

**Town of Boscawen
Select Board
MEETING MINUTES
Thursday, February 15, 2024, at 6:00 PM**

In Attendance: Matthew Burdick, Lorrie Carey, Bill Bevans, Katie Phelps, Gary Moore, Dean Hollins, Kellee Easler, and Kate Merrill

Guests: Mason Donovan, Mark Kaplan, Joshua Crawford

Roll Call: completed and guests introduced.

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

Consent Agenda Items:

- P&L, Balance Sheet, Check Manifest & Payroll
- Nonpublic/Public Minutes for Approval – 2/8/24
- January 2024 Treasurer’s Reports
- Merrimack County Community Power Timeline (Info)
- Underwood Engineers Meeting Notes 2/1/24 (Info)

Chairman Burdick noted changes to the 2/8/24 minutes from Selectwoman Carey.

Selectman Bill Bevans motioned to approve the Consent Agenda with revisions to the 2/8/24 minutes. Seconded by Chairman Burdick. Roll Call Vote. All in favor. None opposed.

Public Hearing RSA 162-K: Town Administrator Katie Phelps introduced Michael Tardiff from Central NH Regional Planning Commission (CNHRPC) to speak on RSA 162-K, Municipal Economic Development and Revitalization Districts. Mr. Tardiff noted that the development of a Tax Increment Financing (TIF) district is a two-step process. For 2024, the town will look to adopt the provisions of RSA 162-K and it sets the groundwork for discussion over the next year to decide if the town wants to develop a TIF district on Commercial Street. Over the next year, the town would work to develop a TIF plan, outline what we’d spend the funding from the TIF for, and set up an advisory committee. Mr. Tardiff noted that a TIF district is a proactive tool to use where there could be infrastructure expenses such as water or sewer. This would allow a funding stream for that purpose.

Chairman Burdick read the public notice: *In accordance with the provisions of RSA 162-K:4, the Town of Boscawen Select Board will hold a public hearing on Thursday, February 15, 2024, at 6:00 pm to take public testimony regarding the proposed adoption of the provisions of RSA Chapter 162-K – Municipal Economic Development and Revitalization Districts. The effect of the proposal would be to authorize the development of a Tax Increment Finance (“TIF”) district*

and plan at a future date. The hearing will be held at the Municipal Office Building in the fourth-floor meeting room, 116 North Main Street, Boscawen, NH 03303.

Chairman Burdick opened the public hearing at 6:06pm.

Joshua Crawford, 22 Corn Hill Road, had a question regarding the TIF District. He noted that in the MRD zone they were planning to allow single family housing. He asked if the TIF district would be put in place first and then a developer comes in, or if the developer comes in prior to establishing a TIF district. If someone builds a house are their taxes locked in for the next 20 years to pay for that water line and the road? Mr. Tardiff clarified that the TIF works with a higher density than single family homes and that will be part of the conversation over the next year.

Chairman Burdick closed the public hearing at 6:08pm.

Facilities Director Gary Moore presented a sole source justification for approval for the police department flooring. Chief Killary is requesting that more flooring be done in the police department including a small office, the break room and kitchen. Facilities Director Moore received two quotes and ADF Flooring has worked with the town several times and done an excellent job. Discussion ensued. In the interest of moving the project forward he would like to move forward with ADF Flooring. Chairman Burdick asked about timeline. Facilities Director Moore said they would likely start in 4 weeks, and it will likely take 4 to 6 weeks to complete. Discussion ensued regarding additional costs and work related to the sallyport. The police department staff are painting walls and assisting in any way they can.

Selectman Bevans made a motion to approve the sole source justification for the police department flooring. Seconded by Chairman Burdick. All in favor. None opposed.

Selectman Bevans wanted to note that one of the contractors contacted had retired.

Department Head Updates:

Facilities Director Moore explained that he met with Steve Sawyer who does boiler inspections on behalf of Primex. He's done this type of work for municipalities statewide for 35 years. Mr. Sawyer looked at the boiler in the Municipal Building. Facilities Director Moore thought it was important to note that the Board recently reduced the Municipal Buildings Capital Reserve Fund contribution by \$25,000. Currently, Mr. Moore puts \$6,000 away per year in anticipation of future replacement of the boiler which he assumed would cost \$25,000. Mr. Sawyer told him that a new boiler will cost \$100,000 to replace. Discussion ensued. It was noted that the air compressor at public works is 45 years old. State law requires that it be replaced at 50 years old.

Board of Health – Health Officer Kellee Jo Easler noted that this would be considered their monthly Board of Health meeting as required. She emailed documents to the board to review. They are looking for someone to respond to the MACE.

PCD Director Easler presented a resignation for Adele Sanborn from the Economic Development Committee. She also noted that the Energy Committee met this evening, and they would like to attend the Select Board meeting on February 22nd to discuss the Community Power presentation for Town Meeting. The Energy Committee would like someone on the Select Board to speak regarding this at Town Meeting seeing the Board voted in favor of the article. She also said that Affinity LED is working on the streetlights and will be meeting with she, TA Phelps, Facilities Director Moore, and a couple Energy Committee members on February 29th.

TA Phelps noted that the Boscawen Public Library is confirmed for the Town voting location on March 12th. Boscawen Elementary School will be the Town Meeting location.

TA Phelps drafted a new policy for Access to Governmental Records and will bring it back for final approval at the February 22nd meeting.

Chairman Burdick gave an update that the Merrimack Valley School Board has approved the September and November elections at Boscawen Elementary School as part of their calendar.

Selectman Bevans made a motion to enter nonpublic session under RSA 91-A:3 II (a) at 6:25 pm. Seconded by Chair Burdick. Roll Call Vote. All in favor. None opposed.

Selectwoman Carey arrived at 6:30pm and joined the nonpublic session.

Selectman Bevans made a motion to exit nonpublic session under RSA 91-A:3 II (a) at 6:35pm. Seconded by Chair Burdick. Roll Call Vote. All in favor. None opposed.

Selectwoman Carey made a motion to act upon a wage adjustment proposal. Seconded by Chairman Burdick. Roll Call Vote. All in favor. None opposed.

Warrant Article Recommendations: TA Phelps said that the only two warrant articles still pending recommendations from the Board are for the sale of Torrent and the 1913 Library. The article language is broad for a reason. TA Phelps said the Select Board will bring a plan to discuss at Town Meeting. The plan will not be outlined in the warrant article language. This is so that if something in the plan changes the Board won't have to wait an additional year or hold a special town meeting in order to act.

Chairman Burdick made a motion to recommend article 24 and 25 to authorize the sale of Torrent Station and the 1913 Library on the warrant. Seconded by Selectwoman Carey. Roll Call Vote. All in favor. None opposed.

TA Phelps updated Selectwoman Carey on the discussions of the meeting prior to her arrival. Selectwoman Carey wanted to thank the Merrimack Valley School Board and Principal Drouin for allowing the Town to use Boscawen Elementary School for Town Meeting and elections.

TA Phelps presented the final 2024 Town Warrant to the Board for signature following recommendation of the two remaining articles.

Torrent Station - Selectwoman Carey said the Board has two proposals for the Torrent Station. One proposal has no monetary value other than a relationship that has long existed with the Penacook Rescue Squad. Penacook Rescue has said they don't see this as a permanent solution because the building doesn't accommodate their long-term needs. When looking to the future they don't envision themselves staying there as they will require a larger space. The second proposal comes from an interested member of the community and appears to be a longer-term solution and one that comes with cash. The Board needs to think about the taxpayer's best interest. The plan would be to renovate and rehabilitate Torrent Station and put it on the tax rolls. Selectwoman Carey said that option appeals to her. Selectman Bevans agreed that it's a great idea to sell it "as-is" with the agreement currently in place with Penacook Rescue Squad included. Selectman Bevans felt that the town is still going to be responsible for repairs if they move forward with Penacook Rescue Squad because they will include it in their budget. Selectwoman Carey said the interested community member has been honest about what they expect it to cost, and the town can't afford it. Discussion ensued. Chairman Burdick asked what would happen when Penacook Rescue decides to vacate that location in the future. Selectman Bevans believes that if the new owner buys the entire building with the agreement that Penacook Rescue Squad would stay there for free and when they choose to leave it reverts to the new owner and they can do what they want with it. Selectwoman Carey noted that the deed would have a "Right of Tenancy" for Penacook Rescue Squad until such time as they terminate that tenancy. The attorneys will need to work through those issues with all parties. TA Phelps asked the Board what information they were giving to the public. Selectman Bevans said the plan would be that we will sell Torrent Station for \$47,500 "as is" with Penacook Rescue Squad included as a tenant. Penacook Rescue Squad would continue to maintain their space and the new owners of Torrent Station would improve and make the building safe. Selectwoman Carey noted not to make things too narrow. She said we are accepting a cash offer and requiring that the new owner continue the agreement with Penacook Rescue Squad until such time that Penacook Rescue no longer wishes to use that space. The Board discussed that a secondary option would be to amend the current agreement with Penacook Rescue Squad to include Torrent Station. Discussion ensued. Selectwoman Carey noted that what's best for Boscawen is for Torrent to be rehabilitated.

1913 Library - Selectwoman Carey said the Board has received a cash offer which the purchase price would include a preservation easement for a total of \$235,000 "as is". They are unsure how much the preservation easement will cost. The town doesn't want to mandate with whom the new owner gets a preservation easement. TA Phelps noted that the NH Preservation Alliance has recommended a preservation easement. She asked if there have been any thoughts on having conveyances in the deed instead. Selectman Bevans said he had no problem with putting the conveyances in the deed rather than an easement. A preservation easement can be restrictive for new owners. Chairman Burdick said the easement was a recommendation. Selectwoman Carey asked if we could use the same format as we do for barn easements – RSA 79-D. Discussion ensued regarding easement vs. deed conveyances. TA Phelps invited resident Mason Donovan to

the table to discuss. Mr. Donovan suggested conveyances because it would save the town a lot of money. It still achieves the purpose of preserving the building to ensure it isn't demolished and the façade is kept. He said regardless of who buys the building they will not be the last owner. This is for future owners as well. The seller typically does the conveyances. You wouldn't want the buyer negotiating with the Preservation Alliance because the buyer would have an incentive to get the least amount of restriction which is a conflict of interest. Mr. Donovan agreed that you don't want to go so far to limit the use of the building and negate the reason for buying it. The building needs to be used because when they aren't they decay. His recommendation would be for the town to put conveyances into the deed. The town would be responsible for ensuring the conveyances are followed. The 1913 Library is not hidden, and the town would see things happening with the building.

Mr. Donovan said in terms of the Torrent Station, there is a lot of value to having Penacook Rescue Squad there. Ethically, PRS came in with this agreement and it wouldn't be right to pull the rug out from underneath them. Selling the building passes on the cost and it immediately changes from a liability to a revenue for the town. He said the town should consider a tax abatement for the new property owner for the Penacook Rescue Squad space as they would not be paying rent, and it becomes an added expense to the new owner. This could be in effect until such time that PRS no longer occupies that space. Discussion ensued. Mr. Donovan wanted to clarify that any funds received for the sale of the 1913 Library would need to go to the Library. The Board noted that is their understanding. Mr. Donovan said that will certainly affect following years budgets, which the town should be happy about. The Torrent Station funds would be unrestricted.

Selectwoman Carey said the plan for the 1913 Library would be to have legal counsel draft conveyances similar to our existing preservation easement that we have under RSA 79-D.

Chairman Burdick said for Torrent it would be conveyances based on Penacook Rescue Squad being a permanent tenant in the back portion with a portion of the tax waived for their space annually.

Non-Public Sessions:

Chairman Burdick motioned to enter non-public under RSA 91-A:3 II (m) at 7:02 PM. Seconded by Selectwoman Carey. Roll Call Vote. All in favor. None opposed.

Chairman Burdick motioned to exit non-public under RSA 91-A:3 II (m) at 7:55 PM. Seconded by Selectwoman Carey. Roll Call Vote. All in favor. None opposed.

Selectman Bevans motioned to seal the nonpublic minutes under RSA 91-A:3 II (m) as it could affect adversely the reputation of any person other than a member of the board. Seconded by Selectwoman Carey. Roll Call Vote. All in favor. None opposed.

TA Phelps questioned if the Board wanted to involve legal counsel with conveyances now or wait until after Town Meeting approves the plan. Selectwoman Carey was concerned that the public might have questions regarding it. Discussion ensued regarding Town Meeting. TA Phelps will request Attorney Tim Sullivan attend Town Meeting.

Next Meeting: Thursday, February 22, 2024, at 6:00 PM.

Selectwoman Carey motioned to adjourn at 8:00 PM. Seconded by Selectman Bevans. Roll Call Vote. All in favor. None Opposed.

Respectfully submitted by Katie Phelps