

**TOWN OF NEW DURHAM  
BOARD OF SELECTMEN  
March 23, 2023, 6:00PM  
New Durham Town Hall, New Durham, NH 03855**

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*DRAFT: These minutes are strictly a draft copy and are awaiting amendment or approval at a subsequent, duly noticed public meeting. Amendments to these minutes will be noted in the minutes of said meeting. The draft will be posted on the website as a draft copy for public informational use only.*

**PRESENT**

Dorothy Veisel, Select Board Member  
Ron Uyeno, Select Board Member

**ALSO PRESENT**

Nicole Zoltko, Town Administrator  
Ken Fanjoy, resident  
Ellen Phillips, resident  
Steve Hamilton, Contract Assessor

**CALL TO ORDER**

Vice Chair Veisel called the meeting to order at 6:00PM.

**Roll Call & Pledge Allegiance**

Roll call was taken for Board members present. The Pledge of Allegiance was said by those present.

**Public Input**

None.

**Town Administrator Report**

Town Administrator Zoltko stated the next meeting for the Budget Committee is set for April 10, 2023. She stated the Planning Board had a meeting on March 21 however there was a problem with the uploading of the video to Townhall Streams but that has been resolved and the video posted.

Town Administrator Zoltko stated there are many Parks and Recreation events coming up; details are available on the Town website.

**Public Input**

Ellen Phillips, 1772 Meetinghouse Committee, stated on May 7 there will be a Spring Fling event; there will be sheep sheering and wool processing demonstrations; a food truck will be on site for the event.

**New Business**

***Veterans Exemption and Solar Credits - Presented to the Select Board on behalf of the Contract Assessors***

The Board reviewed the requests for a Veteran's Tax Credit.

**Selectman Uyeno motioned to approve the Veterans Tax Credit for Map 271, Lot 001 in the amount of \$750. Selectman Veisel seconded the motion. Motion passed unanimously.**

**Selectman Veisel motioned to approve the Veterans Tax Credit for Map 250, Lot 115 in the amount of \$750. Selectman Uyeno seconded the motion. Motion passed unanimously.**

**Selectman Veisel motioned to approve the Veterans Tax Credit for Map 244, Lots 003 and 004 in the amount of \$750. Selectman Uyeno seconded the motion. Motion passed unanimously.**

The Board reviewed the request for a Solar Tax Exemption. The contract assessor confirmed eligibility.

**Selectman Veisel motioned to approve the Veterans Tax Credit for Map 238, Lot 044, in the amount of \$42,900. Selectman Uyeno seconded the motion. Motion passed unanimously.**

**PUBLIC HEARING- 6:15PM- Pole Tax**

Selectman Veisel confirmed the public hearing was dually noticed and read the public notice into the record:

*Pursuant to the provisions of RSA 231:163 and 43:2, for the purpose of considering amending all existing pole licenses to include language regarding taxation pursuant to RSA 72:23. The Board will also consider adopting a revised Pole and/or Conduit License form which will include language regarding taxation pursuant to RSA 72:23. The hearing is being held to determine if it is in the best interests of the public good to amend pole licenses so that they are consistent with the property taxation statutes (RSA 72:23).*

Selectman Veisel opened the public hearing to input from the public.

Steven Hamilton, Contract Assessor, stated the property of the Town, which is used by someone other than the Town, is taxable by its nature; he stated the RSA requires leases incorporate the language for taxability. He explained authorization for this amendment will allow them to assess a property tax against the principal occupant, in this case, Consolidated Communications. He stated it will increase the amount of tax revenue that can be received from the occupants of the property; he explained the company pays this tax in any place in the state where the amendment has been adopted. Mr. Hamilton stated this creates a legal basis for the assessment.

Ellen Phillips, resident, asked how much revenue will be generated. Mr. Hamilton stated it would be in the range of \$10,000. He noted the formula for calculation is regulated by State law.

Selectman Veisel closed the public hearing.

Selectman Veisel read the Resolution into the record:

*Pursuant to the provisions of RSA 231:163 and 43:2, the Board of Selectman have held a public hearing on March 23, 2023 to determine if it would be in the best interest of the public to amend all of the existing pole licenses issued by the Town of New Durham, through March 23, 2023 to include language regarding taxation pursuant to RSA 72:23. As a result of the public hearing the Board of Selectman have found that it is in the best interest of the public good to amend these existing pole licenses to include the following language: In accordance with the requirement of RSA 72:23.i.b, this license is granted to the licensee subject to the condition that the licensee shall be responsible for the payment of and shall pay all properly assessed real and personal property taxes no later than the due date. Failure of the licensee to pay the dually assessed personal and real property taxes when due shall cause to terminate this license. In accordance with RSA 72:23,i.b., the licensees hereunder shall be responsible for the payment of and shall pay both current and potential real and personal property taxes when due. Furthermore, in accordance with the requirements of RSA 72:23.i.b., the licensee shall be obligated to pay real and personal property taxes on structures or improvements added by the licensee or any other entity using or occupying the property of the licensor pursuant to this license. In addition, the Board of Selectman has found it to be in the best interest of the public good to adopt and revise the whole license form to be used by the Town of New Durham, effective March. 24, 2023 that includes the same language of same language noted above for all pole licenses to be issued in the Town of New Durham.*

**Selectman Veisel motioned to approve the resolution. Selectman Uyeno seconded the motion. Motion passed, 2-0-0.**

**Selectman Veisel motioned to enter nonpublic session pursuant to RSA 91:A-3 II (I) Considerations of legal advice provided by legal counsel. Selectman Uyeno seconded the motion. Roll Call Vote: Selectman Veisel -aye; Selectman Uyeno -aye. Motion passed, 2-0-0.**

The Board entered nonpublic session at 6:33PM.

The Board entered public session at 6:52PMPM.

**Selectman Veisel motioned to seal the minutes of the nonpublic session of March 23, 2023 as to render a proposed action ineffective. Selectman Uyeno seconded the motion. Motion passed, 2-0-0.**

**Selectman Uyeno motioned to adjourn. Selectman Veisel seconded the motion. Motion passed, 2-0-0.**

The meeting was adjourned at 6:56PM.

Respectfully Submitted,

*Jennifer Riel*

Jennifer Riel, Recording Secretary