

City Council Legislative Subcommittee Meeting

Eileen Dondero Foley Council Chambers

8:30 a.m.

Monday, August 25, 2016

Present: John P. Bohenko, City Manager; Jane Ferrini, Assistant City Attorney; Mayor Blalock, Councilor Spear, Councilor Dwyer and Kelli L. Barnaby, City Clerk

Absent: Assistant Mayor Splaine

I. Call to Order.

Mayor Blalock called the meeting to order at 8:30 a.m.

II. Approval of July 18, 2016

Councilor Spear moved to approve and accept the minutes of the July 18, 2016. Seconded by Councilor Dwyer and voted.

III. Distribution of July 25, 2016 draft minutes

The Legislative Committee reviewed the minutes of the July 25, 2016 meeting.

IV. Update on status of floor policies approved by City Council for submission to NHMA

Assistant City Attorney Ferrini spoke to the Floor Policy Proposals from NHMA for 2017-2018. She stated the City's proposals are #3-6. She stated that Planning Director Taintor is the point person on policies #3 and #5 and there is no staff attached to #4 and #6. She reported on #7 the educational funding policy. Councilor Dwyer said the towns listed in educational funding policy are losing population and that is having a great impact. She said the Coalition needs to realize we need to do something as a State.

City Manager Bohenko reported that New Hampshire is the only State no longer providing building aide.

The Committee agreed to take no position on policy #7 – regarding local property taxes.

V. Update on status of meeting with Commissioner of DOT regarding sound barriers

Assistant City Attorney Ferrini said the meeting will be held on September 14th at 1:00 p.m.

VI. Update on Committee to Study short term rentals (SB482)

Assistant City Attorney Ferrini reported that the Committee members are Senator Regina Birdsell, Representative James Belanger, Representative Bill Ohm, Senator Martha Fuller Clark, and Representative Edward Butler. She said the Committee will be meeting on September 1st at 10:00 a.m. in the LOB Room 102 for an Organizational Meeting.

Councilor Dwyer stated that the Representative from Lincoln is a strong advocate for AirBNB.

City Manager Bohenko said he wants to be able to inspect the properties. Councilor Dwyer asked if we have a sense of the number of illegal properties. City Manager said he could speak with staff but it is hard to say. He said once we find them it has become a struggle. City Manager Bohenko stated we want to look at the safety issues.

VII. Discussion of NHMA Legislative Policy Recommendations attached

Assistant City Attorney Ferrini said the Legislative Policy recommendations are attached and will need separate consensus on each item.

General Administration and Governance

1. Funding for the Police Standards and Training Council – Support
2. Consultation with Counsel Expansion Under RSA 91-A – Became Law Last Session
3. Building Plans Under RSA Chapter 91-A – Oppose
4. EMS Licensing Rules – Committee Defers to Fire Chief - Support
5. Electronic Poll Books – Support
6. Municipal Welfare Fraud Penalties - Support
7. Right to Know Costs and Specificity Required – No Position
8. Official Ballot Budget Postings – No Position (Town)
9. Public Notice Requirements – Support
10. Municipal Departments and MV Information – Support
11. Manner of Selecting Clerk in Charter Towns – No Position (Town)
12. Sewer and Storm Ordinance Violations – Support
13. Preservation of Municipal Immunity – Support

14. Welfare Lien Property – No Position
15. Petition Signature Requirements – No Position (Town)
16. Long-Term Storage of Records – Became Law Last Session
17. Human Resources Record Retention – Support
18. Consolidate Policy on Collective Bargaining Items – Support
19. Contracted Services and Bargaining – Support
20. Maintenance and Policing of State-Owned Property – Support
21. Supervisor of the Checklist Sessions – No Position (Town)
22. Municipal Recreation Programs – Support
23. Appointment of Town Clerks and Town Clerks/Tax Collectors – No Position (Town)
24. Warrant Article Language; Adoption by Reference – No Position (Town)
25. Perambulation – Oppose
26. Limitation on RSA 41:14-a Review – No Position (Town)
27. Independent Redistricting Commission – Support

Finance and Revenue

1. Collection of Delinquent Taxes on Manufactured Housing – Support
2. Use of RSA 83-F Utility Values – Support
3. Current Use Assessment – Support
4. Tax Exemptions for Charitable Organizations – Committee Defer to Assessor – Support
5. Meals and Rooms Tax Distribution – Support
6. Pollution Control Exemption – Support
7. Income Approach on Appeal – Committee Defer to Assessor – Support
8. Clarification of Elderly Exemption – Support

9. 10% Limitations – No Position (Town)
10. Prorating Disabled, Deaf and Blind Exemptions – Support
11. Flood Control Payments – No Position
12. Charitable Definition and Mandated Property Tax Exemptions – Support
13. Sale of Tax Deeded Property – Support
14. Local Option Revenue Sources – Support
15. Tax Rate Setting – Support
16. All Public Real Estate Taxable if Used by Private Occupants – Committee Defer to Assessor – Support
17. Recording Fees for Elderly and Disable Deferrals – Committee Defer to Assessor – Support
18. Downshifting of State Costs and State Revenue – Support
19. State Revenue Structure and State Education Funding – Support
20. New Hampshire Retirement System (NHRS) – Support
21. Utility Appraisal Method – Committee Defer to Assessor – Support
22. Management of Trust Funds – Support
23. Minimum Vote Required for Bond Issues – No Position (Town)

Infrastructure, Development, and Land Use

1. Site Evaluation Committee and Local Input – Support
2. Municipal Cooperation – Support
3. Waiver of Bond for Projects Under \$150,000 – Support
4. Restoration of Full General Revenue Funding for Municipal State Aid Grant (SAG) Programs – Support
5. Transportation Funding – Support
6. Solid Waste Revolving Funds – Support

7. Clarify Establishing Highways – Support
8. Water Fund – Support
9. Utility Infrastructure - Support
10. Complete Streets – Support
11. Increase or Elimination of Net Metering Cap – Support
12. Severe Weather Events – Support
13. Oppose Statewide Zoning Mandates – Support
14. Municipal Use of Structures in the Right-of-Way – Support
15. Regional Water Quality – Support
16. Conservation Investment – Support
17. Environmental Regulations and Preemption – Support
18. Energy, Renewable Energy and Energy Conservation – Support
19. Open Space Retention and Sprawl Prevention – Support
20. Sludge/Biosolids – Support
21. Current Use – Support

Councilor Dwyer said we should provide this list as an informational item to the City Council and a report back for the September 19th City Council meeting.

VIII. Discussion of next meeting

The next meeting will be left to the call of the Mayor as the Chair of the Committee. Councilor Dwyer suggested possibly meeting in late October.

IX. Miscellaneous/Unfinished Business

X. Adjournment

At 10:00 a.m., Mayor Blalock adjourned the meeting.

Respectfully submitted by:

Kelli L. Barnaby, MMC, CMC, CNHMC
City Clerk