

**TOWN OF WALPOLE
MEETING OF THE SELECTBOARD
January 17, 2019**

Selectboard Present: Peggy Pschirrer (Chair); Steven Dalessio; Cheryl Mayberry.

CALL TO ORDER: Mrs. Pschirrer called this Selectboard meeting to order at 6:52 PM in the Walpole Town Hall.

NON-PUBLIC SELECTBOARD:

Mrs. Pschirrer moved to enter into a Non-Public Selectboard Session pursuant to RSA 91-A:3 II. Ms. Mayberry seconded the motion and, on a roll call vote with Ms. Mayberry, Mrs. Pschirrer and Mr. Dalessio in favor, the motion was approved at 6:54PM.

The regular Selectboard meeting resumed at 7:20 PM.

ACCOUNTS PAYABLE:

Ms. Mayberry moved to accept the Accounts Payable check register in the amount of \$1,152,699.80 for checks issued January 18, 2019. Seconded by Mrs. Pschirrer. With Mrs. Pschirrer and Mr. Dalessio in favor, the motion was approved. The above amount includes December and January payments to the Fall Mountain Regional School District in the amount of \$563,786.00 for each month.

PAYROLL:

Ms. Mayberry moved to accept the Payroll Check Register for the week ending January 11, 2019, in the amount of \$25,595.30 for checks issued January 11, 2019, and the electronic fund transfer for the 941 Employer Taxes in the amount of \$5,106.13. Seconded by Mr. Dalessio. With Mr. Dalessio, Mrs. Pschirrer, and Ms. Mayberry in favor, the motion was approved.

SELECTBOARD MEETING MINUTES:

SELECTBOARD MEETING MINUTES – January 10, 2019: Ms. Mayberry moved to accept the Minutes of the Selectboard meeting of January 10, 2019 as submitted. Seconded by Mr. Dalessio. With Mrs. Pschirrer, Ms. Mayberry and Mr. Dalessio in favor, the Minutes were approved.

NON-PUBLIC SELECTBOARD MINUTES SESSIONS I and II – January 10, 2019: Ms. Mayberry moved to accept the Non-Public Minutes Sessions I and II of the Selectboard meeting of January 10, 2019 as submitted. Seconded by Mr. Dalessio. With Mrs. Pschirrer, Ms. Mayberry and Mr. Dalessio in favor, the Minutes were approved. The minutes remain sealed.

COMMITTEE REPORTS:

The Selectboard received and reviewed Minutes of the following meetings:

- Library Board of Trustees Meeting - November 13, 2018;
- Library Board of Trustees Meeting - December 11, 2018;
- Library Board of Trustees Meeting - January 9, 2019;
- North Walpole Village District Commissioners' Meeting – January 3, 2019;
- North Walpole Village District Commissioners' Meeting – January 8, 2019.

PROPERTY TAX ABATEMENT:

MAP and LOT #030-041-000: Ms. Mayberry moved to grant a Property Tax Abatement for Map and Lot #030-041-000 for the amount of \$18.24. Seconded by Mr. Dalessio. With Ms. Mayberry, Mr. Dalessio and Mrs. Pschirrer in favor, the motion was approved. The abatement is a bookkeeping adjustment to clear the accounts.

MAP and LOT #029-030-000: Ms. Mayberry moved to grant a Property Tax Abatement for Map and Lot #029-030-000 for the amount of \$20.50. Seconded by Mr. Dalessio. With Ms. Mayberry, Mr. Dalessio and Mrs. Pschirrer in favor, the motion was approved. The abatement is a bookkeeping adjustment to clear the accounts.

MAP and LOT #030-068-000: Ms. Mayberry moved to grant a Property Tax Abatement for Map and Lot #030-068-000 for the amount of \$19.74. Seconded by Mr. Dalessio. With Ms. Mayberry, Mr. Dalessio and Mrs. Pschirrer in favor, the motion was approved. The abatement is a bookkeeping adjustment to clear the accounts.

MAP and LOT #028-035-000: Ms. Mayberry moved to grant a Property Tax Abatement for Map and Lot #028-035-000 for the amount of \$11.02. Seconded by Mr. Dalessio. With Ms. Mayberry, Mr. Dalessio and Mrs. Pschirrer in favor, the motion was approved. The abatement is a bookkeeping adjustment to clear the accounts.

VETERANS' TAX CREDIT:

MAP and LOT #012-047-000: Ms. Mayberry moved to grant a Veterans' Tax Credit for Map and Lot #012-047-000. Seconded by Mr. Dalessio. With Ms. Mayberry, Mr. Dalessio and Mrs. Pschirrer in favor, the motion was approved. The applicant is applying for the Veterans' Tax Credit for Total Disability.

NOTICE OF INTENT TO CUT WOOD OR TIMBER:

MAP and LOT #005-057-000: Ms. Mayberry moved to grant the intent to cut wood for Map and Lot #005-057-000 with property accessed from Watkins Hill Road. Seconded by Mr. Dalessio. With Ms. Mayberry, Mr. Dalessio and Mrs. Pschirrer in favor, the motion was approved.

OLD BUSINESS:

Letter to North Walpole Village Commissioners: Mrs. Pschirrer asked if all members of the Selectboard had read the letter Mr. Dalessio sent to the North Walpole Village Commissioners requesting a meeting between the North Walpole Commissioners and the Walpole Selectboard. The purpose of the meeting would be to reach an agreement regarding a proposed option to shut off water to a large number of North Walpole property owners who have not paid their sewer bills. Ms. Mayberry asked if Mr. Dalessio had spoken with the Municipal Association; he replied that he had not talked to them but had spoken with the Public Utilities. The Public Utilities advised him that, because Walpole is not a public utility, the town has the option to proceed as it deems best. Mr. Dalessio further advised that the RSA's for NH villages grant villages authority over water, fire, and zoning which validates the independence of North Walpole village from Walpole in these matters. Ms. Mayberry pointed out that, because North Walpole does not own the sewer, the Walpole Selectboard would have to provide legal substantiation for turning off the water to property owners who have not paid their sewer bills. Mr. Dalessio agreed saying he would turn the matter over to Mr. Jeremy Hockensmith, Walpole's attorney. Mr. Dalessio mentioned as an aside that the Town of Walpole does not own Walpole's water; the Water District, which is separate and distinct from the town of Walpole, owns the water. However, the Town of Walpole does own the sewer. North Walpole, by contrast, has taken on the responsibility of ownership for the village's water. Ms. Mayberry pointed out that, while it is within the Village's right to shut off the water, to do so for non-payment of the sewer would be questionable. Everyone understands that the cumulative cost of not pay paying the sewer bill is going to be passed on to the other users of the sewer system. Furthermore, whether Walpole and North Walpole reach a contractual agreement to shut off the water to those who have not paid their sewer bills or to take those non-payers to lien, the users of the system will bear the burden of the costs associated with either action. It is in everyone's best interest to find the solution that will induce the non-payers to pay their sewer bills. Ms. Mayberry reported that the North Walpole Commissioners are not opposed to

either option but want the legal basis for both options before proceeding per the advice of Margaret Byrnes, Executive Director of the New Hampshire Municipal Association (NHMA). Mrs. Pschirrer said Walpole's Selectboard would send North Walpole commissioners a copy of Puc. 703.03 that provides guidance on the discontinuance of water service for nonpayment of sewer utility bills. Mr. Dalessio suggested that North Walpole could solicit input from both Ms. Byrne and Atty. Hockensmith's re: Puc 703.03. Mrs. Pschirrer read the Puc 703.03 aloud and then advised that an agreement be reached between Walpole and North Walpole on how to best collect the unpaid sewer bills.

Cheney Hill LLC Settlement Agreement for Bureau of Tax and Land Appeals: Mrs. Pschirrer announced that the Northcotts had reached an agreement with Avitar. The Selectboard now needed to endorse the agreement. Once the Selectboard accepts the Settlement Agreement, Avitar will send the agreement to the taxpayer for their signature. After both parties have accepted the agreement, an abatement on the decreased value will proceed. Mrs. Downing explained that this agreement applies to the 2017 tax bill but also applies to the 2018 tax bill because the taxpayers had appealed their 2017 tax bill and paid their 2018 tax bill. Mr. Dalessio moved to accept the Settlement Agreement for Cheney Hill LLC and to have Mrs. Pschirrer sign the agreement as Chair of the Selectboard. Seconded by Ms. Mayberry. With Ms. Mayberry, Mr. Dalessio and Mrs. Pschirrer in favor, the motion was approved.

Walpole, NH Hazard Mitigation Plan Update: Mrs. Pschirrer advised the Selectboard that it needed to sign the Hazard Mitigation Plan which has been adopted. Before doing so, a Public Hearing will be held on Thursday, January 31, 2019 at 6:30 PM. The Plan was sent out last year for people to review.

NEW BUSINESS:

Avitar Letter re: Mailings for Data Verification: Mrs. Pschirrer read aloud a letter from Avitar that claimed property owners were not granting the tax assessors access to their properties. Property owners claim they have not received prior notification of Avitar's visit. In addition, one Avitar employee had had an altercation with law enforcement and was told the visit to the property without prior notification was construed as civil trespass. As a result, Avitar is going to send out letters to all taxpayers notifying them of upcoming visits by Avitar's field agents. The letters will raise costs for the town since all mailings are the responsibility of the town pursuant to the contract between Walpole and Avitar. Mrs. Downing asked if publication of the legal notice pertaining to Avitar's data verified cycled inspections qualified as "prior authorization". Mrs. Pschirrer suggested that Mrs. Downing ask Loren Michaels of Avitar Associates. The letter from Avitar also said they would be starting the mailings over the next few weeks. Mr. Dalessio and Ms. Mayberry mentioned that, in the past, Avitar had placed hangers on property owners' doors but those hangers contained no identification about Avitar or that they had been hired by the town to conduct these inspections. Mrs. Pschirrer read aloud from Avitar's letter that letters would be sent to individual taxpayers and, if the town does not hear from the taxpayer, the lack of response would be perceived as consent to continue with the process. Mrs. Pschirrer will review the town's contract with Avitar to see what agreement was made regarding such notices. Avitar also said that a log of those opting out of the on-site assessments should be kept in the Town Hall offices and that field agents would consult with these logs before starting the inspection process.

Correspondence: Mrs. Pschirrer acknowledged receipt of a thank you note from Fall Mountain Food Shelf.

RECESS SELECTBOARD MEETING:

Mr. Dalessio moved to recess this Selectboard meeting. The Selectboard will enter into a meeting as the Hooper Trustees. Seconded by Ms. Mayberry. With Ms. Mayberry, Mr. Dalessio and Mrs. Pschirrer in favor, the motion was approved at 7:52 PM.

The regular Selectboard meeting resumed at 8:13 PM.

OTHER BUSINESS:

Draft Application for U.S. EPA Brownfield Cleanup Grant: Ms. Mayberry had reviewed the draft application and suggested that the word “stripe” on page 4 under Section 2.a.i. be changed to type. Mrs. Pschirrer noted that application would be going to the NJ Institute of Technology next, for their review. Ms. Mayberry also suggested that the average age of Walpole residents (i.e. 59.6) be added to the first sentence in section 2.1.ii. on page 4 instead of the Cheshire County median age of 52.7 since the Cheshire County median age was irrelevant to the paragraph’s content re: Walpole’s need for funding.

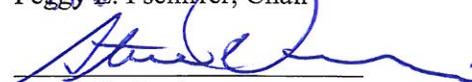
ADJOURNMENT:

Mrs. Pschirrer moved to adjourn this Selectboard meeting. Seconded by Mr. Dalessio. With Ms. Mayberry, Mr. Dalessio and Mrs. Pschirrer in favor, the meeting was adjourned at 8:23 PM.

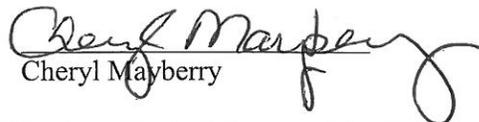
Respectfully submitted,
Beth Colley, Recording Secretary Pro Tempore



Peggy L. Pschirrer, Chair



Steven Dalessio



Cheryl Mayberry

(Note: These are unapproved Minutes. Corrections will be found in the Minutes of the January 24, 2019 Selectboard meeting.)