

**TOWN OF WEBSTER**  
**Office of Selectmen**  
**945 Battle Street/Rte. 127**  
**Webster, NH 03303**

6:35 P.M. Selectmen's Meeting – January 23, 2012

Present: Chairman George Cummings, Selectman George Hashem and Selectman Bruce Johnson.

The Board signed the payroll and check manifests.

The Board signed the following for Administrative Assistant Judith Jones:

- Selectman Johnson proposed an amendment to the Selectmen's Minutes of January 9, 2012 to add the following paragraph: "The Board discussed the Refuse Disposal Committee Chairperson's request to appoint a new member. Selectman Johnson stated that since no member has sent the Board a letter of resignation, there are no present open positions, and therefore, the Board cannot appoint a new member." He then made a motion to accept the Selectmen's Minutes of January 9, 2012 with the addition of the proposed amendment; seconded by Chairman Cummings and approved. The above mentioned changes will be made and the minutes prepared for signature at the next Selectmen's Meeting.
- Selectman Hashem made a motion to accept the Selectmen's Minutes of January 10, 2012 as written; seconded by Selectman Johnson and approved.
- Petition & Pole License Petition for Dustin Road was signed for Town Clerk Michele St. Jacques.
- A sick leave slip for Mrs. Jones. At this time Mrs. Jones requested to take a weeks' vacation leave February 27<sup>th</sup> to March 2<sup>nd</sup> to which no objection was made.

The Board signed the following for Financial Administrator Wendy Pinkham:

- A Gravel Tax Levy for Map 9-23-4.
- An Intent to Cut for Judith O'Donnell – Map 5-71-2 and Map 5-72-2.

Chief Dupuis advised the Board of the following:

- There were 33 calls for service in the last two weeks, which included five motor vehicle stops and one in-custody arrest on a general warrant for child support out of Sullivan County.
- One fireman approached the Department at the beginning of the week advising that he had a call from a Private Investigator, who had been hired by some citizens, to investigate Lieutenant Philip Mitchell. The fireman hung up on him. The County Attorney's Office got a call from a person identifying himself as a Private Investigator, wanting some information on a case that Webster is prosecuting and they refused to talk to him on the phone, but told him he could come in for information. Chief Dupuis expects to receive more information as it comes along.

Fire Chief Colin Colby advised of the following:

- Smithfield, RI found another fire truck. Therefore, the fire truck Webster has for sale is still for sale. There will be a mass e-mail to the NH Fire Chief's Association, along with the pictures and a firm price of \$25,000. There was discussion on other means of promoting the truck, i.e. Craig's List, E-bay, LGC, etc. There was discussion regarding a fire truck parked at a residence in Penacook with several comments.
- The new E-1 Typhoon Custom Pumper is expected in Attleboro, MA this week. Some of the firemen will go Friday to tell them where they want the tools located, etc. on the truck.
- The presentation scheduled regarding saving pets from fire has been cancelled and will be held at a later date.
- On February 16<sup>th</sup> at 7:00 PM the Webster Fire Department will host a presentation given by Ron O'Keefe of LGC regarding workplace harassment. This is open to any employees of the Town and an e-mail will go to the surrounding communities Fire Departments and Rescue inviting them as well.
- Last week there was a structure fire rekindled in a structure; a smoke investigation; and an alarm investigation at the school.

Sue Roberts, speaking for Road Agent Emmett Bean as he was absent, advised that they have been using a lot of sand and that everyone should use extreme care when driving home tonight.

BOS Initials:

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G. C. Cummings

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G. K. Hashem

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B. G. Johnson

Treasurer Mary Smith had a price to add memory, as recommended by David Klumb at the last meeting, to her laptop computer, which may be a solution to the slow speed. This would be in lieu of purchasing another laptop at this time. She asked Mr. Klumb if he could install it for her and he said that he would.

Jere Buckley met with the Board to discuss a proposed Warrant Article regarding a change to the existing solar energy exemption. He read the following presentation:

**“Presentation to 23 January 2012 Board of Selectmen Meeting**

Solar energy systems at private residences are widely acknowledged to be “a good thing”. They reduce our dependence on imported oil and other non-renewable energy sources, reduce atmospheric pollution, and diminish the need for new power plants and the associated infrastructure. Both the federal government and the State encourage such systems by offering significant financial incentives in the form of tax credits and rebates, respectively. As I will explain, Webster effectively discourages such installations.

A photovoltaic electric power system requires a substantial initial investment. Very few people can justify that investment unless there is a credible projected payback in the form of reduced utility bills.

I have been considering a proposal for such a system. With the federal and State incentives and the projected utility bill reductions, the payback period is still long but is within reason. However, there's a catch.

If the installation is assessed at cost (which I have reason to think our assessor is disposed to do), the resulting property tax increase will offset a significant portion of the utility bill savings. For the system I am considering, the tax increase would negate fully half of the utility bill savings. That would substantially extend the payback period and would be a deal killer. I could no longer justify the investment.

I know that I won't be alone if I decide on that basis not to install such a system.

The State recognizes the problem. RSA 72:62 allows a town to offer “an exemption from the assessed value, for property tax purposes” for a solar energy system. Per the OEP, “The goal of the exemption is to create a tax-neutral policy within a municipality that neither increases an individual's property tax nor decreases the municipality's property tax revenues. By implementing it as a tax neutral policy, homeowners do not have a disincentive of higher property taxes for installing a renewable energy system, and since there is no net reduction in municipal tax revenues, other taxpayers in a municipality are not affected.” That concept has been supported by the courts since the 1970s.

Webster does offer a solar exemption, *but with a cap of \$1,000 of assessed value*. The origins of that capped exemption are not clear but evidently go back at least to 1982, when the first application was filed and when the impetus for photovoltaic power installations was very different. Judy has not found the original warrant article, but the exemption with the \$1,000 cap was “reaffirmed” via a housekeeping article on the 2010 Town Warrant.

For a photovoltaic power system of any significant size, an exemption limited to \$1,000 of assessed value becomes an almost negligible component of the financial computations. By imposing such a small cap, the Town is discouraging rather than encouraging such systems and is thus working counter to the federal and state efforts at promotion. Webster should not be in the position of effectively blocking the use of solar energy systems!

In order to bring Webster policy into compliance with the tax-neutral intent of RSA 72:62, I respectfully request inclusion of the following article on the 2012 Town Warrant:

‘To see if the Town will vote to adopt, under NH RSAs 72:27-a and 72:62, an exemption from a property's assessed value, for property tax purposes, when the property is equipped with one or more solar energy systems as defined by NH RSA 72:61. Such exemption shall be for 100% of the amount, if any, by which installation of solar energy systems on the property increases the total assessed value of the property. This exemption supersedes the limited solar exemption last affirmed via approval of a ‘housekeeping article’ on the 2010 Town Warrant.’

The Town has two choices:

1. Take no action, continue to effectively discourage the installation of solar energy systems, and (obviously) reap no property tax income from systems that don't exist.
2. Approve the requested warrant article, still reap no property tax income from solar energy systems, but help to reduce air pollution, reduce the need for new conventional power stations and the associated distribution system infrastructure, and reduce the nation's dependence on imported oil.

BOS Initials:

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G. C. Cummings

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G. K. Hashem

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B. G. Johnson

The decision between these two choices strikes me as a 'no brainer'. I ask that you add the requested warrant article to the 2012 Town Warrant and accompany it with an indication of Board of Selectmen support.

Jere D. Buckley"

A lengthy discussion ensued, including what affect it would have on other taxpayers, the proper language to make it tax neutral, etc. Mr. Buckley noted that the Office of Energy Planning had advised that there were a number of communities with such an exemption. He then offered to contact OEP for names of the communities so that we might check our wording of the Warrant Article against other towns. The Board was agreeable to put the proposed Warrant Article on the Warrant for the 2012 Town Meeting. Any verbiage changes would be made as necessary.

Mary Jo MacGowan met with the Board for the purpose of discussing erosion caused by dam releases on the Blackwater Dam. She then introduced Peg Foss, a landowner on the Blackwater River, and Sue Roman, a Conservation Commission Member. They then presented the concerns regarding the bank erosion along the Blackwater River, accompanied with a photo display. They requested that the Selectmen invite the US Army Corp of Engineers to a meeting to discuss the outflow of water from the dam. Ms. Foss had copies of the Outflow Ordinance, developed around 1940, of the dam, but research did not disclose where or what the information is based on. Their mission statement was to protect all property downstream and the outflow guidelines were to be revisited every 10 years, though she was unable to get any proof of this. She noted that the rules have changed a lot and that the Army Corp is not exempt. Ms. Foss works for the Department of Environmental Services and is a property owner along the river. She presented a draft letter to be sent to the Army Corp requesting a meeting and was looking for support of the Selectmen by having their signature on the letter. She presented a number of pictures of examples of the erosion that has occurred recently. She has requested a copy of a report of the up-stream study done as she feels it would be relative to the downstream issues. Selectman Hashem inquired as to whether they do have to monitor the flow to which Ms. Foss responded yes. Ms. Foss has copies of the regulations by which the Army Corp must abide. Ms. Foss advised that her supervisor at DES could get involved and was willing to come to a meeting with the Army Corp. The State could then work with other agencies for compliance. Selectman Hashem was hesitant as he didn't know what action the Selectmen could take. Ms. Foss again stated that she was asking the Town to back the effort of a presentation to the Army Corp of concerns of the property owners along the banks, of which the Town is one. She referred to the Army Corp Policy as support for cooperation and referenced a Master Plan. She noted that the Blackwater River is a Class A stream. Ms. Roman spoke about the graphs presented, pointing out the spikes in releases. Ms. Foss indicated that she could bring good things to the meeting for discussion to encourage a response from the Army Corp. She recommended approaching them with curiosity as well as knowledge of the State Statues, and other relative printed information. There was continued discussion on dams in general. Ms. Foss indicated that the Blackwater is one of the worst she has seen regarding damage to its banks and property. Chairman Cummings requested that Ms. Foss sent a letter for the Board's review, which she will do. Ms. Foss recommended that the letter be cc'd to certain people and she will provide this information along with the letter. Discussion continued on the best approach on ways to express concerns on the subject.

7:59 P.M. Chairman Cummings called for a short recess.

8:03 P.M. Chairman Cummings reconvened the meeting.

Brenda Silver, Town Hall Custodian, provided a break-down of the request for \$4,000 for general repairs to the Town Hall. The Board's decision was to add the requested \$4,000 to the Town Hall Maintenance line, thereby increasing it from \$7,800 to \$11,800. After receiving information relative to the 2013 revaluation scheduled, Mrs. Jones recommended reducing the Reappraisal Capital Reserve by \$5,000, thereby decreasing it to \$1,500, to which the Board agreed.

The Board agreed to add a Warrant Article requesting a change in Agents to Expend from the Reappraisal Capital Reserve to be the Board of Selectmen.

The Board had an e-mail from Barbara Corliss forwarding a letter of resignation from Tom Mullins from the Refuse Disposal Committee. The e-mail also indicated that Alternate Sally Embley was willing to step up as a full-member. Selectman Hashem made a motion to move Mrs. Embley into Mr. Mullin's term as a full-member for the remainder of his full-member term, thereby opening up Mrs. Embley's alternate- member position for the remaining of her term as alternate; seconded by Chairman Cummings. Selectman Johnson expressed concern that the Board did not have a signed copy of the resignation from Mr. Mullins, only an e-mail from another e-mail address. Mr. Mullins will be requested to sign the letter of resignation already received. Chairman Cummings amended the motion already made to move each alternate up with the dates of their respective terms to remain the same. The vote was two in favor and one opposed.

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B. G. Johnson

Mrs. Pinkham advised that she received a letter from TD Bank advising that effective as of February 14, 2012 the bank will charge a \$5 fee to anyone wishing to cash a check drawn on a TD Bank account if they have no affiliation with TD Bank. There was discussion on banks in general.

The amended "Refuse Disposal Ordinance" approved by the Joint Boards on January 3, 2012 was delivered by Mrs. Jones to the Hopkinton Selectmen's Office for the Hopkinton Board of Selectmen's signatures. A signed copy should be returned soon to the Town for filing with the Town Clerk.

Selectman Johnson advised that the Shared Services Committee met on January 19, 2012 in Andover. He advised that the towns of Warner and New London have expressed interest in joining. The next meeting is scheduled for March 22, 2012, with the anticipation of five more meetings through the year. Chairman Cummings noted that Salisbury Selectman Ken Ross-Raymond was working on the City of Franklin to join the Committee.

Discussion on "No Through Traffic" on Centennial Drive will be deferred until after the Town Meeting.

Energy Committee members Selectman Cummings and Marty Bender have been installing new programmable thermostats throughout the building.

The Agricultural Commission sponsored a "Start Your Own Seeds" workshop presented by Jim Ramanek, from *Warner River Organics*. Approximately 30 - 35 people attended.

The Board reviewed the Warrant recommending three additional articles; 1.) changing the Agents to Expend from Town Meeting to the Board of Selectmen for the Reappraisal Capital Reserve Fund established in 1975; 2.) change the current solar exemption of \$1,000 from the assessed value to be 100% of the assessed value of the installation of a solar energy system, as presented by Jere Buckley earlier in the meeting and, 3.) the Agricultural Commission's proposal to add two additional members.

The Board gave Mrs. Jones permission to send the Warrant to Town Counsel and DRA after the draft revisions are sent to the Board of Selectmen.

Chairman Cummings would like to do a "chalk" presentation for Town Meeting regarding the effect on the Tax Rate.

8:45 P.M. Selectman Johnson made a motion to adjourn the meeting; seconded by Selectman Hashem and approved.

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**George C. Cummings, Chairman**  
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**George K. Hashem**

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**Bruce G. Johnson**

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