a Special Exception as a tourist home. The Board leaned toward the idea that this was not a tourist home, so the application for a Special Exception was not the right thing to do. The definition of a tourist home is brief and vague to include any Rindge owner who rents his property. At least seven homes on the lake are rented during the year. The Castle is the Hunts' primary residence. The 2009 ZBA results – George Carmichael remembered that they didn't need a Special Exception to rent out their home. They prohibit renting out for special events. Several definitions of tourist home refer to the rental of rooms to travelers or transients, and the Hunts' rental for events doesn't fall into that. If you think the Hunts' home is a tourist home, you would have to ask the Town to enforce this for every resident who rents out their home. If you decide to enforce by Administrative Decision, then the Hunts could appeal to the ZBA. Or, the neighbors could appeal to the ZBA for enforcement. Or, there is the third option not to enforce the ordinances.

Town Attorney Gary Kinyon thought it would be clearer for me to say “yes, they're in violation” or “no”—in which case they could appeal to the ZBA, and then the unhappy party would be free to go to the Superior Court. The last time the Town got into a neighborhood spat, we spent thousands of dollars in legal fees.

Carlotta: Attorney Kinyon is recommending that the Board make a decision as to whether the Hunts' use of the Castle is allowed or not allowed. Either way the Board decides, that decision can be appealed to the ZBA. Kinyon suggests the Board focus on whether the Hunts' rental of their property constitutes a valid accessory use. Their residential agricultural district consists of farms

and homes. This rental of property to this extent wasn't necessarily contemplated by the Planning Board, and the Planning Board can't contemplate ahead of time everything that people will want to do with their properties. There are people who do things like creating airline landing strips or storing commercial vehicles on their property and their neighbors don't like it. Is this an appropriate accessory use of their property? The right to use their home in a limited accessory use is a matter of degree. The Court has held that landing strips and even the keeping of horses are not accessory uses in rural residential areas. Chief Justice Broderick talked about the magnitude of the commercial enterprise. We're trying to determine whether this renting of the property is of such a magnitude that it's not in keeping with the primary allowed use, which is residential. Someone wanted to install three 90-foot towers on their property for their ham radio and the court said no. In order for a use to be customary and subordinate, the accessory use must be minor and subordinate to the primary use. After having met with the neighbors and having heard their stories about the traffic and the noise and the constant strangers in their neighborhood, it seems that this accessory use of the Hunts property has crossed the line and changed the nature of the neighborhood. They have some compelling stories to share, as do the Hunts, but I'm inclined to think that this is not an appropriate use of the property and would encourage the Board to advise the same.

Neighbor/abutter: we're not here to create trouble for the Hunts or have a neighbor dispute. We're here to try to seek relief for the trouble that's been foisted on us. It's supposed to be a neighborhood of single residential homes, period. It's not one family renting the Castle. The Hunts are advertising that weddings can be held there, and the Wiccans (witches) have been there twice to have big Halloween celebrations. During one of those celebrations, one person drove into a neighbors' backyard and got stuck. The 16-year old in that home alone was scared. Then there are busloads of MIT people and alumni groups. It's basically a business now. These people are going to the grocery stores, etc. If both properties are used, there are more strangers in the neighborhood than there are of us. The tenants are not aware that you need a permit for fireworks in Rindge because they don't live here. Sometimes they don't like us to be on the beach because they think it's their own. We don't mind if people party, but we can't let our kids ride bikes on the road anymore; the tenants speed down that road. I've lived there 25 years, and our whole neighborhood has changed dramatically, and the intensity has increased since 2009. The Hunts' response to their neighbors' concerns was to add wedding solicitations to their website. We feel they're running a business and we want our residential neighborhood back.

Another neighbor: I live in a glass house on Sunridge. Since I've been out of work, I've noticed an increase in traffic during the day. We have no idea who is coming in and out of that area. My 13-year-old daughter--I'm concerned for her if people come to the door. Heidi Graff: we moved to Rindge nine years ago--there were no problems up to now. This last summer, I don't think John and Lynda are hearing us when we say there's a huge increase in traffic and activity. The tenants don't just come on their arrival day and leave. They're not bad people, but they're on vacation and it has completely changed the neighborhood, and I would be very concerned about letting my kids out. Lynda and John, you're not there when you're renters are there--the response we got from the Hunts is that they don't believe us.

Shirley Preston: we walk our dog on Sunridge Road and the traffic has become excessive. These people speed down there, and we have to dash to the side of the road to feel safe. It's 25 mph but people go 40mph. We don't know who's coming down the road. Three (3) dirt bikes came down the private road this fall and said they had permission from the Castle to do so, though the sign says no dirt bikes are allowed.

Tim Wessels: we contacted a real estate agent who's been in the business for 22 years and explained the change of use at the Castle. He wrote a letter (provided to the Selectmen) saying that the proposed expanded use of the Hunts' property will likely affect the value of my home, and any activity that restricts the quiet enjoyment of my property would have an adverse effect.

Bill Harper: we tried to work this out with the Hunts and they chose to ignore it. When this started in 2009, our Attorney, Silas Little, pointed out all the shortcomings, but the Hunts chose to ignore them. The people that come to the Castle are vetted only by one thing: that their credit card clears. This is unacceptable.

John Hunt: we did have a meeting and we were told the issue was the use of the beach and the road access. What is incredible to us is that we gave an opportunity to the neighbors to own the road and help us with the dam and they chose not to. Instead, they chose to drag you, the Town, into it. We were going to upgrade the beach so the renters would stay on their own beach. The road is owned by us. Neighbors have a right to use the road, and there are maintenance requirements, but I own it. The Town does not maintain the road. I'm confused because the neighbors are saying how this is a vacation place. Maybe one car will do a grocery run, but most people are staying at the Castle. We would argue that the traffic is less than if my family were there. We have five children, four grandchildren: 18 people. If there's a problem, our caretaker will take care of it. He says there's never been a wedding on the property. The neighbors agreed that we could have a wedding once a month at the community meeting last October. And the Castle is half a mile away from everyone, and there's tons of land. We wanted to stop requests for weddings, so we upped the rate to \$7,500 for a wedding and there's never been one. We agree the signage on the road is a problem and you can't see the speed limit signs. I have no problem with putting speed bumps on the road, but we need to figure it out as a community and the Town does not need to get involved.

Hoppock: my clients never agreed to the weddings. Bill: we never were asked to pay for the dam.

Lynda Hunt: we began this as a wedding venue but never had one. I wouldn't lie; we were given permission. When we had this meeting, I asked the neighbors what we can do and we're open to suggestions – can we use the back road? No, Maryann Harper put up a gate so we couldn't use it. When our renters come, they don't show up at the same time. We sat down with one of our neighbors who said they had three problems and it wasn't traffic. Yes, people want to find the Castle. We've had gawkers for years. The traffic I don't feel is the major issue and the signage on the road is not good. The speed limit sign is on the left. There are three roads to get out of Sunridge. We've said up to 22 people can stay there. Yes, if there are any problems, the tenants have lost their deposit—such a bachelor party was held there. The neighbors have to come to us, not the Town. If it means decreasing our rentals, maybe we need to do that. I feel we're all neighbors, and I don't want a harsh word with them today. But we do need some income until the economy comes back.

Pat Barry: In 1990, Cathedral of the Pines was given the go-ahead for a Bed and Breakfast, and it was grandfathered because it wasn't in a residential area. The Board at that time recognized how much effect a business of this kind would have in a residential area. The other memory is from a Zoning Board meeting I attended in 2009. I remember that the Hunts made a promise to their neighbors and left it open to them where, if things got to the point where their way of life was changed, and traffic changed the character of neighborhood, they would come back to this. That promise was made. What I heard back in 2009 as mirrored by the minutes was a promise that there would not be excessive noise or traffic and that the character of the neighborhood would not change. Also, the Castle is not being rented out by the month – this is by the weekend, etc. which is different. You can't lump other rentals into this. Other properties that are remote may not change the character of the neighborhood if they're rented for the weekend; we need to assess whether the character of the neighborhood has changed. A promise was made three years ago that it wouldn't change and what I'm hearing is that it has.

Sam Seppala: regarding other properties, we have a tremendous amount of lake properties for rent in Rindge. If renting one out constitutes a tourist home, then we're opening a Pandora's box. Pat: But how many rentals lease to 17 to 21 people? Carlotta: that was where Dave and I started off – how is this different from a family renting a house on a pond? I think it comes down to what our Attorney pointed out—whether the accessory use is in keeping with the residential use. I think the fact that this many people have gotten together and hired an attorney to say “yes, it has changed the character of the neighborhood” is testimony. That's what makes it different—it's the intensity. Maybe it's the unique nature of this property and neighborhood. But I think it would be appropriate for the Board to make a decision in this situation that doesn't apply to others.

Attorney Bentley: in all those examples of accessory use – horses and ham radios -- it's something on top of the residential use. This is still a residential use; it's a rental. We're not asking for anything but the residential use. What concerns me is somehow the frequency of the rental making it accessory; that's pushing the envelope. If you rent a house in Rindge for a week, if you can say the Hunts' rental of their property is accessory, I'm at a loss to know why that wouldn't apply to other homes on ponds. This is a unique property, so if you rent a property of this size, the issues associated with that rental are potentially greater because it's an eight-bedroom house. The size of the population that could be there is greater than the norm. But that's not fair to single out the Hunts because they built a house of that size. To treat it differently simply because of its size is uniquely unfair to them.

Pat: what I find problematic is that this interpretation of the law is around semantics and does not address any of the concerns of the people in the room—the neighborhood atmosphere, culture, lifestyle, safety, and ability to let children out of the house. If you asked the neighbors in this room if they'd buy their homes now... it's the reason they're here tonight. So to look at it just from the point of semantics is extremely inconsiderate. We need to look at tonight how the neighbors are being affected, and they're being greatly affected. Sam: Condominiums generally restrict short-term rentals because they know that people who rent short-term don't care as much. But restricting rentals should be written into the town ordinances. I think the Town should write a law about it.

Helene Rogers: I don't live in Sunridge but I know almost everyone who lives there, and I think they bought their homes there because it was a quiet place.

Lynda Hunt: The last thing I want to say to all the neighbors is that we'd like to work this out. And there was never one complaint until 2011 after we had filled the reservoir back up.

John Kauer: My Scouts enjoy the Sunridge property, but I think you're being asked to make a permanent change from what I'm hearing from Mrs. Hunt might be a temporary situation until the economy changes.

Jed: The decisions that the Select Board and Zoning Board have to make carry implications: one being how lakeside rentals are treated in the Town and who's subject to room and meals tax? If you rent your cottage on the lake, you owe 9% room and meals tax. Even if you rent over 182 days, you don't have to technically pay the state room and meals tax and then you need to apply to get that money back after 182 days. But on a regular rental contract for a year, you don't owe room and meals tax. How we apply our ordinances to rentals is something we probably need to define better. Both sides have legitimate arguments, as presented by their attorneys and our own Town counsel. We have to decide whether we want our ZBA to take a look at this. But as far as

settling a civil dispute between neighbors, we're not going to get involved. Carlotta: The Board must decide whether this is a violation of the ordinance or not.

ABORTED MOTION: Pat motioned that the Hunt's use of the property in this situation is not an acceptable accessory use, and if the Hunts wish to appeal, they can be heard by the ZBA. Jed seconded, but Sam said as follows:

Sam: I don't know enough about it to make that determination. I don't know that the Town has written ordinances that restrict the use. If we make a determination on this, then we have to do so for the entire Town. Jed: I'm inclined to let it go to the ZBA; we may need to rewrite the ordinances. Pat: This is a decision on this property, and this situation. Sam: I'm saying if we need a law, we should write it. But I can't say it's already in effect. You're saying he's breaking the rules, but I'm not positive that he is. Show me where it's written. Pat: That's why I brought up the date for the bed and breakfast – that's why anything after 1990 had to be looked at on a one-by-one basis—that was an acknowledgement at the time that it could be a slippery slope; we didn't have that kind of development at that time, and we realized it would impact the abutters.

Carlotta: the reason our attorney pointed us towards the accessory use criteria is that he said most zoning ordinances in NH are permissive – our ordinance doesn't expressly permit this unless it meets this accessory use. Dave DuVernay: the debate is about whether it's a bed and breakfast or a tourist home. This is a residential use. Pat: I'm hearing that a line has been crossed.

Roberta: If you decide that it's not a permitted use under the zoning ordinances, the Hunts appeal, the ZBA appeals, and neither likes it. The Town has to support the ZBA's findings and spend money in court. On the other hand, the neighbors could go to the ZBA.

Citizen: Could you allow the Hunts to try again to come to a solution with their neighbors? Table this and give them a certain amount of time to work it out. All you're going to do is complicate everything, and you're making a decision that will pull you into a complicated spiral. I've heard people say that they're willing to compromise. Give somebody a second chance.

Neighbor: We've tried meetings but got nowhere talking with them. This summer, everything got torn apart with the Holloway House, and I don't like to be woken by fireworks at 2:00am; things seem to accelerate after our meetings. Mr. Graff: back in 2009 when the Hunts applied for the Special Exception, they just had the Castle at that time; the residents did not want the Special Exception, but the Hunts said they were compromised and so they bought another house for their business.

Jed: I'm going to vote against the motion. Sam: I'd like to table this, too. Jed: there are questions I'd like answered by our attorney before we proceed. Pat: but I believe this Board needs to make a decision and not leave it to the residents to have to fight through this. I think this is why we're elected, and it's incumbent on the Board to take a stand on things like this and if it leads to legal action, then that's what we need to do. When taxpayers come to us pleading for assistance, we need to provide it. Jed: I just need to get more answers.

MOTION: Jed motioned to table this decision until the next Selectmen's meeting on February 22nd at 6:00pm. Sam seconded, and all were in favor. Atty. Hoppock and Atty. Bentley agreed as well.

PUBLIC HEARING RE: SPECIAL REVENUE FUND FOR THE TRANSFER STATION

Carlotta: we're required to hold a public hearing. Even though we've had our budget hearings and Deliberative Session, we have to have this hearing to comply.

John Kauer: I am somewhat miffed that this is for \$30,000. The revenue turned out to be not \$30,000 but \$60,000. Carlotta: there had been talk during the budget meetings about establishing a revolving fund whereby the sale of transfer station stickers and punch cards are used to fund the operation of the transfer station. But Roberta said that the revolving fund could only be used for recycling. So I called the LGC, and they confirmed that in order for it to cover operational costs, we would have to attribute the proper percentages of every cost to solid waste vs. recycling – e.g., how much of the telephone bill is allocable to each? We realized it wasn't realistic or practical. So, we decided to go with this special revenue fund, and to set that money aside to save for capital equipment. It doesn't reduce the budget's operating expenses this year but it saves money for future replacements. So we're proposing to divert \$30k out of the general revenue stream and set it aside for future replacements of the containers, trucks, etc. at the transfer station.

Carlotta: this doesn't impact 2011 whatsoever. In terms of 2012, the revenues for the transfer station have been reduced by approximately \$30,000. When you take \$30,000 out of the revenue stream, it has an impact. Mike and I did the math and it's about \$6 on a \$200,000 house. John: so the \$30,000 is not included in the budget. So how are we paying for the things we were paying for? Carlotta: Once the voters approve the budget, that's how much we can spend, and there is revenue coming come in. In October, when we go to the Dept. of Revenue and set the tax rate, they take the budget number minus the revenues and we have a

second chance to estimate those revenues. We'll take a look in September to see if those revenue projections from March are accurate. So, they'll take the budget minus the revenues, and the balance is what's needed to raise by taxation, and then they take the values of the town and that becomes the tax rate. The only way that revenue and expenditure correlate is through the revolving fund.

Pat: the \$30,000 is not accessible. John: the revenues went down by \$30k, but the expenses stayed. So the \$6 per household... Carlotta: but right now the revenues and expenditures of the transfer station are not related. John: it's a \$30k hit. And we're still paying for our punch cards and stickers. Sam: but in the long run, we won't have to propose a warrant article to replace the equipment. The \$30k reduction in revenue is what you're savings. You're really putting \$6 into a savings account. It's not additional expenditure. You're just reducing the revenue so that, in the future, you'll have the money to buy the equipment instead of having to create a warrant article. Dave Drouin: Now the recycling crew will have a dog in the fight; they'll have an interest in it now. If that money goes in the general fund, it's lost. Carlotta: we've tried to fund a capital improvement program and voters have said no, but equipment inevitably needs to be replaced.

The State is shifting taxes to the towns. There are several communities increasing their registration fee in order to pave the roads. Richard Mellor: So you spend \$6 now to put it into a savings account so that, in a year or two you're not going to be taxed when things are replaced.

TOWN ADMINISTRATOR'S REPORT AND INFORMATIONAL ITEMS / COMMUNICATION

ONGOING BUSINESS

Carlotta: Our telecommunications attorney reminded the Argent folks of the commitment they made at our public hearing because she hasn't heard anything from them since. What is becoming apparent is that when the grant was submitted for FastRoads it was based on data that was outdated as far as the miles of roads in this Town and the number of businesses. Now that people are finding out that we have way more houses and businesses and we've added 22 miles of road in the last decade, we're very much over budget if we provide service to everyone. So we have to scale back—there was talk about not providing FastRoads access on private roads or Class VI roads. Folks on the private roads would be offered an opportunity to connect for a fee. FastRoads is only providing services in one census block determined to be underserved: the Southwest corner of town – Abel Road, Robbins Rd, Rand Road, 202/119, Kimball Road. Kim McCummings: what is a private road? Carlotta: if the road was within a subdivision and not accepted by the Town, it's a private road. The community anchor institutions are getting access—the Town offices and the schools. Someone could tap into the network or have a wireless provider that could tap into it. We're still looking at the fall of 2012 for getting it up and running. The engineers are out there and have applied for pole permits; it's moving right along.

Chief Sielicki wanted to bring up the issue of decommissioning two cruisers and fitting the new cruiser. Chief: I sent out four proposals and we got two back: Ossipee Mountain for \$7,334.15+ and Adamson's quote for \$3,850. Adamson's is owned by my sister, for disclosure. Considering the impaired students we pick up who are puking and urinating, it's unhealthy to have cloth seats, so we need to have the plastic seats. Sam: so it will cost \$3,985 is to pick up the cruisers and bring them back, and \$3,800 more to take everything out of two cruisers and put them into one? Chief: Yes. They'll be picked up in Stoneham, MA. Adamson does about 50 cars a week, but Ossipee doesn't do that many.

MOTION: Pat motioned to accept the Adamson's Industries quote for the decommissioning of the two cruisers and commissioning of the new cruiser for \$3,850. Sam seconded, and all were in favor.

MOTION: Jed motioned to go out of Public to Non-Public for Real Estate, Pat motioned, and all were in favor.

ADJOURNMENT

The meeting adjourned at 9:57pm.

Minutes respectfully submitted by Linda Stonehill, Administrative Assistant. Please note that, due to time constraints, these minutes were not meticulously edited with respect to grammar and punctuation.