

**Town of Boscawen
Select Board
MEETING MINUTES
Thursday, November 30, 2023, at 6:00 PM**

In Attendance: Matt Burdick, Lorrie Carey, Bill Bevans, Kate Merrill, Kellee Easler, & Katie Phelps

Guests: Andrew Cushing & Jennifer Goodman—NH Preservation Alliance, Elaine Clow, Shawn Brechtel—Penacook Rescue Squad, Loren Martin & Ray Fisher.

Roll Call: completed and guests introduced.

Chairman Matt Burdick called the meeting to order at 6:00pm.

Consent Agenda Items:

- P&L, Balance Sheet, Check Manifest & Payroll
- Public Minutes for Approval—11/16/23 and 11/21/23
- Supplemental Warrant 183D 23 T2
- Cherian Re-Appointment Energy Committee
- Notice of Sewer Project 3 & 4 Field Work (Info)
- CWSRF Loan Repayment Letter (Info)

Selectwoman Lorrie Carey noted a grammatical change to the 11.16.23 public minutes.

Selectwoman Carey motioned to approve the Consent Agenda as amended. Seconded by Selectman Bill Bevans. Roll Call Vote. All in favor. None opposed.

Scheduled Guests and Hearings: Town Administrator Katie Phelps introduced Mr. Andrew Cushing and Ms. Jennifer Goodman from the NH Preservation Alliance to speak about the Seven to Save program. Ms. Goodman stated the NH Preservation Alliance is a statewide historic preservation non-profit that assists municipalities, non-profits, and property owners in saving and reviving their historic resources. Mr. Cushing provided background information on the Seven to Save program. In 2006, they started the program to seek nominations from the local communities to preserve historic sites. About half of their property listings have been saved. Mr. Cushing mentioned it was similar to an honorary designation as there are no financial rewards, but it serves to attract grant funds and draw attention to necessary projects. The 1913 Library was added to the Seven to Save list 10 years ago, and most recently, there was discussion about King Street. Mr. Cushing noted they have received multiple concerns from neighbors and residents in town about individual properties along King Street. He reached out to locals including the Boscawen Historical Society and mentioned the idea of listing King Street on the Seven to Save list. Mr. Cushing said it would promote documentation or a survey along King Street. He noted King Street, a historic thoroughfare in NH, has never been surveyed for the National Register of Historic Places. Mr. Cushing spoke with the Department of Transportation (DOT) to discuss the

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importance of including the National Register survey in the King Street improvement plan. Ms. Goodman discussed ways in which the NH Preservation Alliance could offer assistance, and she requested the board's feedback on both projects—the 1913 Library and King Street. Selectwoman Carey stated at the past town meeting, the Select Board asked the public if they wanted to retain or sell surplus properties. The townspeople agreed to allow the town to formulate a plan to sell or transfer interest in the Torrent Station, 1913 Library, and Town Hall. The Penacook Rescue Squad has a longstanding relationship with the Torrent Station and the Select Board previously expressed their opinion that it would have a proper use of a historic resource. Selectwoman Carey noted the 1913 Library was cleared to sell in court but will need a purpose. The town would have stipulations around maintaining the façade. Selectwoman Carey mentioned there were a number of buildings along King Street that private individuals were willing to restore and maintain. Overall, the goal was to have Boscawen maintain the integrity of its historic resources, but also understand that taxpayers cannot afford the type of necessary maintenance and there was no longer a modern use for them. Mr. Cushing suggested establishing parameters for the sale of historic buildings to ensure public benefit, which could be done through covenants or a restoration rehabilitation agreement. Mr. Cushing mentioned that he would provide examples of how to set parameters in a way that meets the town's goals. Ms. Goodman suggested refining the town goals. She noted they could share examples of other communities' goals and how to market those goals. Discussion ensued. Ms. Goodman asked if there was a timeframe for selling the 1913 Library. Selectwoman Carey said the Board was working on that. She noted that a market analysis was done for the 1913 Library by a realtor. Selectwoman Carey suggested the NH Preservation Alliance could help with assessing the historic value. Mr. Cushing circled back to King Street stating there were other planning tools that could help maintain the façade and meet the needs of modern times. He mentioned there would be a presentation on Thursday, January 18th, at noon and encouraged the Select Board to attend. Selectwoman Carey inquired about the resources available for individual private homeowners, who have a historic goal in mind. Ms. Goodman said NH Preservation Alliance collaborates with individuals and provides referrals but there are no subsidy dollars or grant money for private-owned residences. Mr. Cushing inquired about RSA 79-E. Selectwoman Carey confirmed Boscawen passed RSA 79-E. Mr. Cushing mentioned that RSA 79-E could be used for residential rehabilitations, but there were no examples in the State of NH. No further discussion. Elaine Clow from the Boscawen Historical Society inquired about whether anyone had contacted the Guy Lowell Society about the 1913 Library. Selectwoman Carey stated the Board has not reached out to them. Ms. Clow said they may have resources available.

Department Head Updates: TA Phelps asked that the Board open Requests for Proposals for Assessing Services. Chairman Burdick noted the Board will open the RFPs but will need time to review them. A decision will be made at a future meeting. Vendor #1 appreciated the opportunity but decided not to respond at this time. However, they would like to remain on the mailing list for future requests. Chairman Burdick stated the Select Board and department heads will review the proposals from Vendor #2 and Vendor #3.

Chief Shawn Brechtel from Penacook Rescue Squad voiced his Board's concerns with the Torrent Station. One of their concerns was the extensive work required to bring the building up

to code. The cost would be over \$500,000. The second concern was regarding their future plans. The building does not give them the ability to grow. They anticipate in the next 3 to 5 years to be operating two ambulances 24/7, which will require a third ambulance in the building. Mr. Brechtel noted the Fire Department stopped using the Torrent Station because the floor could not hold weight. The Penacook Rescue Squad Board has requested legal advice. Mr. Brechtel asked on behalf of the Penacook Rescue Squad Board if the Select Board would agree to use the same agreement on their current building, for the Torrent Station. Selectwoman Carey recommended reaching out to NH Preservation Alliance for more resources and guidance. Discussion ensued. Selectman Bevans suggested moving forward first with obtaining an estimate from a real estate agent which would include an agreement for the back building. He explained that the sale must have an agreement that allows use of the back building by Penacook Rescue Squad. TA Phelps will call the realtor first and follow up with Chief Brechtel.

TA Phelps stated that Christy Goodhue Mank did a market analysis for the 1913 Library. Selectwoman Carey suggested reaching out to the NH Preservation Alliance for their recommendations.

TA Phelps presented Property Tax Levy 2023P02.

Chairman Burdick read that he *hereby directed the Tax Collector to collect the property taxes amounting in the sum of \$5,210,323 with interest of 8% per annum from December 28, 2023, thereafter on all sums not paid on or before that date. The Board further ordered the Tax Collector to remit all monies collected to the town Treasurer or to the town Treasurer's designees as provided by RSA 41:29, 6, at least on a weekly basis or daily, whenever tax receipts total \$1,500 or more.* The Board signed the Property Tax Levy on November 22, 2023.

Planning and Community Development Director Kellee Easler presented Mr. Henry Carrier's letter of resignation as a member on the Conservation Commission effective immediately.

Selectwoman Carey motioned to accept Mr. Henry Carrier's resignation as a member of the Conservation Commission with regrets. Seconded by Selectman Bevans. Roll Call Vote. All in favor. None opposed.

Finance Director Kate Merrill proposed budget meeting and hearing dates for 2024. One proposed option was January 18, 2024 for the budget meeting and February 1, 2024 for the hearing. The second option was January 11, 2024 for the budget meeting and January 25, 2024 for the hearing. Selectwoman Carey asked when the Merrimack Valley School District budget meeting and hearing was scheduled. Ms. Loren Martin stated the Finance Committee was working on it. They do not have a finalized date. Chairman Burdick suggested to tentatively hold January 18th for the budget meeting and February 1st for the hearing.

FD Merrill presented Health Trust agreements for 2024.

Chairman Burdick motioned to approve the FSA adoption agreement as proposed. Seconded by Selectwoman Carey. Roll Call Vote. All in favor. None opposed.

Selectwoman Carey motioned to authorize Chairman Matt Burdick to sign the FSA adoption agreement. Seconded by Chairman Burdick. Roll Call Vote. All in favor. None opposed.

Selectwoman Carey motioned to authorize Chairman Burdick to sign the HRA adoption agreement. Seconded by Selectman Bevans. Roll Call Vote. All in favor. None opposed.

Selectman Bevans motioned to authorize Chairman Burdick to sign the HRS Service agreement. Seconded by Selectwoman Carey. Roll Call Vote. All in favor. None opposed.

At the last meeting, Selectwoman Carey inquired about whether part-timers could pay out of pocket for the health insurance. Finance Director Merrill researched and found that there was nothing in writing stating whether the town could or could not offer part-timers health insurance. She suggested if they offer it, to clarify that part-timers can enroll in health insurance, paying 100% of the premiums. It would take effect on the 1st of the month after they enroll.

Selectwoman Carey motioned to approve part-time employees to have the option to purchase health insurance at 100% their cost, with no contribution from the town. Seconded by Selectman Bevans. Roll Call Vote. All in favor. None opposed.

FD Merrill presented a topic regarding abandoned property on behalf of Treasurer Tama Tillman. She stated that the Board previously gave Ms. Tillman permission to claim abandoned property. Ms. Tillman located a check for the Police Department. The check was listed as Boscawen Police Department with an address reported in Kansas. In order to claim the property, the town would have to provide proof of address. Ms. Tillman had suggested foregoing this abandoned property in order to close the claim.

Selectman Bevans motioned to approve foregoing the abandoned property for the Boscawen Police Department. Seconded by Chairman Burdick. Roll Call Vote. All in favor. None opposed.

TA Phelps presented the designation of authorities for the Clean Water State Revolving Fund (CWSRF) loan. Chairman Burdick read:

WHEREAS, the

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after thorough consideration of the nature of its water pollution problem, hereby determines that the construction of certain works, generally described as:

Sewer Improvement Projects 3 & 4

is desirable and in the public interest, and to that end it is desired to apply for assistance from the State Revolving Fund (SRF); and

WHEREAS, the Applicant has examined and duly considered the provisions of RSA 486:14 and the New Hampshire Code of Administrative Rules Chapter Env-Wq 500, which relate to loans from the Clean Water State Revolving Fund, and deems it to be in the public interest to file a loan application and to authorize other actions in connection therewith;

NOW, THEREFORE, BE IT RESOLVED BY THE

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the governing body or Board of Directors of said Applicant, as follows:

1. That the person holding the position of **Town Administrator** currently held by, **Katherine M. Phelps** is hereby designated as the Authorized Representative of the Applicant for the purpose of filing an application for a loan in accordance with New Hampshire Code of Administrative Rules Chapter Env-Wq 500, furnishing such information, data, and documents pertaining to the Applicant for a loan as may be required;
2. That if such loan be made, the following position(s), currently held by the following individual(s), is/are the Authorized Representative(s) of the Applicant for the purpose of signing any documents pertaining to the disbursement of funds to the loan recipient.

Position Title	Name
Town Administrator	Katherine M. Phelps
Boscawen Select Board Chair	Matthew T. Burdick

3. That if such loan be made, the Applicant agrees to repay the loan as stipulated in the loan agreement.
4. That a certified copy of this resolution be included as part of the application to be submitted for a loan.
5. That persons holding the following position(s) at the time of loan execution are authorized to sign the loan agreement binding the Applicant to the terms and conditions of the loan.

Position Title	Name
Town Administrator	Katherine M. Phelps
Boscawen Select Board Chair	Matthew T. Burdick

6. That if such loan be made, the Applicant agrees to make provisions for assuming proper and efficient operation and maintenance of the facilities after completion of the construction thereof.

Chairman Burdick motioned to approve the Designation of Authorities for the Clean Water State Revolving Fund (CWSRF) loan. Seconded by Selectwoman Carey. Roll Call Vote. All in favor. None opposed.

TA Phelps presented two Budget Advisory Committee re-appointments for Mr. Gary Tillman and Ms. Margaret Daneau.

Chairman Burdick read *‘Whereas there was a vacancy on the Advisory Budget Committee, we the subscribers have confidence in your ability and integrity to perform the duties of said office. We do hereby appoint you, Gary L. Tillman, resident of Boscawen and upon taking the oath of office and having the appointment and the certificate of said oath of office recorded by the Town Clerk, you shall have the powers, perform the duties, and be subject to the liabilities of such office until another person shall be chosen and qualified in your stead. Given under our hands this 30 day of November 2023’.*

Chairman Burdick read *‘Whereas there is a vacancy on the Advisory Budget Committee, we the subscribers have confidence in your ability and integrity to perform the duties of said office. We do hereby appoint you, Margaret Daneau, resident of Boscawen and upon taking the oath of office and having the appointment and the certificate of said oath of office recorded by the Town Clerk, you shall have the powers, perform the duties, and be subject to the liabilities of such office until another person shall be chosen and qualified in your stead. Given under our hands this 30 day of November 2023’.*

TA Phelps noted that, as previously discussed, Mr. Alan Hardy has given his notice for Code Enforcement Officer and Building Inspector effective December 31, 2023. Currently, there is a backup position called Code Enforcement Officer II, held by Ms. Rose Fife. TA Phelps suggested moving Ms. Fife into the Code Enforcement Officer I position, effective January 1st.

Selectwoman Carey motioned to approve transitioning Rose Fife from Code Enforcement Officer II to Code Enforcement Officer I effective January 1, 2024. Seconded by Selectman Bevans. Roll Call Vote. All in favor. None opposed.

TA Phelps noted that the Town received a check from the State of New Hampshire Judicial Branch for the 20 High Street property. When the town-owned property was sold, the excess proceeds needed to be sent to the court to determine where it would be allocated. The town has been awarded \$36,590.76 for an outstanding lien for zoning violations from the previous owner of the property. Selectwoman Carey asked if the funds needed to be accepted as unanticipated revenue. FD Merrill noted they wouldn’t be considered unanticipated revenue because they were aware that the town would be receiving funds due to the court action. Selectwoman Carey asked where the money would go. FD Merrill said it would go to the unassigned fund balance. She suggested if the Board wanted to use the funds for a particular purpose, to add a warrant article for Town Meeting and offset the appropriation with the unassigned fund balance.

TA Phelps presented the 2024 Executive Budget. The Town Administrator salary and Assistant to Administrator position will be increasing 3% for COLA and 2.9% for the approved step increase. The recording secretary line will be decreasing. Staff will be completing minutes for the quarterly meetings of the Trustees of the Trust Fund. The Contracted services and

agreements will decrease 22%. That line includes agreements for the town website, mail machine, drop box, and water subscription for the department. The computer licenses, software, and hardware line includes items such as Microsoft 365 licenses, Adobe licenses as well as items such as spam filtering, backup software, antivirus, and firewalls for Police Department and Municipal office. The contracted computer maintenance line will decrease by \$7,000 because they do not need to budget for special project funds. Dues and subscriptions decreased by \$200 and include NHMA, Concord Monitor, Amazon, NHGFOA, Sam's Club, and Go-To-Meeting. The equipment non-computer line will decrease by \$300 due to actuals. It includes funds for file cabinets, small printers, and shredders. The equipment maintenance line shows a 461% increase. TA Phelps noted that she has moved two maintenance agreements from a different line. The funds would be used for maintenance of the Formax machine and the two Toshiba Printers. The telephone line decreased \$1,050 because she eliminated the Town Administrator and Select Board telephones. Office supplies will decrease \$500 due to actuals. TA Phelps increased the postage line by \$1,000 due to presumed increases in postage. The advertising and public notices line decreased by \$400 due to actuals. For 2024, the Executive budget will decrease by \$1,877—or 1%. Within the general government budget is town legal costs with an anticipated 30% or \$15,000 increase due to pending litigation expenses and use of town counsel. For 2023, she budgeted \$30,000 and \$35,000 has been spent with one bill outstanding for December. TA Phelps recommended increasing Town Counsel to \$40,000 for 2024. For litigation services, they budgeted \$20,000 for 2023 and spent \$25,297.24. TA Phelps suggested increasing litigation services to \$25,000 for 2024. Property liability insurance for 2023 was budgeted at \$50,706. For 2024, Primex has quoted \$58,863. There have not been any notices for payment holidays so that total may or may not decrease. Selectwoman Carey inquired whether the town could reduce the cost of property liability insurance. TA Phelps will reach out to Primex to inquire. The total increase for liability insurance was \$8,157—16%. Under other General Government, Commercial Street Historical Exhibit and the Contingency fund were listed. The Commercial Street Historical Exhibit was on the Capital Improvement Plan (CIP) for \$5,000 for 2024 and 2025. TA Phelps suggested that expense could be delayed until the Commercial Street project is complete. The Contingency fund will decrease by \$3,000. The general government budget total was a 7% increase or \$23,280. Selectwoman Carey suggested deferring the Commercial Street Historical Exhibit project. Selectman Bevans asked if the Select Board could decrease their pay. Discussion ensued. The Select Board members can donate their stipend at any time to a town committee such as Old Home Day. Chairman Burdick suggested the check received by the court should go towards legal expenses. TA Phelps said it couldn't be used this year; it would need to be voted on at the 2024 town meeting. Selectwoman Carey was concerned with the legal budget. She noted the town has been sued yearly by the same individual with repeated lawsuits. Discussion ensued. TA Phelps said she would remove the Commercial Street to decrease it by \$5,000. All concurred. Selectwoman Carey inquired about reducing the subscriptions and licenses line. TA Phelps noted the license information, firewalls, antivirus, backup, and spam costs come from the IT provider. She has cut down on the Microsoft 365 costs and Adobe can have up to two users per license. Selectwoman Carey suggested reaching out to Primex regarding liability insurance savings and taking off the Commercial Street project. TA Phelps will bring the revised budget to the next meeting for approval.

TA Phelps gave a shoutout to Public Works Director Dean Hollins and his staff for putting up a new solar flag light at the roundabout.

TA Phelps inquired with the Board about the requirement for the \$2,000,000 cyber liability aggregate for Cybertron. Cybertron was asked to get a \$2,000,000 aggregate for cyber liability insurance. They have been having a lot of push back from their insurance provider because they need to go out to market for that and it is very costly. TA Phelps reached out to Primex, and they stated it was a recommendation and the Board could make a final decision on it. TA Phelps asked the Board if they would be willing to do a \$1,000,000 aggregate cyber liability amount.

Selectman Bevans motioned to allow Cybertron to have a \$1,000,000 million aggregate amount for the cyber liability insurance. Seconded by Chairman Burdick. Roll Call Vote. All in favor. None opposed.

Chairman Burdick opened public comment at 7:11 PM.

Ms. Loren Martin, 225 Water Street, commented on the legal situation where the taxpayer files annually. She noted the filings were frivolous and legal counsel could request legal fees be paid. She mentioned another community had a similar situation and the town was granted \$100,000 in legal fees. Ms. Martin said the town has to request the legal fees; they won't just charge them automatically.

Ms. Martin suggested creating a policy that limits the number of calls to legal without approval, in order to stay within the budget. Selectwoman Carey noted the issue was the number of lawsuits. Ms. Martin mentioned the legal budget was made up of two lines, Town Counsel, and the litigation services. They spend a lot of money on calls each year. She suggested that by limiting the number of calls, it would help stay within the budget.

Ms. Martin asked about the purpose of the contingency fund. TA Phelps noted it was used for unanticipated expenses throughout the year. Ms. Martin said the town has money in overlay and nothing was being used. Discussion ensued. FD Merrill said there would need to be a public hearing to over expend the budget. Ms. Martin said her understanding was that there were funds available already for the Commercial Street Historical Exhibit project. TA Phelps clarified there are funds for the Canterbury Bridge project.

Ray Fisher, 200 Water Street, noted at last year's town meeting, the townspeople voted to have a shower put into the fire station. He asked why there was no shower in the fire station. He said there were two restrooms in which one could be a shower and the other a one-staller unisex bathroom. He expressed that he was not in favor of the fire department getting the old police cruiser. He mentioned they would now have to fix the rust and exhaust leaks. The police department will also have to buy a new cruiser. Mr. Fisher said volunteer firemen do not need a cruiser. They need a vehicle with lights and audible alerts such as a horn. Mr. Fisher said accidents should be the individual's responsibility, not the town. Mr. Fisher said there would be more participation if they did not get looked down upon like they do. He thinks that it could be

better. Mr. Fisher asked about the Facilities Director position. He felt that the Municipal Building was the only building that had work done to it. Chairman Burdick mentioned at the last department head meeting, the Fire Chief and Facilities Director discussed looking into where they can install a shower and/or utilizing the old police station. TA Phelps noted Chief Tim Kenney was in the process of getting quotes for the shower installation. Discussion ensued. Selectman Bevans clarified that at Town Meeting they discussed allocating funds to the CIP budget for the showers. Selectwoman Carey suggested reaching out to Chief Kenney for an update. TA Phelps noted Chief Kenney will be present at the next Select Board meeting.

Chairman Burdick closed public comment at 7:26PM.

Selectwoman Carey mentioned that either next week or the week of December 18th, the US Trade Ambassador Katherine Tai may be visiting Boscawen. Selectwoman Carey shared the Select Board meeting schedule with her in hopes she attends. It could be a great opportunity to discuss what businesses Boscawen could bring in to broaden the tax base.

Next Meeting: Thursday, December 7, 2023, at 6:00 PM.

Chairman Burdick motioned to adjourn at 7:28PM. Seconded by Selectwoman Carey. Roll Call Vote. All in favor. None Opposed.

Respectfully submitted by Hannah Gardner