

Town of Bartlett Office of Selectmen

Meeting Minutes: June 14, 2013

Attendance: Chairman Gene Chandler, Douglas Garland, David Patch

Reporters: None

Meeting opened at 08:30 AM.

Selectman Garland made a motion at 09:10 AM to enter nonpublic session to discuss a request for aid under NH RSA 91-A 3 II c. Chairman Chandler seconded the motion. Motion carried unanimously. Selectman Garland made a motion at 09:55 AM to end the nonpublic session and to seal the minutes. Selectman Patch seconded the motion. Motion carried unanimously.

Selectmen reviewed the 2012 property tax abatements. There were 15 denials, 11 granted, and one undecided at the moment. Letters were signed and sent out today and checks will be sent prior to July 1, 2013. The complete list is at the end of the minutes.

Atty. John Fichera of the Dewhurst law firm met with the Selectmen to discuss the abatement of his clients Robert and Denise Mercier on their property located at 36 Pear Forest Road (1RT016-263L0D). Atty. Fichera stated that he was here in order to comply with the Board of Tax and Land Appeals (BTLA) order to have a settlement meeting in order to try to resolve this before they schedule a hearing. Chandler explained that we had a difficult time understanding his calculations regarding price per square foot and that they were not done properly. The base residential rate per square foot is \$90 and that gets adjusted depending on many factors such as quality of construction, style, story height, etc. Chandler stated that the comps used in their appraisal, which was submitted well after the deadline, were not of the same quality and nature of the subject property. Atty. Fichera stated that he was not an appraiser but was here to see if there was any give and take that he could present to his clients to try to resolve this. Chandler went on to explain how their complaint on the land value just doesn't hold water as the acreages on the comps are no where near the subject at 6.10 acres. Selectmen suggested that we will look at it further, see if there are other sales of properties that are more comparable to the subject, and get back in touch with him. The BTLA settlement paperwork must be filed by August 30, 2013. Atty. Fichera agreed to this plan and also offered to have his clients meet with the Selectmen if they want to speak with them.

Selectmen met with Chuck Gilboy, Director of Outreach and Projects for Congresswoman Carol Shea-Porter, Chuck Henderson, Special Assistant for Policy and Projects for Senator Jeanne Shaheen, Sarah Holmes, Special Assistant for Policy and Projects for Senator Jeanne Shaheen, and Michael Scala, Special Assistant for Casework and Projects for Senator Kelly Ayotte regarding the problems that residents are encountering as a result of the digitizing of the floodplain maps. Others present

included: Josh McAllister and Kevin Tilton from HEB Engineers, and residents Jim and Sue Tuttle and Gordon Robinson who have been affected by this. The newly "revised" floodplain maps were just digitized and no corrective mapping was done, however, as a result of the digitizing many residents' properties have now been put in the floodplain and their mortgage companies are requiring them to get flood insurance when they have never had to have it before and their properties are not actually in the floodplain. Residents are left to prove they are not in it and this gets costly for something that is not their fault and due to faulty maps. Chandler explained he first became aware of it at Bartlett Place because his son's company does the property management there and one of the owners was having a problem getting insurance. Property owner's end up doing a LOMA (Letter of Map Amendment for FEMA) that involves hiring an engineer to prove that they are not in the floodplain and basically only gets the property owner's specific buildings out of the floodplain. The LOMA would not apply to the neighboring properties but only to the specific buildings that were cited.

Henderson stated that what is driving this issue is the Biggert Waters Act. He stated that Bartlett homeowners are not the only ones affected, they have heard from many towns in the state that have this problem where the burden is put on the property owners. He also stated for information purposes that Tropical Storm Irene was not considered a 100 year event in our area.

Tilton explained that the original maps were not the greatest to start with and they just compounded the problems by digitizing the mistakes. He said they have had several requests to have LOMA's done and they are doing them on properties that do have frontage on the river but there is a 70-100 ft. drop to the river and if they flood, we are all in trouble. It only affects property owners with mortgages.

Garland stated that this can work both ways. There are people who should be classified as being in the floodplain but are not due to the maps and they aren't required to get insurance from their mortgage companies. So what happens if they are flooded out?

Chandler stated that it would seem we could provide for a "common sense" letter from Selectmen or an engineer stating on the obvious ones with drop offs or clearly not in the floodplain that they are not in the floodplain. We need to provide an avenue for the banks to accept this letter so they don't require the insurance or LOMA.

Jim and Sue Tuttle explained their experience with their bank. They also had an issue with the time period that they had to prove this which was 45 days.

Chandler asked Gordon Robinson if he had any questions. Robinson indicated he recently got a letter from his bank on this and he saw the notice of this meeting and thought he should attend. His property is one of the types where although he does front on the river, it is a 100 ft. drop to get there.

Garland stated that FEMA is getting their maps revised but it is being done piecemeal at the expense of the property owners by getting all these LOMA's. They clearly stated at the meetings he attended on the map revisions that they had no money to do revisions, only enough to digitize them. Then they told us we had to accept them or we would not be in the flood insurance program which would then have cost our property owners even more money to get the insurance. While Bartlett accepted the maps, we did it under protest and with the understanding that they were not accurate.

The Biggert Waters Act has not been passed yet but it includes a subsidy for property owners to get reimbursed for getting an elevation certificate. The representatives were not sure when it will be voted on.

Henderson suggested that there be a meeting at the staff level with Jennifer Gilbert of the NH Office of Energy and Planning in order to get an idea of the breadth of the problem and determine how many LOMA's have been filed.

Chandler thanked the representatives for coming and expressed the hope that we can get this resolved somehow.

Selectman Garland reported that the roof at the Bartlett Village Fire Station was done but he did not think they put in the vapor barrier as was agreed to when we signed the contract with S & W Roofing. He asked Fire Chief Roberts to look at it and he confirmed that he did not see a vapor barrier. Garland placed a phone call to Walter Jensen to discuss this. Garland asked if the vapor barrier was put in and Jensen stated no and asked if it was in the specs. Garland stated no it was not but it was discussed at the site meeting held on April 26, 2013, Garland called on May 10, 2013 and discussed it with Jensen, and it was in the letter of acceptance the town sent back to him. Jensen again stated it wasn't in the specs. Garland reminded him of their conversation regarding this where they discussed 5 ft. rolls versus 10 ft. rolls and laying vertically versus horizontally. Garland read the acceptance letter to him. Jensen stated he didn't remember the conversation but asked how do you want to fix it. Garland stated that he should tell us how he plans to fix it. Jensen said he didn't have the paperwork in front of him and he would look at it and let us know what he plans to do. Jensen stated that the area between the roof and the ceiling was a vapor barrier. Garland didn't accept that theory. Jensen stated he would get back to us with his proposal. Garland said that was

fine.

Selectmen had a conference call with Atty. Chris Hilson to discuss resolving some legal matters.

Police Chief Timothy Connifey met with the Selectmen to let them know that he has been working with Amelia "Jimi" Emery of the Technology Program at the Josiah Bartlett School and they have offered the police department some older lap top computers that can be used in the cruisers. Chief Connifey stated that they are having issues with the office computer and this should be a great asset for the department. Chairman Chandler stated that it has come to his attention that we have not received a copy of the officer schedule from the Police Department since November. The Selectmen again requested monthly submissions of the schedule from Chief Connifey.

Lynn Jones, AA, pointed out that the town hall air conditioners were pretty old (25+yrs) and not very efficient. Selectmen agreed to look into purchasing new energy efficient air conditioners.

Brenda Medeiros, Sec., told the Selectmen that we had received a bill from Ossipee Mt. Electronics for programming the EMD radio that we received from the grant that we don't know who applied for. She asked Fire Chief Roberts about it and he indicated that he did have the radio at the station and would have to get back to her as to whether the programming was included in the grant. Chairman Chandler stated that he thought we agreed that the radio would be here at Town Hall and should an emergency arise, it would be transported to wherever the command center was. Selectmen Garland and Patch agreed. Medeiros will notify Fire Chief Roberts of this.

The Selectmen reviewed correspondence, building permits, signed letters and checks prior to and throughout the meeting.

Meeting adjourned at 11:55 AM.

Respectfully submitted,

Brenda Medeiros, Sec.

2012 ABATEMENTS

<u>MAP/BLOCK/LOT</u>	<u>PROPTY OWNER</u>	<u>LAND</u>	<u>BLDG</u>	<u>FEATURE</u>	<u>ASSESSED</u>	<u>REVISED</u>	<u>CHANGE</u>	<u>AMT</u>
1RT016-93L10	O'BRIEN GEO/TERRY	73,298	330,200	21,500	424,998	408,398	16,600	\$207
1RT016/263L0D	MERCIER ROBT/DENISE	187,700	702,200	9,000	898,900	UNDECIDED		
1RT16A-7R06	POOLE BRUCE	-0-	85,100	-0-	85,100	67,900	17,200	\$232
1RT16A-161L00	HOOPS REALTY TR	66,100	766,800	32,300	865,200	DENY		
1RT16A-166R00	HOOPS REALTY TR	73,300	1,676,900	72,200	1,822,400	DENY		
2GLENL-181B5	SMALLCOMB K/J	161,400	519,100	11,000	691,500	DENY		
2LNDCO-B0020	LENIHAN MARYELLEN	-0-	99,400	25,000	124,400	DENY		
2LNDCO-D0012	DEWIRE A/G/DAWNA L	-0-	79,100	52,000	131,100	DENY		
2LNDCO-F0012	ZARINSKY IRMA	-0-	73,600	52,000	146,400	125,600	20,800	\$215
2LNDRH-131-0	MARTEL JEAN	118,200	150,000	5,900	274,100	DENY		
2RT016-92R00	MORRELL CORP	5,322,600	7,386,400	876,900	13,585,900	DENY		
2RT016-114R01		60,500	156,100	12,000	228,600	DENY		
2RT016-114R02		60,500	156,100	12,000	228,600	DENY		
2RT016-120R00		96,800	80,400	-0-	177,200	DENY		
2MITTN-UND-6		78,500	-0-	-0-	78,500	DENY		
2RT016-181G08	ZACCARIA C/A	185,000	379,200	11,000	575,200	DENY		
2RT302-16L00	RED PARKA PUB INC	151,400	389,900	25,100	566,400	422,100	144,300	\$1491
2RT302-21L00	FERRUOLO/MARK/MELCZK	219,200	108,900	-0-	328,100	299,500	28,600	\$295
2RT302-75L00	PETERSON R/C	108,200	187,300	2,000	297,500	NO CHANGE		
2RT302-75L01		109,500	-0-	-0-	109,500	63,800	45,700	\$472
4TIMBR-14R00	SMITH JODY	71,500	100,500	300	172,300	167,700	4,600	\$62
4TIMBR-40-02	HILL STEPHEN JR	54,400	-0-	-0-	54,400	DENY		
5COBRD-55RW1	FABRIZIO WM/R	95,600	43,100	1,200	139,900	134,000	5,900	\$61
5RT302-123R00	TAKACS ROBT	134,900	-0-	-0-	134,900	56,900	78,000	\$806
5STLNG-A00-6	AMSCO	116,600	-0-	-0-	116,600	DENY		
5STLNG-A00-9		116,400	-0-	-0-	116,400	DENY		
5VILLG-FOS100	EDMUNDS AMY	28,300	22,800	200	51,300	28,500	22,800	\$236
5VILLG-MCK250	HARRIMAN KEVIN	50,000	145,700	-0-	195,700	183,200	12,500	\$129