

TOWN OF JAFFREY
Jaffrey, New Hampshire

BOARD OF SELECTMEN
Meeting Minutes
May 11, 2009

Present: Chairman Sterling, Selectman MacIsaac, Selectman Batchelder

Absent: None

Staff: Town Manager Hartman, Administrative Assistant Richard

CALL TO ORDER

Selectman Sterling called the meeting to order at 7:00 p.m.

MEETING MINUTES APPROVAL

The public meeting minutes for April 27, 2009 were approved (2-0).

PUBLIC HEARING

Bond Hearing on the Wastewater Filtration Process and Pellet Boiler in the amount of \$2,040,000.

Chairman Sterling read the Notice of Public Hearing: Board of Selectmen will be holding a Bond Hearing on the Wastewater Filtration Process and Pellet Boiler in the amount of \$2,040,000. Further, without impairing the status of this bond as a general obligation bond of the Town, it is the intention of the Selectmen that 50% of debt service on this bond shall be funded through the American Recovery and Reinvestment Act. The Bond Hearing will be held at 7:00 p.m., Monday, May 11, 2009 at Jaffrey Town Offices.

Chairman Sterling opened the Hearing @ 7:00 p.m.

Sterling said that when we first started to design the Wastewater Treatment Upgrade to the Jaffrey Wastewater Treatment Plant, we had a two stage process in mind and one was to do the advanced Wastewater Treatment Plant which is an oxidation ditch. We would bring the effluent in, put in microbes in, we would filter it and let the sediment settle out and discharge the clean effluent back into the Contoocook River. Stage two was to be a mechanical filtration system. This would consist of a big disk that water is forced through and it takes out phosphorus. This would get the treatment down to the EPA and DES acceptable future levels. Our new plant has been doing some testing and we are getting ready to turn it on. We are on time and on budget. This will meet our current discharge permit levels. The new filtration device is to take us beyond the levels that we are at now to the next stage. We are proposing to do this now because of the stimulus money where we can get 50% debt forgiveness for this project. The difference would be if we do this on our own, the State used to give a 30% refund but the current budget in Concord does not make provisions for that now. The filtration plant is roughly \$1.8 million and the bond is \$2,040,000 because we have added to the existing treatment facility control room a pellet burning boiler.

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The \$1.8 million for the filtration plant is something we would have to bear on our own if we do not accept stimulus money which is 50% of the cost and is also tied into a low interest SRF loan program, with the interest rates below market. We would pay 100% in five years from now or you get half the money now and pay the other half. This is why we are proposing this now because of the stimulus money. We believe it would be irresponsible as a Board if we didn't. The application was presented to the State and we finished in the top ten and qualify for the funding.

Chairman Sterling said that the pellet boiler was \$145,000. A cost benefit analysis was done to see if it would be cost relevant to add the boiler. The building currently has an oil fired boiler. This would take the place of that to supply heat and hot water for the building. Part of the stimulus application was how green can you make your application. Adding a pellet boiler to the application did add a green element to the wastewater facility.

Selectmen MacIsaac stated that the pellet boiler would meet 90% of the demands at the facility.

Dick Olson asked if the filtration plant is required down the road and Chairman Sterling said yes. Mr. Olson stated he is concerned with the cost because of the latest increase in sewer rates. The increase was to help pay for the new sewer plant and the sewer users will be paying two-thirds of the cost and all tax payers will be paying one-third.

Mr. Olson said that he owns a four family house with tenants of low to moderate income and can not afford this increase. Mr. Olson said that he will be selling his house.

Mr. Olson received data from the Tax Collector and the number one user on usage is Millipore whom is paying 54% of the bill. The number two user listed was Jaffrey Gilmore Foundation. Chairman Sterling said that was an error. The third biggest users are apartments where moderate to low income people live. The fourth biggest user is Teleflex and the two laundry mats. The fifth is the mobile home park which is also low to moderate income. The sixth is Alliance Energy and Great Bridge. The seventh is St. Patrick School and the seventh is George Charleston.

Mr. Olson said that out of 846 users that 816 are tax payers. He stated that maybe we need someone to study rates and to take a different approach. He asked why we haven't put the same rate increase on the minimum users as well as the larger users. He believes that the cost of increases should be applied to everyone equally.

Chairman Sterling stated that we have been increasing sewer rates every year since 2000. The idea was to build up some cash reserve and also to gradually raise the rates so that the increase would not be raised from a \$6.00 minimum to a \$16.00 minimum. Sterling said that we currently have \$2 million surplus in the sewer unexpended fund which they intend to use for the sewer system. The surplus was built up to use for debt reduction or to use and pay out year after year into the operating cost so they could gradually work the rates up without having a huge impact.

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This was done to soften the blow, to capture some of the anticipated increase in the expenses. The Board knew that the bond issue for the sewer system that we are bringing on line, that the Operation and Maintenance was going to be the biggest expense beyond the debt service. They knew that it was going somewhere in the neighborhood of \$1 million a year to run the plant because they were going from a one person operation to a three person plant operation. The other thing was that it will be an additional expense for electricity to run the system and also chemicals.

The Board knew that the O&M costs would be a big expense, but the problem was that they could not find another way to meet the limitations that were being placed upon them by DES and EPA to discharge into the river. They tried to find every conceivable possible way not to discharge in the Contoocook River.

Chairman Sterling said that we the Board talked about the rates in December, they talked about wanting to keep the minimum low for the minimum user who didn't have a large bill because they didn't use the a lot. If the landlords do not separate that out and charge your tenants separately, that is not something they can control. The Board tried to control the minimum rate so that it would stay affordable for the minimum user. The rates were raised from 2008 to 2009 such that the usage of 100 gallons once you get over the first 1,000 gallons went from \$.77 to \$1.27. This was done so the big users paid the same rate as the minimum users. Sterling believes that part of the reason that we got this grant for this filtration plant is because our rates are some of the highest in the State.

Mr. Olson asked if every meter is read monthly and Chairman Sterling said yes. Mr. Olson said that he does not believe that because he gets fluctuations in his readings. He said that every quarter he gets an increase or a decrease. He also noticed that seasonal users are not read every month and not sure if they are all metered.

Chairman Sterling said that in funding the \$1,020,000, which would be our portion of the bill, the Board has talked about making the debt payment out of our surplus funds without having any increase on the users or the tax rate.

Mr. Olson thanked the Board for listening but that he was voting no at the Special Town Meeting.

Barbara Gilbert asked what the ramifications would be to the Town if they did not pass.

Sterling said that nothing would happen to the Town. We wouldn't put the pellet boiler in and we would not build a phosphorous treatment plant. He said that in five years from now we would have to meet a more stringent phosphorus limit in our discharge. Sterling said that the reason we are doing this now is because we can get half the money.

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John McCarthy said that he recalled we were told that we could meet our phosphorous limit long term which was said about a year ago. He asked if not knowing whether our town engineer is right, why should we go ahead and buy this filtration plant now.

Chairman Sterling stated that we do know that there will be more stringent levels coming at us, whether in three years or five years down the line, and that at the end of this five year permit that all the discharged limitations are reviewed and that he would bet \$1 million that they will be more stringent if we do not do this now.

John McCarthy said that the 50% grant is really not that much help in light of how much we are talking about investing. A 75% grant would still be \$1/2 million on top of the \$18 million that we have already got ourselves in for. This may be not sound like much but if you divide it by 1,800 users, \$500,000 is still a lot of money.

McCarthy said that even if five years from now the phosphorous limits are increased, he believes that there is still a chance that we could get a 50% grant.

Sterling replied saying not the way government grants are now. He said that the State Budget is very tight and that without raising taxes again significantly that there would not be the 30% money coming back like we used to get.

McCarthy said that based on what our town engineers say, he is not convinced yet about paying to build a phosphorous filtration system when it is unclear whether the discharge limits will ever be tightened.

State Representative Bonnie Mitchell complimented the Board because for once we are looking down the road and we are taking Federal money when we can get it and we are building something at today's rate, not five years from now and we re going to have to do this. She appreciates what the Board is doing.

Dick Ames said that he seconds what Mitchell said. He said that having the grant money in hand is terrific and very smart to propose this because we do know that we will have to do something in the future. He believes that this is a clear budgetary winner.

Chairman Sterling apologized for the confusion on last Mondays proposed Town Meeting. The legislation called for expedited town meeting and DRA has their rules and the meeting had to be changed to May 28th, 7:00 p.m. at CHS Cafeteria.

Chairman Sterling closed the Public Hearing at 7:50 p.m.

On a motion by Batchelder, seconded by MacIsaac, to approve to go forward on the bond issue on the Wastewater filtration Process and Pellet Boiler in the amount of \$2,040,000 at Town

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Meeting, approved (3-0).

APPOINTMENTS

John Field - Conservation Commission

John Field asked the Board to recommend considering the idea of forming an Open Space Committee for the Town of Jaffrey. This came about because of the Land Acquisition Capital Reserve Fund which is a CIP component as designed. This fund is beyond the management authority of the Conservation Commission. Field said that other towns have created a town wide body including Selectmen, Planning Board and Conservation Commission members to oversee the funds and to plan for its use when the resources can be expended.

Mr. Fields said that he has been working on the document and expects that the document will be done by the end of the month.

Mr. Fields said that the Monadnock Conservancy has asked the town if we are interested as a town in being part of the second wave of collaborative effort between the conservancy and the municipality to gear up to do land conservation in a more focused and prioritized manner.

Mr. Field said that he feels that we should be interested but it does depend whether we can build coalition of support and the willingness to pay for it. He invited the Monadnock Conservancy to come to Jaffrey to give up a public presentation on the committee conservation partnership. They will let us know how the other five towns have launched this five years ago and to let us know what our responsibilities are under the collaboration. They would help us identify our agenda as to how to start to use the Land Acquisition Capital Reserve Fund in a more affective manner.

Mr. Field said that with the Natural Resources Inventory almost completed, with the Land Acquisition Capital Reserve Fund approved and with modest resources with the prospect of the community conservation partnership, the timing does seem to be right.

Chairman Sterling said that he believes that there is a statutory formula for creating and Open Space Committee.

Mr. Field said that he will be getting information from the towns of Peterborough, Fitzwilliam and Swanzy. He said that he believes there is no single formula.

Chairman Sterling said that he recalls that the statue allows for the establishment of an Open Space Committee and that there is not any formula. He said that this is a land use regulation.

Chairman Sterling stated that the Conservation Commission in Jaffrey has come a long way in part because of two people, Brenda Bhatti and John O. Field and you both are to be commended.

Chairman Sterling suggested that Town Manager Hartman look into the Statue on Open Space

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Committee. Hartman will get meet with Mr. Field and report back to the Board. Sterling also said that this is a great idea.

REGULAR BUSINESS

1) Payroll and Vendor Manifests

On a motion by MacIsaac, seconded by Batchelder, the payroll and vendor manifests were approved (3-0).

2) Selectmen's Reports

Sterling

Chairman Sterling said that he received a letter from EPA congratulating and confirming that the Town of Jaffrey has been selected as one of the entities with which EPA will pursue negotiations to award cooperative agreement for three Brownfield cleanup grants. The Town of Jaffrey submitted outstanding grant proposals and they deeply appreciate the tremendous commitment of time and energy that went into the preparation. Diane Kelley, our Brownfield's Coordinator will work closely with the Town of Jaffrey to negotiate a cooperative agreement prior to the award of the grants.

Sterling said that this applies to the Elite Laundry site and we were eligible for up to \$200,000 per lot and we got \$600,000 for the three lots. This will go to the remediation of the bedrock water pollution that was found on one site. This will go along way to fund the total remediation.

Selectmen MacIsaac said that there will be a formal presentation coming up and that we are very pleased to be awarded the money.

Sterling asked that Harry Young get on the agenda for the June 8, 2009 Board of Selectmen Meeting to report on the Street Light Committee.

MacIsaac

None

Batchelder

None

3) Town Manager's Report

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None

4) Boat Tax Warrant

a) Eighty (80) Boat Registrations \$512.32 – received April 27, 2009

On a motion by MacIsaac, seconded by Batchelder, Eighty (80) Boat Registrations in the amount of \$512.32 – received April 27, 2009 were approved (3-0).

b) One hundred twenty-eight (128) Registrations \$920.24 – received May 1, 2009

On a motion by MacIsaac, seconded by Batchelder, One hundred twenty-eight (128) Registrations in the amount of \$920.24 – received May 1, 2009 were approved (3-0).

c) Eighty-one (81) Registrations \$686.60 – received May 8, 2009

On a motion by MacIsaac, seconded by Batchelder, Eighty-one (81) Registrations in the amount of \$686.60 – received May 8, 2009 were approved (3-0).

5) Water & Sewer Abatements

a) #09-233-17 – Diane Decaria – 16 Sharon Pl. – Water Abatement in the amount of \$26.25

On a motion by MacIsaac, seconded by Batchelder, #09-233-17 – Diane Decaria – 16 Sharon Pl. – Water Abatement in the amount of \$26.25 was approved (3-0).

b) #09-233-18 – Jaffrey Gilmore Foundation – 40 Main St. – Map238/Lot162 – Water Abatement in the amount of \$66.20 and Sewer Abatement in the amount of \$80.07

On a motion by MacIsaac, seconded by Batchelder, #09-233-18 – Jaffrey Gilmore Foundation – 40 Main St. – Map238/Lot162 – Water Abatement in the amount of \$66.20 and Sewer Abatement in the amount of \$80.07 were approved (3-0).

6) Timber Tax Levy

a) Operation # 08-233-17 – Deborah Kaiser – Map251/Lot17 - \$32.31

On a motion by MacIsaac, seconded by Batchelder, Timber Tax Levy #08-233-17 – Deborah Kaiser – Map251/Lot17 in the amount of \$32.31 was approved (3-0).

7) Notice of Intent to Cut Wood or Timber

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a) #09-233-04 – Michael Breen – Map237/Lot31 – Proctor Road – signed

8) First Issue 2009 Property Tax

a) Stone Bridge Industrial District – Property Tax \$193,790

On a motion by MacIsaac, seconded by Batchelder, First Issue 2009 Property Tax for Stone Bridge Industrial District – Property Tax in the amount of \$193,790 was approved (3-0).

b) Public Utility Property – Property Tax \$43,943

On a motion by MacIsaac, seconded by Batchelder, First Issue 2009 Property Tax for Public Utility Property – Property Tax in the amount of \$43,943 was approved (3-0).

c) Downtown Development District – Property Tax \$299,708

On a motion by MacIsaac, seconded by Batchelder, First Issue 2009 Property Tax for Downtown Development District – Property Tax in the amount of \$299,708 was approved (3-0).

d) Town of Jaffrey – Property Tax \$5,565,164

On a motion by MacIsaac, seconded by Batchelder, First Issue 2009 Property Tax for Town of Jaffrey – Property Tax in the amount of \$5,565,164 was approved (3-0).

9) Appointments – Jaffrey Public Library Trustee

a) Appointment of Stephanie Minter as an Alternate to Jaffrey Public Library Trustee

On a motion by MacIsaac, seconded by Batchelder, appointment of Stephanie Minter as an Alternate to Jaffrey Public Library Trustee was approved (3-0).

b) Appointment of Steve Van Houten as an alternate to Jaffrey Public Library Trustee

On a motion by MacIsaac, seconded by Batchelder, appointment of Steve Van Houten as an Alternate to Jaffrey Public Library Trustee was approved (3-0).

10) Request for Use of the Meetinghouse

a) Amanda Elliott – Wedding on September 18, 2010

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On a motion by MacIsaac, seconded by Batchelder, request for Use of the Meetinghouse from Amanda Elliott for wedding on September 18, 210 was approved (3-0).

11) Petition and Pole License

a) Public Service of New Hampshire – #36-0588 – License three poles on Lehtinen Road

On a motion by MacIsaac, seconded by Batchelder, Petition and Pole License from Public Service of New Hampshire - #36-0588 – License three poles on Lehtinen Road was approved (3-0).

12) Land Use Change Tax

a) Donald & Sandra Stewart – 43 Hunt Road – Map246/Lot50.2 - \$2.96

On a motion by MacIsaac, seconded by Batchelder, Land Use Change Tax for Donald and Sandra Stewart – 43 Hunt Road – Map246/Lot50.2 for \$2.96 was approved (3-0).

13) Corrected Abatement Request Response from Vision

a) James Totherow – 590 Fitzwilliam Road – Map227/Lot6 - \$390,752

On a motion by MacIsaac, seconded by Batchelder, James Totherow – 590 Fitzwilliam Road – Map227/Lot6 – change assessed value to \$390,752 was approved (3-0).

OTHER BUSINESS

None

NON-PUBLIC SESSION

On a motion by MacIsaac, seconded by Batchelder, the Board of Selectmen adjourned to non-public session to discuss personnel – (RSA 91-A:3 sections a and c) at 8:30 p.m.

After discussing non-public items, on a motion by MacIsaac, seconded by Batchelder, the Board returned to public session (3-0).

ADJOURNMENT

On a motion by MacIsaac, seconded by Batchelder, the meeting adjourned at 9:01 p.m. (3-0).

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Submitted:

Attest:

Sue Richard
Administrative Assistant

Franklin W. Sterling, Jr.
Chairman
Board of Selectmen