

Selectmen's Meeting Minutes
Monday, December 19, 2022, 9:00 a.m.
Belmont Mill
Tioga Meeting Room

Present were Chairman Ruth Mooney, Selectman Jon Pike, Selectman Claude Patten, Jr., TA Alicia Jipson, Assessing Admin Colleen Akerman, Finance Director Katherine Davis, Assistant Fire Chief Deb Black, DPW Director Craig Clairmont, Code Enforcement Officer Mark Ekberg, Town Clerk/Tax Collector Assistants Jennifer Thomas and Leigh Smith, Town Planner Sarah Whearty, Land Use Clerk Liz Stewart, Police Chief Mark Lewandoski, Building & Grounds Supervisor Patrick Golden, Cemetery Trustee Sharon Ciampi, and Planning Board Member Kevin Sturgeon. Also present were Peter Burnham and Brian Goshon of Casella. Via Zoom was Library Director Eileen Gilbert.

Those present stood for the Pledge of Allegiance.

Minutes:

Selectman Claude Patten moved the minutes of the public meeting held on December 5, 2022, as written; seconded by Selectman Jon Pike, and the motion passed unanimously.

Public Hearings:

Opioid Litigation Settlement Fund Distribution:

Chairman Ruth Mooney opened the public hearing at 9:01am in accordance with RSA 31:95-b, to accept the 4th Opioid Litigation Settlement Fund Distribution in the amount of \$25,087.42 to be used in accordance with RSA 126-A:86.

TA Jipson explained this is the fourth settlement from the State of New Hampshire, from Johnson & Johnson, and is part of a \$31.5 million payment. The Town of Belmont is part of a qualifying political subdivision who chose to partake in the settlement. Chairman Mooney noted they agreed to be part of the litigation in 2019 or 2020. The funds can be used by the Police Department or Fire Department, or rehabilitation, but there are specific uses for the money.

There being no comment from the public, the Chairman closed the public hearing at 9:05am.

Selectman Pike moved to accept the 4th Opioid Litigation Settlement Fund Distribution in the amount of \$25,087.42 in accordance with RSA 31:95-b, to be used in accordance with RSA 126-A:86. The motion was seconded by Selectman Patten and the motion passed unanimously.

FEMA Reimbursement Funds:

Chairman Mooney moved to table the public hearing for the acceptance of FEMA reimbursement funds in the amount of \$46,452.46 in accordance with RSA 31:95-b, to be used for the purchase of a replacement command vehicle for the Fire Department. The motion was seconded by Selectman Pike, and the motion passed unanimously.

Solid Waste Management Ordinance:

Chairman Mooney opened the public hearing at 9:06am to accept amendments to the Town's Solid Waste Management Ordinance originally adopted March 2005, amended November 2017.

Chairman Mooney said they are amending the ordinance to reflect changes for the new trash system.

Selectman Pike observed that the Town started to prepare for changes in solid waste as far back as 2005. Updates were made in 2017. Casella was the only bidder for solid waste collection in Belmont.

Resident Tom Murphy had questions about the process of obtaining additional carts and the timing of payments for those carts. TA Jipson confirmed that the due date of December 30th listed in the ordinance is looking into the future for next year. Right now there will be leeway because this program is not starting until January and we are asking people to wait and try the new system for one month before requesting additional carts. Early requests for additional carts will be discussed further down on today's agenda.

Resident Dennis LeClerc had concerns about how the ordinance was written and the liability of citizens and enforcement. He asked who will enforce the ordinance, because Casella's contract says they will not be able to provide enforcement. TA Jipson acknowledged additional changes were made to the proposed ordinance based on Mr. LeClerc's email with suggestions. Mr. Goshon explained that originally the restrictions on numbers of barrels was related to requirements on how much tonnage towns had to supply to Penacook. Automation is a benefit to the town because it is a control mechanism where Casella will only pick up whatever is in the Casella carts. Casella will only pick up one trash and one recycling cart from each residence unless it is an approved multi-family property or the residents have paid a fee for additional carts through the Town. The maximum allowed per dwelling is two trash and two recycling carts. Residents may not use their own carts. Only carts provided by Casella will be picked up. Each cart has a serial number associated with an address. Mr. LeClerc identified concerns about property owners' responsibility for damages. TA Jipson informed Mr. LeClerc that the intent of the wording is that if someone damages the barrel through misuse they will be responsible for replacement. The draft ordinance was amended to say "is responsible for damages subject to neglect or preventable damage." Number 3 was also revised from "securely shut" to "so that the lid can shut". The lids must be able to close to prevent water and animals from getting into them. Mr. LeClerc questioned provisions for smaller carts with reduced trash capacity. TA Jipson clarified that updates were made to say "additional trash or

recycling” without specifying “95-gallon”. Homeowners may opt to pay for an additional 65-gallon or 95-gallon cart.

There was discussion about the decision for every other week recycling. Mr. Goshon explained the proposal they made was cost-effective because Laconia is also every other week. This way they only needed one truck to alternate weeks and that was a benefit to the Town. If cardboard and recyclables are broken down properly, a 95-gallon recycling cart every other week should have sufficient capacity. This has been proven in other municipalities. Some will need more, and they have the option to acquire an additional cart at their cost. Residents may also hold onto some of their recycling and add it to the next collection if they have a week with extra recycling. The fee for an additional cart is \$150.00 per year. TA Jipson noted changes to number 4 “Automated Carts”, and the proposed ordinance makes it clear that the cart is not purchased or owned by residents. It is a fee for the cart with collection service and you don’t get to take it with you if you leave.

Resident Bill Caruso asked which homeowners or landowners are not eligible for curbside pickup. Chairman Mooney stated everyone is eligible unless it is an apartment complex, mobile home park, or campground. TA Jipson clarified that curbside pickup is available for all lots with three or fewer dwelling units. Mr. LeClerc asked for further clarification about the definition of lots because in a condominium association each house owns a lot. TA Jipson stated that is not the case and only the building is owned by individuals. It is one parent lot. If there are more than three dwellings such as apartment complexes, condo associations and campgrounds they do not qualify, and have never qualified, for curbside pickup. Over time things were missed and this process has cleaned up a lot of those things. Those people were notified they do not qualify under the old or new ordinance.

Resident Marcia Kong was present via Zoom. She is a resident of the Granite Ridge Condo Association and does not think the association fits the definition of “Commercial”. Chairman Mooney read from the proposed ordinance “includes but is not limited to contractors, manufactured housing parks, campgrounds, apartments or condominiums with more than three housing units.” Ms. Kong said the proposal she has does not include condominiums in the Commercial definition. TA Jipson explained additional amendments were made to include any lots with more than three dwelling units in any configuration. A condominium fits the definition of a lot with more than three dwelling units. A condominium does not fit the definition of Residential in the ordinance. Ms. Kong said she has lived here since 2009 and a precedent has been set. She stated each unit owner has their own map and lot number and they pay taxes individually. TA Jipson confirmed that individual unit owners only pay tax on their building. Chairman Mooney stated those taxes are for the structure and do not include the land. There are two tax bills; one for the structure and one for the land through the association. TA Jipson reiterated that there is one parent lot with 26 units. No matter how it is defined, it is still more than three units on a lot. Ms. Kong disputed being a commercial entity because the individuals pay taxes individually. TA Jipson stated manufactured parks and campgrounds also pay taxes individually. The ordinance was amended to include campgrounds, apartments, or condos. If a variance is given, then all other mobile home parks and

campgrounds would need to be given a variance as well. Ms. Kong questioned the rationale. The ordinance has been in place since 2005, and the roads are private roads. Text was added to the ordinance to clarify who qualifies. Private roads are not maintained by the Town. TA Jipson stated this is part of our site plan regulations as well. There was a discussion about the delayed notice about the change and problems with no proper contact information on file with the Town. Chairman Mooney said this has been a frequent agenda item and has been worked on and had public input for two years. The contract was signed a year ago. Meetings are well publicized and people can attend by Zoom, phone or in person.

DPW Director Clairmont stated if the Town had found out about this sooner, the trash would not have been getting picked up all of these years. The association received free pickup for many years and it slipped through the cracks. There are many options for dumpsters or individual pickups.

There being no additional comment from the public, the Chairman closed the public hearing at 9:42am.

Selectman Pike moved to amend the Solid Waste Management Ordinance originally adopted March 2005 to include the amendments as presented 12/19/2022. The motion was seconded by Selectman Patten and the motion passed unanimously.

Board of Selectmen Rules of Procedure:

The Rules of Procedure are still in legal review.

Selectman Pike moved to table the public hearing for the Board of Selectmen Rules of Procedure. The motion was seconded by Selectman Patten, and the motion passed unanimously.

Snow Obstruction and Removal Ordinance:

Chairman Mooney opened the public hearing at 9:43am to accept amendments to the Town's Snow Obstruction and Removal Ordinance amended January 2017.

This proposed amendment was brought forward at a prior meeting and was only changed to include additional text "or moved onto or across any portion of a traveled surface." Snow cannot be pushed from one side of the road to another. This is a safety concern and also scrapes salt off the road. It leaves equipment vulnerable if snow has been plowed across the road and it freezes. Salt is also expensive.

Resident Sharon Ciampi asked about enforcement and the fines. DPW will give a warning and then it becomes a violation which is against the law. DPW will keep records of who gets a warning and then the homeowner and the person who has plowed will get a violation. TA Jipson said it is a \$100.00 fine for a person and \$500.00 fine for any other person such as a third-party company or contracted plow driver.

There being no additional comment from the public, the Chairman closed the public hearing at 9:48am.

Selectman Patten moved to amend the Snow Obstruction and Removal Ordinance originally adopted June 2006 to include the amendments as presented 12/19/2022. The motion was seconded by Selectman Pike and the motion passed unanimously.

New Business

Citizen Remarks on Trash Collection:

This item was placed on the agenda by request, but everyone's questions may have been answered during the Solid Waste Ordinance agenda item. If there are additional questions, Casella is still here to answer them.

Resident Tom Murphy asked about the configuration to use families of 4 or fewer in the consideration for additional carts. Mr. Brian Goshon of Casella replied that the proposal to the Town was based on household counts and if more carts are required there is an additional cost to collect them. The Town was aware of this and chose to pass the cost for additional carts on to residents. Mr. Murphy asked if the carts provided would be enough for a family of 6. Mr. Goshon replied that everyone's use is slightly different and habits vary greatly. In general, there is a push in other communities towards the 65-gallon trash cart with 95-gallon recycling every other week. Knowing there are challenges with change, Belmont opted to transition to 95-gallon trash carts. In general, the need for additional carts is unique. In another town of 2,600 residences, there are only 30 with additional carts. Residences with a need for additional carts can request them.

There are always exceptions and Casella will work with the Town and residents for the best solution. Chairman Mooney said everyone needs to sit back and see how things work out. Belmont is not the first town to transition to automated collection. Mr. Goshon responded that he has been through lots of transitions and there are going to be exceptions, but people need to wait and see what happens because there may not be a problem.

Resident Kevin Sturgeon asked about the responsibility for purchasing carts when one reaches the end of its life. If it is degraded it will be replaced at no cost. Casella will only pick up carts that have been provided by Casella. Residents who need smaller carts will need to reach out Town Hall and make a request.

DPW Director Clairmont is looking at the positive outcomes with the new system because the road sides should be cleaner without bags being ripped open by animals. The carts are more secure and everyone will get used to them. Recycling is less expensive than trash disposal. Chairman Mooney remembered that years ago recycling was more expensive than trash disposal. The Town has received a \$40,000 grant to help offset cart costs. There is a reduction in the cost of labor and there is better efficiency with the new system. This is a big change and the contract is for 5 years. There was discussion about the controls in the

ordinance compared to the earlier ordinance. In past years, Belmont did not pay for recycling and did not enforce or restrict it because it was free. Now Belmont has to pay and there is only so much space available. The updated ordinance should make it clear and distinct who qualifies for collection and what materials can be picked up. Trash must be bagged and recycling must be loose. Ms. Ciampi asked about payments due for additional barrels in December because that is a tough month for many. TA Jipson replied that the fee may be paid at anytime and residents don't need to wait until December if they choose to pay at another earlier date. There are some concerns about the number of carts to be picked up at the end of private roads, but Casella will need to be responsible for the pickups.

NHPDIP – Cash Account:

Finance Director Katherine Davis and Ms. Beth Galprin of PFM Asset Management were present. Finance Director Davis asked the Board to consider opening an account at PDIP. While the Town has a great relationship with our current bank, they can only offer 0.25% interest. NHPDIP's current rate is 4.13%. Based on \$1 million, NHPDIP would earn interest of \$3,414.00 instead of \$208.00 per month. At \$4 million, NHPDIP would earn the Town \$13,656.00 instead of \$833.00. Funds can easily be transferred from NHPDIP to our bank when necessary. There were concerns about exposure and if the funds are FDIC insured. They are not but NHPDIP would cover anything lost. Ms. Galprin is not familiar with any loss ever occurring through robbery or scam. Finance Director Davis reported there is a historically low risk and the Belmont Trustees of the Trust Funds hold all of the capital reserve funds in these accounts. Selectman Pike asked for a letter of guarantee. Chairman Mooney said this would be a diversification. Ms. Galprin said there are no fees for transfers on their end, but our local bank may charge fees. Ms. Galprin explained this pool has been around for about 30 years. There are 17-18 of these pools around the country. The pools were formed by legislation. Chairman Mooney asked if the pool is for municipalities only and Ms. Galprin said yes. The pool is rated AAA by Standard & Poor's. It is top quality rated and short term so the money does not get locked in. It can be pulled out at any time. There is no check writing because everything is electronic. Selectman Patten stated he would like to think about this. TA Jipson commented this would be extra income for the Town. Ms. Galprin noted they are under the oversight of the State Banking Commission and there is a representative from NHDRA, the State Treasurer and NHMA on the Board. They are watched carefully. It was recommended that the Board do some research online before making a decision.

2022 Encumbrances:

This is a housekeeping item to encumber funds for next year that should not lapse into the General Fund or unassigned Fund Balance. There are two Gale School grants where the Town is the "in between". Selectman Pike asked about the recycling grant and the command vehicle monies. That is only for the upfitting of the vehicle that was on the warrant last year.

Selectman Pike moved to accept the 2023 encumbrances as presented 12/19/2022. The motion was seconded by Selectman Patten and the motion passed unanimously.

Senior Center Discussion – Heat & Winter Hours:

Building & Grounds Supervisor Patrick Golden reported the biggest heat output for the Mill is the second floor. He approached the seniors about the cost of heating and low attendance of their program in the winter. They discussed three options: taking the winter off, moving the tables to Parks & Rec, or aligning with the American Legion and only opening once a month. They decided to meet once a month in the morning on the same day the American Legion meets. It is a good solution, and they wanted the Selectmen to know that they appreciate the opportunity to meet in the Mill.

Other New Business

New Land Use Clerk:

TA Jipson introduced the newly hired Land Use Clerk Liz Stewart, who started work last week. She will be seated at the main counter of the Land Use Department.

Old Business

4-H – Decision on Exemption of Rented House:

The 4-H Association did not provide any additional information to the Town after the last meeting. Chairman Mooney is a proponent of 4-H. Selectman Pike said somehow the house rental portion of the property should be taxed. TA Jipson explained an assessor will need to go into the property to calculate the portion of the rental to be taxed. Selectman Pike does not want to hurt the 4-H but the Town needs to be protected for the future for a similar circumstance. TA Jipson did not find any files regarding any special exemptions or agreements. There is a concern that the RSA for the charitable exemption does not say that it allows for a caretaker.

Selectman Pike moved to tax the portion of the 4-H property that is rented out. The motion was seconded by Selectman Patten and the motion passed unanimously.

Highway Safety Grant Update:

Police Chief Lewandoski stated the grant for the docking stations, charger and stand needs to be signed.

The other grant is for the radar. It is a \$9,384.00 grant with a \$2,300.00 match. If they buy one, they will be able to get three. TA Jipson reminded the Board this grant was already approved but the problem is that it is a reimbursement so the total amount has to be fronted. There is a fairly quick return on these and it is a formality. It was the consensus of the Board to allow the line item to be over expended due to timing.

There was a discussion about the liability of cash receipts at the Tax Collector's office. Police Chief Lewandoski will work something out with Town Hall.

Letter re: Sewer from Nancy Drive:

DPW Director Craig Clairmont said as of right now the Town is required to camera and inspect 5% of the sewer system each year. There are about 8-9 miles of line in Town, which means about 5,000 feet per year are inspected. Every 9 years each section gets done. Nancy Drive is on the schedule for this year but that could change. They do not want to commit to it in case there are problems in other areas. The letter infers that the Town has already committed to inspecting Nancy Drive this year but that is not accurate. DPW Director Clairmont noted that if there are service connection difficulties the homeowner is responsible. A problem that occurs every 5 years is not a repetitive problem. The Town inspected Nancy Drive 3 years ago and they found nothing out of the ordinary. Chairman Mooney recommended sending a response to let them know they are on the list but there are no guarantees.

Extra Cart Criteria – Authority to Grant/Deny:

The updated ordinance allows for extra cart exceptions with Board of Selectmen approval. The Board was asked if they would like to designate the authority to grant or deny extra cart exceptions to the Town Administrator, in order to prevent unnecessary delays with service. It was the consensus of the Board to designate authority to the Town Administrator to grant or deny extra cart exceptions, and if there are additional concerns, TA Jipson will address them with the Board.

Mill Renovations Updated Proposal Review:

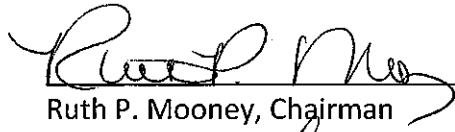
The Board received a new quote from BPS in their packets with a reduction from \$2.5 million to \$1.9 million. It could still be lower, and they are working on it. The biggest crux is over \$1 million for the heating and cooling systems and the elevator. If we wait it could cost more. A decision needs to be made on whether to bond the project or do the project piecemeal. Selectman Pike asked for the rates and terms for bonds. TA Jipson said she will provide that information. If this goes on the ballot as a bond it will need to have a specific price. There was discussion about the elevator. It has been put out to bid. If the elevator will be down, the first floor of the Mill will need to be rehabbed to temporarily host meetings. B&G Supervisor Patrick Golden commented he could paint the floor and the walls, but the IT equipment and cameras would need to be moved. It will take months to redo the elevator, but because there are no parts for it, if it breaks down it will cause big problems. The heating system was reviewed, and it is recommended to keep the furnace we have and also install a propane furnace. This gives the most flexibility to switch based on pricing of heating fuels.


Next Meeting: The next regular meeting will be Tuesday January 3, 2022 at 10:00am, due to the holiday.

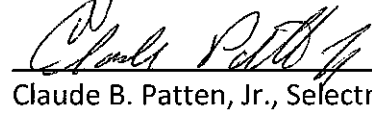
Non-Public:

Chairman Mooney moved to enter non-public session in accordance with RSA 91-A:3 II (c) at 10:56am. Selectman Pike seconded the motion and the motion passed unanimously. Roll call was taken and those present and voting were Jon Pike, Ruth Mooney and Claude Patten, Jr. Also present was TA Alicia Jipson. The Board returned to public session at 11:45 am.

The meeting was adjourned at 11:46 am.


Ruth P. Mooney, Chairman


Jon Pike, Vice Chairman


Claude B. Patten, Jr., Selectman