

**[B1][B2] OFFICE OF SELECTMEN
6 HOLLAND STREET
PO BOX 139
MOULTONBOROUGH, NH 03254**

Selectmen's Meeting

January 31, 2008

MINUTES

Present: Selectmen: Karel A. Crawford, Edward J. Charest, James F. Gray, Joel R. Mudgett, Betsey L. Patten; Carter Terenzini, Town Administrator, Hope K. Kokas, Office Secretary.

I. CALL TO ORDER: Karel called the meeting to Order at 5:00 P.M.

5:05 Non-Public Session, Personnel Matter: Jim Made a Motion for the Selectmen to go into Non-Public Session per RSA 91-A:3 II (a). Ed Seconded the Motion. Karel asked for a roll call: Jim – Aye; Betsey – Aye; Ed – Aye; Joel – Aye; Karel – Aye. The Selectmen went into Non-Public Session at 5:05 pm.

Betsey Made the Motion to come out of Non-Public Session. Joel Seconded the Motion. Karel asked for a roll call: Jim – Aye; Betsey – Aye; Ed – Aye; Joel – Aye; Karel – Aye. The Selectmen came out of Non-Public Session at 7:00 pm.

Betsey Made the Motion to seal the Minutes of the Non-Public Session until the 2008 Budget is approved. Jim Seconded the Motion. The Motion carried Unanimously.

7:01 Karel introduced Carter Terenzini, the new Town Administrator to the audience. She explained that while he is still employed by the Town of Spenser in Spenser, MA, he will be attending our Selectmen's meetings on Thursday nights and in the office Fridays and Saturday mornings as his schedule will allow. Karel added that the Town will hold an Open House for the public to meet Carter and will be scheduled as soon as he comes on board full time.

II. PLEDGE OF ALLEGIANCE

III. REVIEW/APPROVE MINUTES: Ed Made the Motion to approve the Minutes of January 24, 2008 as written. Jim Seconded. Joann Farnham asked the Selectmen to amend the Minutes of January 24, 2008. She explained that while talking about the Recreation Advisory Board, she then asked a question concerning the Senior Needs Committee. Mrs. Farnham asked that the Minutes reflect that she inquired on behalf of the Senior Needs Committee, about the use of a meeting room at the Lions Club. The Motion carried Unanimously.

IV. NEW RESIDENTS: Harry A. Harrison, Linda C. Seek, Stephen J. & Sheila D. Rowe, James W. Russell, Barbara M. Goodyear.

PISTOL PERMITS: Brian Burrows, George R. Mottram, Russell S. Nolin, Jordan S. Prouty, Nicholas A. Savage, Samuel G. Sneyd.

V. PUBLIC MEETING:

1. Rick Heath presented a letter to the Selectmen and asked to read it into the permanent records and attached to the Minutes. He commended Betsey Patten for her decision on January 10, 2008 to leave the budget workshop meeting due to it not being posted and in her opinion a violation of the Right to Know law. Mr. Heath asked the Selectmen why they continued the meeting. Karel stated she felt that the meeting was a continuation of previous budget work sessions, and as Chair, takes full responsibility for not posting it. She added that as a work session, it is difficult to get all five members together to meet and felt that it was best to continue the meeting. Ed agreed with Karel, that the meeting was a continuation of the previous budget work session and the Selectmen have mentioned on several occasions that they are in the middle of the budget process. He added that the first part of the meeting involved Non-Public discussion, therefore excluding from the public attending. In addition, Ed informed Mr. Heath that Betsey did not stay to hear from her fellow Board members their reasons why to continue the work session, which he feels is allowed in the RSA. Joel stated that it was a continuation of the budget work session, which had been announced, and offered an apology for the sign not being posted on the door. The goal was to work on the budget and get as much done as possible. He added that there were no major decisions made and the budget is still not finalized. Jim agreed that it was a continuation of the budget work session that had been previously started.
2. Hollis Austin presented the Selectmen with his letter and read it into the Minutes (attached), asking where the Master Plan Steering Committee and Work Group meetings are posted and where to find the minutes. In addition he asked how much the Town has spent on the services received by MRI year to date. Karel stated that she attended last night's Planning Board meeting and inquired about the one and only bill just recently received by the Town from MRI for a total of \$19,000. She added that she expressed her displeasure that they haven't been billed monthly and informed the Planning Board members that she had to call MRI requesting a bill. In regards to posting meetings and minutes for the Master Plan Committee, etc., Karel informed Mr. Austin that it is the responsibility of the Land Use office and the Planning Board. Ed commented that the contract with MRI will be expiring very soon. Judy Ryerson, the Chair of the Planning Board stated that the meeting notices and minutes are posted in the Town Hall, at the Moultonborough and Center Harbor Post Offices and also in the Land Use office.

8:00 Non-Public Session, Donna Kuethe, Personnel Matter:

VI. NEW BUSINESS:

1. Concord Regional Solid Waste Resource Recovery Cooperative: Karel reported that this is an informational letter of their services and asked that it be forwarded to Francis Horne for his consideration. Betsey stated that as a State Representative, she has met with this organization and if the Town is considering an expansion of the Waste Management Facility, then it would be a good idea to explore their services.
2. Municipal Pest Management Services, Inc., 2008 Contract: Karel stated that this is the third contract year with Municipal Pest, with a cost of \$50,280 which is a slight increase. The Selectmen have been happy with the services received and it is money well spent to test and monitor for EEE and West Nile virus. To the budget folder.
3. Application for Sign Permit, MYTY, Inc., 1298 Whittier Highway: Karel reported that the CEO commented that the Sign Ordinance does not allow the advertisement of out of Town businesses and recommends approval only if the directions to the showroom is removed from the sign. Betsey Made the Motion to approve the Application for Sign Permit for MYTY, Inc., Melvin Village Marina, 1298 Whittier Highway, eliminating the words, "...or visit our Showroom 9 miles east on Route 109." Joel Seconded the

Motion. The Motion carried Unanimously.

4. Cartographic Assoc., Inc., GIS Internet Service Proposal: Karel reported that this is the contract for CAI to provide the GIS mapping on the internet in collaboration with Vision Appraisal Technologies. This service is replacing the internet service to display the Town maps now being provided by People GIS. The cost for CAI's service of \$3,000 is the same as People GIS. Betsey Made the Motion to approve the 2008 GIS internet service contract with Cartographic Assoc., Inc. for \$3,000. Ed Seconded the Motion. The Motion carried Unanimously.
5. Petition for Warrant Article, American Red Cross: To the budget folder.
6. Petition for Warrant Article, Starting Point: Services for Victims of Domestic & Sexual Violence: To the budget folder.
7. Petition for Warrant Article, Moultonborough Suicide Prevention & Mental Health Coalition: To the budget folder.
8. Petition for Warrant Article, Community/Senior Center: Tom Howard addressed the Selectmen and presented them with additional signatures totaling 300 voters in favor of raising and appropriating \$375,000 for architectural, engineering, and related fees relative to the eventual construction of a community/senior center, fields, and related outdoor improvements. He stated that this cost represents 8% and to take place from 2008 to 2013. Mr. Howard requested that the Selectmen support this warrant article. He added that originally the RSPC proposed \$410,000 and this petition represents a reduction in costs. Discussion occurred about the difference between the Capital Reserve Fund and a trust account set up to receive donations and appropriate funds. Karel advised Mr. Howard that he should refer to DRA for guidance and added that if a Trust Account is to be set up, then they would need a warrant article to do so. She reminded Mr. Howard that the last day for a citizen's petition for a warrant article is Tuesday, February 5, 2008. Mr. Howard asked the Selectmen if they have decided an amount of money to be set aside in the Capital Reserve Fund, as they earlier stated for the future construction of the community center. Karel replied that they have not finalized the budget as of yet, and an amount has yet to be determined. Mr. Howard asked the Selectmen to consider using the \$375,000. Karel reminded Mr. Howard that the petition requests to raise and appropriate, paying for costs now. Joel stated his opinion that he can't justify putting a lot of money into the Capital Reserve Fund if the \$375,000 is approved. Donna Kuethe offered that two warrant articles are needed; one to allow alternative funding sources, such as donations, etc. Karel suggested that they examine how the Library did this. Mr. Howard suggested using RSA 31:19a to establish a trust fund. Betsey questioned if RSA 35.1 is a better way to go and she offered her help to explore this with Mr. Howard. Karel expressed that she would support putting funds into a Capital Reserve Fund. John Anderson stated that he thought the Selectmen had already decided against the community center. Betsey commented that this petition goes on the Town Warrant as presented and is not subject to change by the Selectmen. Ed commented that he's glad Mr. Howard brought the petition with the 300 signatures, which shows the interest by the Town and it will be decided by the voters. He added that he can't support the petition for \$375,000 due to other budget priorities, but does support setting aside funds in the Capital Reserve Fund and establishing a separate trust fund account to receive donations. Ed agreed that there is a need for a community center and especially a senior center. He added that he thought the RSPC focused too much on recreation and not enough on the needs of seniors. Ed stated his decision to not support the petition for \$375,000 is based on the present economic factors and the state education funding question. Mr. Howard stated that the purpose of the petition for a warrant article is to finalize the plan.
9. Chief Scott Kinmond, Dog Licensing & Restraining Fine Changes: Karel reported that the Chief's memo informed them that the state has passed an increase in fines from \$25

to \$50 and he recommends that they raise the Town's fines. The Selectmen agreed by consensus to raise the fines. Karel stated in order to do this they will need to hold a Public Hearing and asked Heidi to schedule it for February 14, 2008.

10. Karel announced that the Town will be receiving computer support service from Lakes Region Computer from Moultonborough. She added that the cost for Lakes Region Computer is less and without the mileage fee that the present vendor charges the Town. Heidi recommended using Lakes Region Computer as they are local, less expensive rate and without a mileage fee, and can respond to the Town's needs in a more timely fashion. Ed Made the Motion to approve the Town using Lakes Region Computer services on an as needed basis. Betsey Seconded the Motion. Joel asked that this information be distributed to all of the department heads. The Motion carried Unanimously.

VII. OLD BUSINESS:

1. Keld Agnar, Fox Hollow Intersection – Privately Funded Volunteer Project: Doug Hill, Attorney for Keld Agnar explained to the Selectmen that the Steering Committee is made up of Keld Agnar, Keith Nelson and Stewart Lamprey. Based on LBG's engineering study and recommendation, they propose to follow the 10-B approach, privately funding and building a 50' right of way meeting the minimum Town road requirement utilizing the deeded right of way easement through the Davis property to the state shed property, providing an alternate entrance to the property owners with this easement. Attorney Hill stated that there have been five studies conducted and all have found that the Fox Hollow intersection is dangerous resulting in many accidents. The Steering Committee requests that the Town authorizes LBG to go forward with the third task, which will survey the area and determine if what is proposed is possible. In addition, they would like the Selectmen to support their effort with a letter of intent to DOT. Brian Davis questioned the feasibility of building a "road" that will meet Town minimum requirements and how many lots have the easement in their deeds. Keith Nelson replied that there are 23 lots and 7 island lots that have the easement. Ed questioned what would prevent those who do not have the easement in their deed from using the private road. Karel asked if the grade was too steep through Mr. Davis' property. Mr. Nelson answered that the easement allows using fill up to the 50' easement. Betsey asked Attorney Hill if the road would become public. He replied that it would meet the Town's minimum requirement, but the intent is to reduce the risk. Ed questioned if the increased traffic coming out by the state shed will also increase the risks. Mr. Nelson stated that what is proposed will decrease the pressure on Fox Hollow Road by 25%. Ed stated that he supports the completion of the study first before going further. Attorney Hill advised starting the process with the state now, as it is a lengthy process. Karel stated that she understands Mr. Davis' dilemma, however the easement exists and the Town has no say in this. She supports authorizing LBG to go forward with the third task. Mr. Agnar stated that if the grade is greater than 12% and what is proposed isn't possible, then the steering committee will not go ahead with the project. Joel commented that the Town is interested in their obtaining the state right of way only if LBG recommends proceeding with the project. Joel Made the Motion to authorize LBG to complete task 3 of the study, identifying the feasibility of building a private road which meets the Town's minimum road specifications. Karel suggested to Mr. Nelson and he agreed to draft a letter of intent for the Selectmen's signature, at no cost to the Town. Betsey Seconded the Motion. The Motion carried Unanimously.

VIII. OTHER BUSINESS:

1. Legislative Update: Betsey reported that the Legislature has come up with a partial funding amount for education at \$3,600 per student, totally \$670 million dollars, which is approximately what is funded now. However, not all programs are included in this amount, such as special education, hot lunch programs, etc. The cost for these programs is approximately \$300 million dollars. If the Constitutional Amendment for targeted aide is not passed, then there will be approximately 47 donor towns. In addition, Betsey told the Selectmen that the speed limit for the lake was passed. Betsey stated that although this was not supported by the Republicans, her constituents were in favor and she voted for the speed limit.
2. Planning Board Update: Ed reported that they had a work session last night and concentrated on the language on ordinances.
3. Administration Update: None.
4. Moultonborough Planning Board Meeting Minutes, January 23, 2008: Acknowledged.
5. Municipal Needs Committee Work Sessions, January 17th & 23rd: Acknowledged.

IX. PENDING:

1. Moultonborough Transfer Station Project RFP's (2), January 30, 2008, 3:45 pm: Karel stated that the Town received three bids which were opened yesterday and reviewed by the Town's engineer and the Municipal Needs Committee. The bids are:
 1. Alexander Industrial Technology, \$99,923
 2. Leavitt Boucher, LLC, \$121,180
 3. Atlantic Recycling Equipment, LLC, \$108,653
2. Moultonborough Transfer Project, January 10, 2008, LBG Recommendation: Ralph Carrasco, the Chairman of the MNC recommended accepting the bid from Beloin Construction of Rochester, NH for the construction of the expansion of the Waste Management Facility and Leavitt Boucher, LLC for the recycling equipment for a total cost of \$1.4 million dollars. Ralph added that they had two contingencies for the contractors to meet. A meeting is scheduled with both companies regarding these contingencies. Mr. Carrasco added that both companies are willing to meet the Town's requirements and they understand that it is based on approval at Town Meeting. The MNC requests that the Selectmen sign a letter of intent. Karel replied that the Selectmen will not sign a letter of intent until after Town Meeting. She asked Mr. Carrasco what the MNC's position would be if the Selectmen were not in favor of going forward with the project, specifically would they petition for a warrant article. Mr. Carrasco stated they would not do this. Betsey expressed her thanks to the MNC for their time and effort in planning and presenting the WMF expansion project, but at this time she is not in favor of proceeding with the project. She is in favor of adding money to the Capital Reserve fund for this project in the future. Ed commented that he too is not in favor of going forward based on budget priorities, increased costs and the economy, but would be in favor of adding money to the Capital Reserve fund. Karel stated that for the past two years they have not contributed to the Capital Reserve fund and reminded everyone that it is not set up for specific projects. Joel expressed his support of the project and feels the Town should go ahead, stating that it is a good plan. Karel expressed that she does not totally support the project, but added that she wants a safe environment for the employees and also a facility that is easy for residents to use. She added that it is difficult to justify spending the money only to meet the population explosion that occurs in the summer. Karel asked the Selectmen if they would be agreeable to having the project on the Town

Warrant, with the Selectmen's voted recommendations, for or against, and let the Town decide.

The Selectmen agreed by consensus.

3. Public Hearing, 2008 Budget, February 11, 2008, 7:00 pm
4. Public Hearing, 2008 Warrant Articles, February 14, 2008, 7:05 pm

IX. CORRESPONDENCE:

1. Anna DeRose, January 24, 2008: Karel acknowledged Ms. DeRose's letter summarizing it that she is not in favor of the CG Roxane expansion and happy that there will be no senior center at the Lions Club.

Ed Made a Motion for the Selectmen to go into Non-Public Session per RSA 91-A:3 II (c) for a personnel matter. Betsey Seconded the Motion. Karel asked for a roll call: Jim – Aye, Betsey – Aye, Ed – Aye, Joel – Aye, Karel – Aye. The Selectmen went into Non-Public Session at 9:12 pm.

Betsey Made the Motion for the Selectmen to come out of Non-Public Session. Ed Seconded the Motion. Karel asked for a roll call: Jim – Aye, Betsey – Aye, Ed – Aye, Joel – Aye, Karel – Aye. The Selectmen came out of Non-Public Session at 10:04 pm.

Ed Made the Motion to seal the Minutes until the matter is resolved. Betsey Seconded the Motion. The Motion carried Unanimously.

- X. ADJOURNMENT:** Joel Made the Motion to Adjourn. Jim Seconded.
Motion Carried Unanimously.
Karel adjourned the meeting at 10:05 p.m.

Approved

Date
Respectfully Submitted
Hope K. Kokas, Office Secretary