

**DRAFT  
JOINT BOARD  
OF THE TOWNS OF  
SUNAPEE, NEWBURY AND NEW LONDON  
March 17, 2016  
NEWBURY TOWN OFFICE**

Present: Dennis Pavlicek (Newbury Town Administrator), Ed Thorson (Newbury Select Board), Tina Helm (New London resident), Donna Nashawaty (Sunapee Town Manager), Gary Daniels (Town of Newbury Resident), Kim Hallquist (New London Town Administrator), Sue Gottling (Sunapee Select Board(arrived at 8:24 a.m.)), Norm Bernaiche (Chief Assessor), Kris McAllister (Assessor)

Dennis Pavlicek called the meeting to order at 8:14a.m. Copies of the agenda and previous meeting minutes were distributed.

**Minutes of December 15, 2015:** Dennis Pavlicek made motion to approve minutes, seconded by Ed Thorson. All in favor.

**Budget Recap (2015)** Dennis Pavlicek reported that 2015 total expenditures were \$275,424 which is 96% of the 2015 budget. There were no questions regarding the 2015 expenditures. Mr. Pavlicek informed the Town Administrators that a bill will be generated in March for their portion of the expenditures.

Mr. Pavlicek stated that Board Members, Tina Helm and Ed Thorson, terms are over and the Tri Town Assessing board will be welcoming the new members at the next meeting.

Donna Nashawaty commented on the 10 plus year success of our Tri-Town Assessing agreement and that several other communities have expressed an interest in following suit. Norm Bernaiche stated over the past 10 years, we have completed 8 revaluations amongst the 3 towns. Most communities contract out. The Board briefly discussed the benefits of sharing and combining resources to employ Town Assessors and how other municipal departments in surrounding communities could benefit from doing the same.

### **Update new Board Members**

### **Quarterly Recap: Norm Bernaiche**

Mr. Bernaiche stated the biggest challenges this past year were 3 Superior Court cases from New London and the revaluation in Sunapee. Mr. Bernaiche feels is very beneficial to take the time to sit down with property owners and discuss their concerns and objections. After these meetings, a few of the property owners decided not to appeal.

Sales have been fairly consistent with current values and he has not seen a sales pattern that would cause him to question the value models our assessors are using.

Mr. Bernaiche stated that Sunapee has received 27 abatements after the revaluation, however, 2 property owners are withdrawing their appeals. Newbury and New London have received 5 abatement applications each.

Mr. Bernaiche informed the Board that state requirements for assessing officials are increasing and becoming more stringent. Mr. Bernaiche feels the new requirements will change how he approaches unique properties such as Baker Hill Golf Course and Mount Sunapee Resort. In the past, the assessors would sit down and discuss the assessment of the property with the representatives of each property in hopes they could work together and avoid an appeal. The new state requirements are forcing assessors into a situation that does not allow for that.

Kris McAllister explained that if the property is outside of our cama system, the state will require we have a special appraisers come in to appraise the property. Mr. Bernaiche stated this is something new that could potentially cause disciplinary action against the assessors doing the work and they could loose their lively hood. There was discussion regarding DRA statewide property tax and how it is being used. Mr. Bernaiche discussed BTLA cases involving the DRA and explained why there are differences and gaps in the assessments of utility properties between the DRA, Town Appraisers, and Sansoucy Appraisal Services. Ms. Nashawaty commented that towns can choose to use the DRA number or their own. If they choose to use their own, they may face an appeal in which they have to defend their assessment. Mr. Bernaiche stated that utilities almost always appeal their apprasals and if they do not, then that is cause for concern that it may be a low assessment.

Ms. Nashawaty asked the Board if there is something they would like to request the NHMA lobby for. She feels this should be discussed prior to the next Tri-Town meeting in 3 months.

Mr. Bernaiche and Ms. McAllister shared what was discussed at the recent Assessing Standards Board meeting regarding pole and conduits.

### **Permits & Revaluation**

Mr. Bernaiche stated the Newbury revaluation is underway. At this time, Mr. Bernaiche and Ms. McAllister have 400 to 500 building permits to review between all 3 communities

### **Staffing**

Mr. Bernaiche and Ms. McAllister will be attending the Northeastern Conference in May. Ms. McAllister is preparing for the USPAP and State Statutes update and certification. She must undergo a background check and finger printing as per state requirements. This will be coming out of the staff development budget. Ms. McAllister explained that this is a 5 year continuing education process and she must have everything completed by December 31<sup>st</sup> of this year.

### **Abatements/Appeals**

Mr. Bernaiche stated again that Newbury and New London each had 5 abatement applications. Ms. Nashawaty asked if New London received about the same amount of abatement applications as Sunapee after the New London revaluation. Mr. Bernaiche stated that New London had a few more and that 3 of the abatements turned into Superior Court cases. Mr. Bernaiche briefly discussed those cases.

## **Cross Country Appraisal Data Collection 2016**

Mr. Bernaiche stated he negotiated a new contract with Cross Country Appraisal Services for \$22 per parcel which Mr. Bernaiche feel is very reasonable. Mr. Pavlicek inquired as to how many lots will be reviewed at \$22 per parcel. Mr. Bernaiche replied 450. Ms. Hallquist inquired if we needed to have updated insurance information from Cross Country. Mr. Bernaiche replied we have it. Mr. Bernaiche explained that the assessors are not necessarily getting inside 20% of the homes at one time. Mr. Bernaiche stated that part of the process is the review of new building permits and sales visits. Every 5 years is the revaluation process. The annual review done by Cross Country assists in getting additional and accurate data. Mr. Bernaiche asked if anyone sees an issue with the 2016 Cross Country budget. No one objected.

## **No Trespassing Advice**

Mr. Bernaiche explained the laws regarding no trespassing. He explained that the information the assessors gather can be considered an “illegal search”. If the assessors did not receive permission from the property owner prior to gathering information. He explained that assessors have the right to knock on door and then ask for permission to walk around and view property. The term used at the seminar was “ask and answer”. If no one is home, it was recommended the assessor leave the property. In the past, the assessors have measured the exterior when no one replied. Currently the practice is to knock on door and leave a door hanger. Mr. Bernaiche shared that there was a case in Kansas in which no one answered, the assessor then walked around the back of the house and found the owners were engaging in illegal activity. The owners called the police and the assessors were charged with a misdemeanor. Norm stated that if we now walk around property knowing what we know, assessors can be indemnified. Mr. Bernaiche commented that not being able to view and measure the property forces the assessors to guess which in many cases may lead to a higher assessment.

Mr. Bernaiche asked the board members for input. It was suggested a letter be sent out to inform owner that the assessors will be coming out to the property. Mr. Bernaiche commented that it is not consent, however, it puts us in better condition. Mr. Bernaiche pointed out that there is no law that states assessors have the right to go on someones property.

Discussion began on what the process should be. Mr. Bernaiche suggested sending letters, leaving door hanger. This should be an NHMA policy. Ms. Hallquist agreed to draw up a draft to the NHMA with the assistance of Mr. Bernaiche. There was discussion on how to handle out of town property owners that are absent for several months. Mr. Bernaiche pointed out that he does not leave door hanger if the property owner has an out of town addresses. Ms. Nashawaty suggested tax bills have a note regarding opting in or out for property inspections. Mr. Bernaiche stated he feels people do not always read nor receive their tax bills.

## **Legislative Update**

Mr. Bernaiche informed the board that there is a bill being considered that all vets that were honorably discharged and served more than 90 days are eligible for a veteran’s tax credit. The series of date windows for service will be done away with as will the list of qualifying medals. This bill has passed the House.

### **Current Use Board**

Mr. Bernaiche informed the Board that he was appointed and is serving on the Current Use Board representing towns with a population under 5000 parcels.

### **Set Next Meeting Date**

Mr. Pavlicek announced the next meeting date will be Tuesday, June 21, 2016 at 8 a.m. in the Sunapee Town Office. Previous Board Members are invited as the cap passes/membership transfers.

### **Non Public Session (RSA 91-A:3 II A) Personnel Review**

The Board voted to come out of non-public session 9:10 a.m.

The Board voted to unseal the minutes (see attached)

Meeting adjourned.

Having no further business before them, Dennis Pavlicek moved to adjourn the meeting and seconded by Donna Nashawaty. All were in favor, the meeting adjourned at 9:14 a.m.

Respectfully submitted,

*Patricia MacDonald*

Land Use and Assessing Assistant