

*Office of the Select Board  
Town of Orange, New Hampshire  
Select Board Minutes of December 5, 2023*

*Present:* Tamara Fairbank, chair, Aaron, Allen, Betsy Coble, Catherine Souza (clerical)  
*Others:* Marcello Shelzi, Emily Coble, Richard Zakur

*Meeting opened at 6:00 p.m. Attendance taken by the secretary.*

*Pledge of Allegiance*

*Minutes:*

Aaron Allen motioned to approve the minutes of the public meeting of November 21, 2023, second by Betsy Coble. Motion passed 2/0/1.

*Abatement corrections to tax charges:*

The Select Board reviewed and signed one abatement. The abatements is to correct an error made in the recent tax calculations. Motion to approve the abatement for correction made by Tamara Fairbank, seconded by Betsy Coble. Motion passed 3/0/0.

*Cohos Advisors 2024 Engagement letter and contract:*

The Town of Orange has received an Engagement Letter and a renewal contract from Cohos Advisors, PLLC. The packet contained a summary of services, payment schedule, and terms of service. Cohos is the auditing firm that prepares the Town of Orange financial statements and the auditor's report that are filed with the State of New Hampshire. Motion made by Aaron Allen to accept the Cohos contract for preparation fees of \$5,500 and direct Catherine to complete the electronic signature process on behalf of Tamara Fairbank, seconded by Betsy Coble. Motion passed 3/0/0.

*NH Broadband Contract:*

The Select Board reviewed the contract from NH Broadband which is for change of service provider for phone and internet at the Town House. The monthly cost is comparable to the current cost of service but with a significant increase in internet service (from 25 MB to 100MB) and a main phone line with extensions for the Select Board office and Town Clerk office. Motion made by Tamara Fairbank to accept the NH Broadband contract and direct Catherine to complete electronic signature process on behalf of Tamara Fairbank, second by Betsy Coble. Motion passed 3/0/0.

**ACTION:** New contact requires a new email for the Town Clerk. Catherine to work with Town Clerk to set up and communicate new email.

*Other:*

- One time Highway Payment notification
  - The Town received a one-time highway payment of \$6,013.43 based on the passage of House Bill 2. HB2 directed the department to divide and distribute a one-time \$10 million payment to all municipalizes based on the distribution methods of Block Grant Aid Apportionment A.
  - After discussion with the Road Agent, Marcello Shelzi, the Select Board directed Marcello to use the money this year specifically to pre-buy gravel for roads. Motion made by Aaron Allen

directing the Road Agent to pre-buy gravel in the amount of \$6,013.43, second by Betsy Coble. Motion passed 3/0/0.

- ZBA Notice of Approval
  - Tamara Fairbank read the notice of decision to all in attendance. Notice reads: You are hereby notified that the appeal of Doug Longval application concerning his property located at 438 Razor Hill Rd, Orange NH (Map 4 Lot 4) for a variance to the Town of Orange Building Ordinance minimum size requirement of 750 sq. ft. for a dwelling (Orange Building Ordinance Section XXIIID a- Residential occupancy) was GRANTED by the Orange Zoning Board of Adjustment acting as the Town of Orange Building Code Board of Adjustment on November 28, 2023.
  - Rob Kuhn, chair is resigning as chair and member of the ZBA as of December 31, 2023. The Select Board thanks Rob Kuhn for his service.
- New School Payment:
  - The Mascoma Valley Regional School District has received the DRA cooperative apportionment and has calculated Orange's new payment. The monthly payment has increased from \$51,107,17 to \$56,638.02 which is an increase of \$5,530.85.
- State Driveway application notification:
  - The application notification for Hansen property (map 1 lot 4) was reviewed.

*2023 Budget review and expenses to date:*

The Select Board reviewed the municipal budget report as of December 1, 2023. Total expenses to date are \$197,082.25 versus a budget of \$275,889.00 which is 71% spent.

*2023 Treasurer's report and Select Board Reconciliation:*

- Tabled until December 19, 2023 meeting.

*Action Item list review:*

- Action Items Completed:
  - Town Wide email to residents about winter snow and expectation of removal
  - Seek advice from Legal team at NH Municipal Association on next steps (deed related)
  - Catherine to report back on status of the switch to NH Electric for phone and internet
- Action Items open:
  - Change locks and combinations: Exterior doors, SB office, TC office
  - Disposal of old safe in Town Clerk's office
  - ARPA Grafton Co funds: Septic project. Secure bids
  - ARPA Grafton Co funds: Bathroom renovation. Secure bids
  - Question: Why the Historical Commission funds are separate from the Town funds
  - Obtain advice from NHMA on next steps for Parks & Recreation Advisory Committee
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- Action Items New:
  - Establish new email for Town Clerk and communicate to residents

- Catherine to communicate the January 3, 2024 Select Board meeting date change to residents

*Secretary's report:*

- Catherine reiterated for purpose of the meeting minutes the findings on the ZBA and terms:
  - The below information is from the Legal team at the NH Municipal Association in response to the Select Board's questions about how the Board would go about setting up terms for the appointed Town of Orange Zoning Board of Adjustment members.
  - The terms for appointed ZBA members is established by statute. RSA 673:5 provides that the term of office of any land use board member is 3 years. Therefore, if all the current ZBA members have been serving longer than 3 years they are holding over and legally remain board members until their replacements are appointed and qualified. As stated in RSA 673:5, III: The term of office for an appointed local land use board member shall begin on a date established by the appointing authority, or as soon thereafter as the member is qualified, and shall end 3 years after the date so established. If no successor has been appointed and qualified at the expiration of an appointed member's term, the member shall be entitled to remain in office until a successor has been appointed and qualified.
  - Suggestion from the lawyer at NHMA on the practicalities of how to set up and stagger terms. Note that the Town of Orange currently has a 4 member board with 3 alternates and one Select Board member.
    - For a 5 member ZBA, it would be necessary to stagger the terms of office so that in year one, two members would be reappointed, in year 2 two members would be reappointed and in year 3 one member would be reappointed. Assuming all of the current ZBA members are holding over, this year the select board could reappoint two members for three year terms, with the remaining three members continuing to hold over. Then in 2024 the select board could appoint 2 members to serve for three year terms, with one member holding over. Then in year 2025 the board could appoint one member to serve for a three year term. Then in 2026, the first two who were appointed in 2023 could have their terms expire, and appointments or reappointments would have to be made. Thus, using this system, all the board members would be on a correct cycle for appointments for the required three year terms.
  - No Warrant Article is required.
  - Action to take place at the next Town Meeting when the Select Board appoints the ZBA members.
- 2024 Town meeting preparation: Will follow similar time line as last year.
- Review Select Board meeting dates for January :
  - First Tuesday is January 2, 2024. The Select Board decided to push the meeting to Wednesday January 3, 2024.
    - ACTION: Catherine to communicate the meeting date change to residents
  - January 16, 2024 – Plan to meet with budget committee as part of the Select Board meeting.
- Office closing for Christmas & New Years:
  - Closed Monday December 25, 2023 and reopen Wednesday December 27, 2023
  - Closed Monday January 1, 2024 reopen Wednesday January 3, 2024

*Reports from Boards and Committees:*

- *Cemetery trustees:* None
- *Road Agent (Marcello Shelzi):*
  - Marcello notified the Select Board about concerns from a resident in relation to two culvert/bridge situations:
    - The small culvert bridge just before 67 Tuttle Hill Rd.
    - Large Cement Bridge at the intersection of Tuttle Hill and Williams Rd where veneer stones have delaminated.
  - Mike Powers from State Forestry has informed the Select Board that they intend to lock the gate on New Colony Rd where the class VI road begins. Aaron Allen, on behalf of the Select Board, will reach out to Mr. Powers requesting the gate be closed but not locked.
- *Planning Board:* The Planning Board hosted a Public Hearing Tuesday November 28, 2023 at 7:00 pm. The Planning Board passed the proposed amendments to the Orange Zoning Ordinance for a 2024 ballot vote. The information be a warrant article for the next Town Meeting.
- *Conservation Commission:* none

*Public comment:* None

*Bills and vouchers were reviewed and signed.*

*Next Select Board meeting date confirmation:* December 19, 2023 at 6pm

At 6:58pm Tamara Fairbank motioned to go into nonpublic session pursuant to RSA 91-A:3-c to discuss a private tax situation with a resident and a personnel issue. Betsy Coble seconded. Motion passed 3/0/0. Motion by Betsy Coble to come out of nonpublic session at 7:43pm. Seconded by Tamara Fairbank. Motion passed 3/0/0.

*Meeting adjourned at 7:45pm.*

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Tamara Fairbank, Chair

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Aaron Allen

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Betsy Coble