

TOWN OF ALLENSTOWN
Selectboard Meeting Minutes
Allenstown Town Hall
16 School Street, Allenstown, NH 03275
July 26, 2021

Call to Order

The Allenstown Selectboard Meeting of July 26, 2021 was called to order at 6:08 PM by Chair Scott McDonald.

Chair McDonald called for the Pledge of Allegiance.

Roll Call

Present on the Board: Chair Scott McDonald, Keith Klawes, Maureen Higham, Jim Rodger, Sandy McKenney (arrived at 6:25)

Joined late:

Allenstown staff: Derik Goodine, Town Administrator, Michael Frascinella, Chad Pelissier (arrived at 6:15); Paul St. Germain

Others: Heather Bolduc, Doug Hall, Ryan Carter (remotely arrived at 6:15), Armand Verville (arrived at 7:15 pm), Kayla Hopkins (remotely, joined at 6:15 pm)

Presentation of the New Hampshire School Funding Fairness Project

Mr. Hall presented on behalf of the New Hampshire School Funding Fairness Project. He said his goal is to present how Allenstown fits in with all of the other school districts and the State's funding for them. He handed out a spreadsheet that lays out differences between Allenstown and the average district in the State.

Mr. Hall introduced himself to the Selectboard.

He said that Berlin is in a more difficult position than Allenstown is in with regard to the school funding situation. He said that last year they closed their last elementary school, and the elementary school kids now go to school in the same building as high school.

Mr. Hall said the issue is not just about school funding but also about taxation and the fact that local property tax payers are paying for the cost of the school and he said his presentation will look how these issues interrelate.

The first part of his presentation related to New Hampshire's Constitutional responsibilities for education. He said the overview is the taxpayers and students are not created equitably and the problem is getting worse and has been for the last 10 years and the current system is constitutional.

He said the Supreme Court decision in the Claremont case interestingly established that the State has duty to pay for the cost of constitutionally adequate education. He said the question is, what is constitutionally adequate. Mr. Hall said also, that the taxes that the State of NH uses to pay for this education must have a uniform rate across the state, like every other tax that we have and it doesn't depend on where you are, the tax rate is the same for meals and rooms, business profits tax, insurance tax, etc.

Mr. Hall said the state has Four main duties in this regard: 1) define an adequate education; 2) determine its cost; 3) fund it with constitutional taxes, and 4) ensure its deliverability through accountability. He said he won't be dealing with the last one because the State needs to and it would require another whole presentation.

Mr. Hall read some statements from the Claremont and Londonderry NH Supreme Court decisions. He said the Court has made it clear that providing for an adequate education does not cost the same in every district as there are differences in the study populations and other factors that need to be taken into consideration. In the Claremont decision, the Court said, "We emphasize that the fundamental right at issue is the right to a State funded constitutionally adequate public education. It is not the right to horizontal resource replication from school to school and district to district." He said the Supreme Court has not said the State has to provide the same amount of money to each district.

He said the other main point from the Londonderry decision is "Whatever the State identifies as comprising constitutional adequacy it must pay for. None of that financial obligation can be shifted to local school districts, regardless of their relative wealth or need." He said essentially what the State is saying is that education is a state responsibility and students regardless of where they live need to get an adequate education funded with state taxes.

Mr. Hall said also in the Claremont decision, the Court said "To the extent that the property tax is used in the future to fund the provision of an adequate education, the tax must be administered in a manner that is equal in valuation and uniform throughout the State."

He said the second part of this is the role of property taxes in funding schools currently is resulting in inequities. He said in 2019/2020, if you add up the revenue of all the school districts in the state, it was just under \$3.4 billion dollars, so it is not a small endeavor. He presented a pie chart that showed where the money came from across the state, and 73% come from local property taxpayers.

Mr. Hall discussed how the collection of taxes changed from 2009 to 2019. He said that local property taxes increased \$528.8 million, while state adequacy aid to school districts only increased by \$24.7 million. He said federal funds increased by \$18.4 million. Mr. Hall said essentially, all of the increase in revenue over the 11 year period came from property taxes and it is getting worse over time.

He said the key concept for looking at his various charts, is equalized value per pupil. He said that the Department of Revenue Administration equalizes the tax valuation in every town, every year. Mr. Hall said the question is how much property value is available in a Town that can be taxed to support each student's education. He said if the distribution of property value and the distribution of students were the same, there wouldn't be a problem but they are not the same. Mr. Hall said there are some towns with tax rates below \$2.00 and some towns with tax rates up around \$24.00, and they are raising less, and these are inequities for the students in terms of how much money is available for their education and inequities for the taxpayers.

Mr. Hall provided a chart that shows how much state aid that each town is receiving. He said the State of NH says it costs \$2,612,892.00 to provide an adequate education in Allenstown, whereas the school budget is over \$10,000,000.00. He said of that \$2.6 million, the property tax contributes part of it, which is \$600,000.

Mr. Hall said the state will provide to Allenstown as cash in fiscal year 2022 is \$4,345,000.00.

He prepared a document to show the Board the fiscal 2021 year, 2022 and 2023. He said the 2022 year will be approximately \$500k less than 2021. Chair McDonald said that's a half a million, and the Town is going to have to fill that hole to meet the budget.

Mr. Hall said when you look at the sheet, you will see that the big difference is that the fiscal capacity disparity aid was abolished, and if that \$500,000 had continued, then everything would balance out. He said unless they come back next year and try to change the law, these numbers would hold for 2023.

Mr. Hall said the school districts that have high property values have lake frontage, seeable mountains, ocean frontage, or large power plants. He said that the higher the percentage of commercial development in a municipality on average, the higher the tax rate. He said this is partly because you are providing additional services. He said that in general the towns that have low property values per pupil are old mill towns, such as Allenstown and Pittsfield.

He said the major issue is that the State has not established anything with regard to the cost of an adequate education. Mr. Hall said the implications is economic development is much more difficult in property poor towns than property rich towns. He said that the system which states up greatly unequal tax bases amongst the towns affects where economic development can occur in the state. He said it also works against keeping work force housing.

Mr. Hall said they have a \$90 million decline of state aid which \$500,000 is Allenstown's share. He said the wealthy towns did not receive any fiscal disparity aid so to equalize the situation, they removed the aid from the poorest towns.

Mr. Hall said there is another lawsuit, similar to the Claremont suit, that was filed in March of 2019 by Conval School District which was joined by some other districts, in the Superior Court. He said

that the Judge ruled the State wasn't violating the requirements of Constitution, so it went up to the Supreme Court and instead of making a decision, they remanded it back to the Superior Court to do more fact finding. He said more school districts lined up and joined it and it probably will not be tried until the Summer of 2022, and a final decision won't happen until 2023 or 2024.

Mr. Hall said the State created a school funding commission consisting of six legislators, 10 members of the public to look at this issue. He said they ended up hiring a group nationally (American Research Institute) that took the data from the Department of Education and concluded that the State's existing school funding system is inequitable from both students' and taxpayers' perspective. He said the group made suggestions in their report about how the school funding system should work. The report can be found at <https://carsey.unh.edu/school-funding>.

Mr. Hall wanted to outline the big picture and to show how Allenstown fit in. Chair McDonald said the reason he asked Mr. Hall to come down specifically is so the Board could understand this. He said he expressed his concern to one of the State Representatives and was told not to worry and they would be made whole.

Chair McDonald asked who is abdicating their responsibilities in Concord. Mr. Hall said it is hard to say. He thinks some of what happened is it's a lot of complicated numbers and with 400 members of the house, he would guess three quarters of them do not understand. He said those that are on the Finance Committee probably have a pretty good handle on it. He said when you are dealing with a thousand bills in the legislature, you are relying on somebody else to tell you what the school funding and budget situation is.

Mr. Hall said members of the Finance Committee do represent several geographical areas. He said that there should be some leadership in the poorest communities, similar to the wealthier communities.

He said what they did was cut state property taxes by \$100 million, but this meant that local property taxes would go up by \$100,000 so essentially it was a renaming of that amount of money. He said that there are a few towns where the amount the statewide property tax raises exceeds the amount they need for education, so they have a negative tax rate for the municipality.

There was a discussion regarding the percentage of lottery money that goes to the school.

Citizens Comments

Mr. Frascinella would like to ask the road agent about the feasibility of putting out temporary speed bumps where Hillside Drive, where the mobile home park is. He said there are two stray aways along that section and he noticed that when cars and motorcycles come up the hill from New Rye Road, they then gun it.

Mr. Pelissier said he cannot do anything with that part of the road because it belongs to the state. He doesn't think State will put in a speed bump or a table top and both are not good for plows.

Ms. Bolduc wanted to express her interest in the Parks and Recreation Committee.

Ms. McKenney made a Motion to appoint Ms. Bolduc to the Parks and Recreation Committee. Ms. Higham seconded the Motion.

A roll call vote was taken.

Maureen Higham- Aye

Scott McDonald- Aye

Sandy McKenney- Aye

Keith Klawes- Aye

Jim Rodger- Aye

The Motion passed unanimously.

Mr. Verville wanted to thank everyone for helping out for the bake sale on July 2nd to benefit the Allenstown Historical Society.

Mr. Klawes wanted to thank the Girl Scouts for the work they did on the gazebo.

Regular Agenda

o Appointment of a Call Fireman

Chief St. Germaine said they have a new hire for Call Fireman and his name is Jacob Weisenborn and he has been vetted. He asked the Board for conditional hiring pending his physical and background check coming back positive and they should be getting those results in a couple of weeks with the anticipation of him starting next month.

Ms. McKenney made a Motion to conditionally hire Jacob Weisenborn pending his physical and background check. Ms. Higham seconded the Motion.

A roll call vote was taken.

Maureen Higham- Aye

Scott McDonald- Aye

Sandy McKenney- Aye

Keith Klawes- Aye

Jim Rodger- Aye

The Motion passed unanimously.

- **Banner and Interpretive Sign on Main Street Bridge Presentation with Kayla Hopkins of Klein Schmidt Group Representing Eagle Creek**

Ms. Hopkins did a presentation on interpretive signs and banners that they are looking for approval on. She gave a brief history of the project and said PHA wants to install banners specifically on the light pole on the Main Street bridge pursuant to the Memorandum of Agreement to mitigate for adverse effects. As part of the presentation, she presented several options to the Board for the interpretative sign (which will be on Pembroke's side) and the banners for the 4 light poles.

Mr. Goodine asked what the final process is for deciding. Ms. Hopkins said it's still in draft as of now. Mr. Verville said Ms. Hopkins is under a deadline. Mr. Klawes said he believes they should go ahead and not table it. Ms. Hopkins said it needs to be finished and installed by September.

Ms. McKenney made a Motion to approve the interpretative sign on the Pembroke side, and banners with the China Mill with the color green saying "Welcome to Allenstown." Ms. Higham seconded the Motion.

A roll call vote was taken.

Maureen Higham- Aye

Scott McDonald- Aye

Sandy McKenney- Aye

Keith Klawes- Aye

Jim Rodger- Aye

The Motion passed unanimously.

- **Resignations and Appointments**

Mr. Goodine said they have a resignation from Dawna Baxter.

Ms. McKenney made a Motion to accept Dawna Baxter's resignation with regret. Mr. Klawes seconded the Motion.

A roll call vote was taken.

Maureen Higham- Aye

Scott McDonald- Aye

Sandy McKenney- Aye

Keith Klawes- Aye

Jim Rodger- Aye

The Motion passed unanimously.

Mr. Goodine said they received another resignation from Matt L'Heureux as Alternate on the Planning Board and Vice Chair of the Zoning Board effective immediately.

Mr. Klawes made a Motion to accept Matt L'Heurex as Alternate on the Planning Board and Vice Chair of the Zoning Board, with regrets. Ms. Higham seconded the Motion.

A roll call vote was taken.

Maureen Higham- Aye

Scott McDonald- Aye

Sandy McKenney- Aye

Keith Klawes- Aye

Jim Rodger- Aye

The Motion passed unanimously.

Mr. Goodine said he has a document for the Board to sign regarding Brandon Turner's position on the Economic Development Committee as an alternate member.

He said Diane Adinolfo has shown interest in being a member of the Zoning Board to fill a position.

Ms. McKenney said that Ms. Adinolfo is a good candidate. Mr. Goodine said she was going to be a full time member until June 1, 2023.

Mr. Klawes nominated Diane Adinolfo as a member of the Zoning Board. Ms. McKenney seconded the Motion.

A roll call vote was taken.

Maureen Higham- Aye

Scott McDonald- Aye

Sandy McKenney- Aye

Keith Klawes- Aye

Jim Rodger- Aye

The Motion passed unanimously.

- **COVID 19 Update and American Rescue Act Funds**

Mr. Goodine said that the Delta variance is beginning to increase.

He hasn't seen any recent vaccination numbers in Town.

He got an email recently that said the State has the check, and half of the money will be coming in the next couple weeks. He did have a workshop today about the different programs the State has, and he said is waiting on the power point for additional information on what they can spend the monies on in addition to sewer, water and broadband.

Mr. Goodine said that someone asked to build a new Town Hall with the funds and were told that any of the money that would be garnered from missing or lost revenue would be eligible to be spent for items like that.

He said we will know more when he and Ms. Bender do the revenue calculations. He said they money will sit in the reserve account until the figure out what to spend the money on.

- **Tax Payment Plan Meeting Date Kickoff**

Mr. Goodine said that they need to find a date to meet with people and it may not be until the end of August.

TOWN ADMINISTRATOR REPORT

Mr. Goodine said Chris Emond from the Boys and Girls Club will be coming into thank them for their donations.

He said the Historical Society Old Time Game will be held August 16th with a rain date August 17th.

He said the ZBA workshop at the Community Center will be on July 28, 2021 at 6:30 pm. He said it is a raw training of the procedures and how the ZBA is supposed to interpret and make decisions.

Mr. Pelissier said with regard to Library Street, he said they should let it be right now and see what happens with the traffic.

Mr. Goodine said they need to meet to discuss the recreational field for softball and soccer and a potential resolution with Chair McDonald and Mr. Klawes. Mr. Klawes said that it does not look like an Allenstown public park, and it is locked and he doesn't know who has a key.

Mr. Goodine said he has to meet with the electrician regarding some work that needs to be done in Town Hall.

He said he needs to do a Crazy Steve concert notice on the website and on Facebook.

Mr. Goodine said that Ms. Bender put in Town Expense reports in their mailboxes and she will go over those in the next meeting. He said in the Consent Calendar, there is a Resolve and that Resolve is between Comcast and Allenstown for their review. The Resolve says that they aren't paying for the service because it is part of their franchise fee.

Ms. McKenney made a Motion to approve the Comcast Resolve on basic cable services to town facilities as laid out in Exhibit A. Ms. Higham seconded the Motion.

A roll call vote was taken.

Maureen Higham- Aye

Scott McDonald- Aye

Sandy McKenney- Aye

Keith Klawes- Aye
Jim Rodger- Aye

The Motion passed unanimously.

Mr. Goodine said there is an abatement for approval for 28 Fullam Circle which is the house that burnt down. He said it was removed and there is a new home on there and the property owner wants it in her own name.

Ms. Higham made a motion approve the tax abatement on Map and lot 410-39-23 for 2019, \$302.44 and 2020, \$418.37, and 2021, \$71.90. Ms. McKenney seconded the Motion.

A roll call vote was taken.

Maureen Higham- Aye
Scott McDonald- Aye
Sandy McKenney- Aye
Keith Klawes- Aye
Jim Rodger- Aye

The Motion passed unanimously.

Mr. Goodine said they had asked Central NH RPC to do have four meetings a year to make sure they were making progress on the Hazard Mitigation Plan, which was just approved. He said they will try to have a couple meetings this year, and a couple next year since half of this year is already gone.

He said Comcast did say they have made changes to the Xfinity TV services as outlined in their July 21, 2021 letter posted online with the BOS agenda.

Mr. Goodine said the drought report shows that there needs to be a bit more rain to the southern half of the state.

He said the Gatsas Report dated July 1, 2021 said they will be getting a premium holiday for their property liability insurance for the year of \$18,300 in savings. He said for unemployment, they get a \$975.00 premium holiday, and for worker's compensation, they get a \$16,339 premium holiday which means that their rates were reduced due to Covid.

Mr. Goodine said that he did purchase a tent for Town Hall property and he purchased a \$109 protection plan for 5 years. He said it had been shipped. Mr. Klawes said when it gets installed, will it be closer to the road and away from the gazebo. Mr. Goodine said he wasn't sure yet where it would go. Mr. Frascinella said you cannot be too far away from the gazebo because the sound dissipates. Mr. Goodine said that it should take 30 minutes to put it up and they can do a test run.

Mr. Pelissier said that they rented a road widener to do the edges of the road. He said in the past, they have always contracted this out. He said the downside is that they have to do it themselves, but will ultimately save money.

Mr. Pelissier said that next year in their CIPs, they are up for a new back hoe. He said they are outdated and he'd rather purchase an excavator. He said he looked at a couple of options and the excavator itself is about \$115,000, without any add-ons which they also need to purchase. Mr. Pelissier said they also want a mowing head, which is about \$15,000 and if you add up all the costs, it is approximately \$155,000. He said is aware of some used equipment that is for sale right now in Epsom, but they would have to move on it right away. Ms. Bender said they could take the down payment from their Capital Reserve Fund.

Mr. Pelissier said because of the high cost of materials, it is better to wait another year to construct a building to house all of the equipment.

Mr. Goodine said he is not opposed to this but he would like to see the financial breakdown. He thinks if they can afford it, then they should do it to make them more efficient.

Mr. Pelissier send the Board a two minute video of the equipment.

Mr. Klawes made a Motion that the Road Agent of the Highway Department make a purchase of said Volvo used machine and implements as stated by Chad Pelissier for approximately \$109,200.00. Ms. McKenney seconded the Motion.

A roll call vote was taken.

Maureen Higham- Aye

Scott McDonald- Aye

Sandy McKenney- Aye

Keith Klawes- Aye

Jim Rodger- Aye

The Motion passed unanimously.

Mr. Pelissier said they haven't had to do anything at the dam with regard to the beavers.

CONSENT CALENDAR, MINUTES AND MANIFEST

- **Ratify Consent Calendar: July 26, 2021**

Ms. Higham made a Motion to ratify the Consent Calendar of July 26, 2021. Ms. McKenney seconded the Motion.

A roll call vote was taken.

Maureen Higham- Aye

Scott McDonald- Aye

Sandy McKenney- Aye

Keith Klawes- Aye

Jim Rodger- Aye

The Motion passed unanimously.

- **Review Minutes:**

- **Non-Public: July 12, 2021, One Session, Three Items**
- **Public: July 12, 2021**

Ms. Higham made a Motion to approve the Public Meeting Minutes of June 12, 2021. Ms. McKenney seconded the motion.

A roll call vote was taken.

Maureen Higham- Aye

Scott McDonald- Aye

Sandy McKenney- Aye

Keith Klawes- Aye

Jim Rodger- Aye

The Motion passed unanimously.

Ms. Higham made a Motion to approve the Non-Public Meeting Minutes of July 12, 2021, One Session, Three Items. Ms. McKenney seconded the Motion.

A roll call vote was taken.

Maureen Higham- Aye

Scott McDonald- Aye

Sandy McKenney- Aye

Keith Klawes- Aye

Jim Rodger- Aye

The Motion passed unanimously.

Approve Payroll and Accounts Payable Manifests:

- **ACH Manifest 1077 and 1079, Check Manifest 1078 and 1084, Non-Check Manifest: 1080 and 1081 and Town P/R Manifest 07-15-21**

Ms. Higham made a Motion to approve the ACH Manifest 1077 and 1079, Check Manifest 1078 and 1084, Non-Check Manifest 1080 and 1081, and Town P/R Manifest 07-15-21. Ms. McKenney seconded the Motion.

A roll call vote was taken.

Maureen Higham- Aye

Scott McDonald- Aye

Sandy McKenney- Aye

Keith Klawes- Aye

Jim Rodger- Aye

The Motion passed unanimously.

- **Non-Public Agenda Items**

Chair McDonald made a Motion to enter into non-public session at 9:17 pm in accordance with the provisions of RSA 91-A:3, II (c), four topics. Ms. McKenney seconded the motion.

A roll call was taken.

Maureen Higham- Aye

Scott McDonald- Aye

Sandy McKenney- Aye

Keith Klawes- Aye

Jim Rodger- Aye

The motion passed unanimously.

Chair McDonald made a Motion to return to public session at 10:25 pm. Ms. McKenney seconded the motion.

A roll call was taken.

Maureen Higham- Aye

Scott McDonald- Aye

Sandy McKenney- Aye

Keith Klawes- Aye

Jim Rodger- Aye

The motion passed unanimously.

Chair McDonald made a motion to seal the minutes of the non-public session as they might adversely affect someone not a member of the Board. Ms. McKenney seconded the motion.

A roll call was taken.

Maureen Higham- Aye

Scott McDonald- Aye

Sandy McKenney- Aye

Keith Klawes- Aye

Jim Rodger- Aye

The motion passed unanimously.

Other Business

Mr. Higham made a Motion to accept the Settlement Agreement for Property identified as Map 407-26-81. Ms. McKenney seconded the Motion.

Ms. McKenney made a Motion to adjourn the meeting at 10:27 pm. Ms. Higham seconded the Motion.

A roll call vote was taken.

Maureen Higham- Aye

Scott McDonald- Aye

Sandy McKenney- Aye

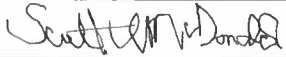
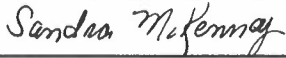



Keith Klawes- Aye

Jim Rodger- Aye

The Motion passed unanimously.

TOWN OF ALLENSTOWN
Selectboard Meeting Minutes
Allenstown Town Hall
16 School Street
Allenstown, New Hampshire 03275
July 26, 2021

SIGNATURE PAGE

Original Approval:		
	04 / 18 / 2022	
SCOTT MCDONALD, Chair	DATE	
	04 / 11 / 2022	
SANDY MCKENNEY, Vice Chair	DATE	
	04 / 18 / 2022	
MAUREEN HIGHAM, Member	DATE	
	04 / 12 / 2022	
KEITH KLAUES, Member	DATE	
	04 / 13 / 2022	
JIM RODGER, Member	DATE	
Amendment Approvals:		
Amendment Description:	Approval:	Date:
	SCOTT MCDONALD, Chair	DATE
	SANDY MCKENNEY, Vice Chair	DATE
	MAUREEN HIGHAM, Member	DATE
	KEITH KLAUES, Member	DATE
	JIM RODGER, Member	DATE

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Sent for signature to Scott McDonald (smcdonald@allenstownnh.gov), Sandra McKenney (smckenney@allenstownnh.gov), Maureen Higham (mhigham@allenstownnh.gov), Keith Klawes (kklawes@allenstownnh.gov) and Jim Rodger (jrodger@allenstownnh.gov) from dgoodine@allenstownnh.gov
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04 / 11 / 2022
22:13:29 UTC

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IP: 174.242.70.222



04 / 11 / 2022
22:13:43 UTC

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04 / 12 / 2022
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