

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

Selectmen's Meeting

February 14, 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 7:00 P.M.

II. PLEDGE OF ALLEGIANCE

III. REVIEW/APPROVE MINUTES: Joel Made the Motion to approve the Minutes of February 7, 2008 as written. Betsey Seconded. Ed requested that the first page be amended under Public Meeting, striking, "...or about \$35 per \$1,000 of assessed value", and replacing it with, "...or about .35 per \$1,000 of assessed value." The Motion carried Unanimously.

IV. NEW RESIDENTS: Michael J. & Claudia Siniscal, Frank T. Brewster, John J. Marlowe, Deborah Galipeault, Philip A. LeBlanc, Lynn A. & Michael G. Cheney, Jessica K. & John R. Kennedy, Seth R. Gardner, Kenneth T. & Kiersten M. VanHorn.

PISTOL PERMITS: None.

V. PUBLIC MEETING:

- Public Hearing, Dog Licensing & Restraining Fine Increases:** Karel opened the Public Hearing at 7:05 pm, stating that this hearing was duly noticed and posted, to receive comments regarding the proposed increases in the Dog Licensing and Restraining fines. Karel asked Chief Scott Kinmond to explain his proposal. The Chief stated that as of January 1, 2008, the NH State Legislature increased the fines for violations for licensing and restraining under RSA 466:39, from \$25 to \$50, in which a town may charge under their ordinances for such violations. He stated the numbers of the Town's ordinances are: Ordinance 1, "An ordinance relative to dog control regulation" (At large/leash/control); Ordinance 2, "An ordinance relative to dog control regulation (Licensing)"; Ordinance 3, "An ordinance relative to dog control regulation at Town Beaches". The Chief recommended increasing the fines for all three from \$25 to \$50. The Chief added that people are first given a warning, but the increased amount will be more of a deterrent. Doing so, the Town's ordinance will mirror the state's law. Karel asked the audience if there were any questions. Barbara Rando asked if the actual license fee has been increased. The Chief stated that it has not, but it may change in the future. Joel Made the Motion to increase the fines for Dog Licensing and Restraining, Ordinance 1, 2, and 3, from \$25 to \$50. Betsey Seconded the Motion. Betsey Seconded the Motion. The Motion carried Unanimously. Karel closed this Public Hearing at 7:08 pm.
- Finalization of the Warrant:** Karel began by thanking Peter Jensen and Jean Beadle for creating the Power Point presentation that will be shown during Town Meeting. She

added that tonight they will be presenting the Warrant using Power Point, as a practice run for Town Meeting, with the goal of demonstrating the effect of each vote to the budget and to taxes. She asked the audience to provide the Selectmen with any suggestions regarding the Power Point presentation, as they want it to be easily understood by the public. As Articles 1-6 are ballot questions, Karel stated that they would start with Article 7.

ARTICLE 7: Karel read the article and stated it appears by petition. Betsey asked if Hayes Acres is up to the Town's minimum road standards. Karel stated that the Road Agent has informed the Selectmen that it is up to the minimum standards. Joel commented that in the future all new subdivisions will include language in each deed with the needed easements and/or right of ways needed for culverts, along with a site plan displaying what is above and below ground. Jerry Hopkins asked if there will be an actual inspection process. Karel replied that the Road Agent gives his recommendation to the Selectmen. Recommended by the Selectmen, 5-0.

ARTICLE 8: Karel read the article and stated it appears by petition. The Road Agent has inspected Melly Lane and has informed the Selectmen that it meets the Town's minimum standards. Recommended by the Selectmen, 5-0.

***ARTICLE 9:** Karel read the article and stated it appears by petition. Betsey asked if the Town approves to raise and appropriate \$375,000 for architectural and engineering for the eventual construction of the community/senior center, which committee will be making the recommendations. Joel questioned if the responsibility will go to the Municipal Needs Committee or the RSPT? Karel commented that she felt that the RSPT would be working with the MNC, communicating to each other and reporting to the Selectmen. Ed expressed his concern with the proposed organizational chart which he felt had the Recreation Department managing it. He added that he could support the warrant if it is for architectural and engineering only, as it will determine the actual cost and design. Ed agrees that there is a need for a community/senior center and the petition signed by 300 voters demonstrates this. The voters will have their say at Town Meeting. Karel stated that the Selectmen need to discuss which committee will be in the lead. Joel expressed that he is still concerned about the wetlands and feels that before he can support this warrant, he would like to have another opinion after more testing. Tom Howard, Chair of the RSPT, stated that the Committee's intent is not to be the building committee, but they would like representation on whatever committee is formed. He agrees that more testing should be done and with the requested funds, this will occur. Jen Correia asked the Selectmen to allow her to read a letter from her and her husband, expressing their concern that voting to approve this warrant will add a significant tax burden for years to come and is not needed. Tom Howard referred people who are interested in learning more about the proposal to view it on the Recreation Department's website. Barbara Rando of the Municipal Needs Committee stated that both committees met and the MNC found that the costs exceed what RSPT projects. She added that the MNC invites the RSPT to come and discuss this with them to see the full cost. Freddie Gale presented her letter to the Selectmen supporting the warrant. Lori Whitley commented that the RSPT worked cooperatively with the MNC and at this point they have not determined the actual cost, which is the purpose of the \$375,000 warrant. John Fullerton stated that he supports the warrant stating that there is a need for a community center, especially for seniors. Ed agreed that there is a real need for activities for seniors. Chief Kinmond stated that when he was a member of the Building Needs Committee with Joel and Jerry Hopkins, the committee was made up of a blend of people, not just those who had a clear interest in the project. He added that he supports the warrant and that eventually it will provide the Town's youth with a supervised activities, which is

especially important for those “latch key kids.” Dennis Cahoon stated that he supports the warrant, adding that he can not recall the last time the Town had a petition with over 300 names on it, calling this very impressive. He commented that the Town has an aging society and the need is increasing. Jerry Hopkins recommended that whatever committee oversees this, that a clerk of the works be appointed, even if this increases the cost. Karel asked for a vote on Article 9. Recommended by the Selectmen, 4-1. (Joel)

***ARTICLE 10:** Karel read the article stating that it appears by petition. Ed stated that he is not in favor of the Town starting a general trust fund earmarked for the community/senior center. Mr. Hopkins commented that the Town now has too many trust funds, and suggested putting the money into the general funds account. Mr. Howard stated that they requested that it be earmarked for the community/senior center in order to accept donations and by only a vote at Town Meeting could the use be changed. Betsey stated that through RSA 35:1 any donations received would go into its own account and then turned over to the Trust Fund. Jim commented that a similar situation exists with the donation received from CG Roxane, if the Town does approve the warrant, the money is returned to CG Roxane. Heidi stated that donated funds are placed in a separate line item. Ed suggested that the warrant could be amended to a lesser amount and achieves the same thing. Karel stated that the \$100,000 is to start a savings foundation for the community/senior center only. Karel asked for a vote. Recommended by the Selectmen, 4-1. (Ed)

***ARTICLE 11:** Karel read the article and stated that this warrant is the Town’s 2008 road projects, to reconstruct and shim and overlay 5 roads. She added that the Town will receive \$122,427.48 from a NH Block Grant Fund, resulting in \$168,482.52 to be raised by taxation. Karel asked for a vote. Recommended by Selectmen, 5-0.

***ARTICLE 12:** Karel read the article and commented that Ossipee Park Road is a Town road, which is in very poor condition and has not had reconstruction in many years. She feels it is a liability issue to the Town. CG Roxane has donated \$600,000 towards the repair of the road, resulting in the Town having to raise \$392,000 to pay for the balance. Karel added that LRCT has not offered to pay for any of the cost. Ed expressed his disappointment that LRCT hasn’t offered to pay a share of the repair. Al Hume commented that the Town will continue to be financially responsible for the road which will have a life expectancy and suggested turning it over to CG Roxane. Ed stated that he and Betsey have explored this and as the Town has a cemetery on the road; it still needs to maintain a road or at least a right of way. The Selectmen were asked if there had been an agreement between CG Roxane and LRCT about sharing the responsibilities for the road. Karel stated that she is not aware of any agreement. There was discussion about bonding the road during mud season and the necessary requirements. Natt King expressed his feeling that it is unfair that LRCT is blamed for not funding the road, adding that they contribute by preserving over 7,500 acres of open land in Town. The Selectmen were asked if LRCT pays taxes and they stated that they are exempt as they are a charitable organization. Karel asked for a vote. Recommended by Selectmen, 4-1. (Betsey)

***ARTICLE 13:** Karel read the article and stated that it appears by petition and brought forth by Joanne Farnham. After the previous Selectmen’s meeting, Mrs. Farnham asked to withdraw the petition, as she didn’t intend to be in conflict with the Chair of the Senior Needs Committee. She learned that once the petition was submitted to the Town, it could not be withdrawn. Karel stated that it will go to Town Meeting and the voters will decide. She added that the language in the warrant does not state who oversees the money or how it is to be spent, etc. Karel stated that she can not support the warrant. Betsey suggested that it could be amended at Town Meeting to add this language. Karel asked for a vote. Not Recommended by Selectmen, 4-1. (Betsey)

***ARTICLE 14:** Karel read the article. Ed commented that the two new cruisers included are on the fleet replacement schedule. Karel asked for a vote. Recommended by Selectmen, 5-0.

***ARTICLE 15:** Karel read the article. As there was no discussion from the Selectmen, Karel asked for a vote. Recommended by Selectmen, 5-0. Hollis Austin asked the Selectmen if these costs could be unbundled, allowing the voters to vote on each expense. Karel replied that it is more practical to keep them all together and if the voters want they can amend the bottom line. Natt King asked the Selectmen and he was told that a specific expense could be amended.

***ARTICLE 16:** Karel read the article. As there was no discussion from the Selectmen, Karel asked for a vote. Recommended by Selectmen, 5-0.

***ARTICLE 17:** Karel read the article and noted that "Recommended by Selectmen" needs to be added. As there was no discussion from the Selectmen, Karel asked for a vote. Recommended by Selectmen, 5-0.

***ARTICLE 18:** Karel read the article. As there was no discussion from the Selectmen, Karel asked for a vote. Recommended by Selectmen, 5-0.

***ARTICLE 19:** Karel read the article and stated it appears by petition. As there was no discussion from the Selectmen, Karel asked for a vote. Recommended by Selectmen, 5-0.

***ARTICLE 20:** Karel read the article and stated it appears by petition. As there was no discussion from the Selectmen, Karel asked for a vote. Recommended by Selectmen, 5-0.

***ARTICLE 21:** Karel read the article and stated it appears by petition. As there was no discussion from the Selectmen, Karel asked for a vote. Recommended by Selectmen, 5-0.

***ARTICLE 22:** Karel read the article and stated it appears by petition. As there was no discussion from the Selectmen, Karel asked for a vote. Recommended by Selectmen, 5-0.

***ARTICLE 23:** Karel read the article and stated it appears by petition. As there was no discussion from the Selectmen, Karel asked for a vote. Recommended by Selectmen, 5-0.

***ARTICLE 24:** Karel read the article and stated it appears by petition. As there was no discussion from the Selectmen, Karel asked for a vote. Recommended by Selectmen, 5-0.

***ARTICLE 25:** Karel read the article and stated it appears by petition. Sally Carver, as the petitioner asked the Selectmen and the Town to support the Salvation Army Request for \$1,500, stating that there are a lot of Town's people who use the soup kitchen in Laconia and the Welfare Director often refers people to receive help from the Salvation Army. As there was no discussion from the Selectmen, Karel asked for a vote. Recommended by Selectmen, 5-0.

***ARTICLE 26:** Karel read the article and stated it appears by petition. As there was no discussion from the Selectmen, Karel asked for a vote. Recommended by Selectmen, 5-0.

***ARTICLE 27:** Karel read the article and stated it appears by petition. As there was no discussion from the Selectmen, Karel asked for a vote. Recommended by Selectmen, 5-0.

***ARTICLE 28:** Karel read the article and stated it appears by petition. She commented that while working on the warrant articles and re-reading the petition, she found that the letter requested \$8,600 stating that the association would match half of the money, but the language on the warrant doesn't agree. In addition she noted that the state was not matching the funds requested from the Town and association. Hope reminded the Selectmen that when the petition was submitted to the Town, shortly after, the petitioner requested to withdraw the petition. He learned that this could only be done with a new petition signed by the original residents. As there was no discussion from the Selectmen, Karel asked for a vote. Not Recommended by Selectmen, 5-0.

***ARTICLE 29:** Karel read the article and stated it appears by petition. As there was no discussion from the Selectmen, Karel asked for a vote. Recommended by Selectmen, 5-0.

***ARTICLE 30:** Karel read the article and stated it appears by petition. As there was no discussion from the Selectmen, Karel asked for a vote. Recommended by Selectmen, 5-0.

***ARTICLE 31:** Karel read the article and stated it appears by petition. As there was no discussion from the Selectmen, Karel asked for a vote. Recommended by Selectmen, 5-0.

***ARTICLE 32:** Karel read the article and stated it appears by petition. Betsey asked if the Carroll County Transit wasn't successful in raising the money from all the Towns to develop this transportation program, would the money be returned to the Town. Joel asked if the county is also contributing, as requested. He added that the Town now pays 25% of the county's budget and this would be double dipping. Betsey replied that the Transit company has yet to make their presentation to the county. The Selectmen agreed that if successful this would be a great thing for the Town. Karel asked for a vote. Recommended by Selectmen, 5-0.

ARTICLE 33: Karel read the article and stated that she copied the warrant directly from the RSA and used DRA's suggested language. Betsey commented that this exemption is for solar energy systems only. Karel asked for a vote. Recommended by Selectmen, 5-0.

ARTICLE 34: Karel read the article and commented that this is a housekeeping warrant, allowing the Selectmen to give their recommendation on all warrant articles. Karel asked for a vote. Recommended by Selectmen, 5-0.

***ARTICLE 35:** Karel read the article, explaining that this is the cost to operate the Town. There was discussion based on the Power Point presentation which showed a lesser amount than the \$7,389,986 on the article. Betsey felt that the two numbers should be the same. Mr. Jensen explained that the way they set up the presentation, was to have the revenues subtracted from the total number, showing a reduced number. Karel asked for a vote. Recommended by the Selectmen, 4-1. (Betsey) Joel Made the Motion to reconsider the vote for Article 35. Ed Seconded the Motion. The Motion carried Unanimously. Karel asked for another vote. Recommended by the Selectmen, 5-0.

ARTICLE 36: Karel read the article. Doug Whitley, Chair of the Conservation Commission asked that the language be changed to include the year 2006 and 2007 appropriations. He recalled that Chuck Connell, the former Town Administrator, informed him that the 2006 year was not included in last year's warrant and in order to retain these funds that 2006 needs to be included with 2007. Karel asked that 2006 be included in the article. Karel asked for a vote. Recommended by the Selectmen, 5-0.

ARTICLE 37: Karel read the article. As there was no discussion by the Selectmen, Karel asked for a vote. Recommended by the Selectmen, 5-0.

ARTICLE 38: To transact any other business that may legally come before said Meeting.

Betsey asked if there was a warrant article for the Town to vote for members of the Advisory Budget Committee. Karel replied that there was not. Discussion took place, with Ed and Betsey recalling that there would be a vote this year, allowing candidates to run in 2009. Karel, Joel and Jim recollected that the plan was to set up the advisory committee, with the Selectmen, School Board and Library Trustees appointing five qualified people for the first year. After the first year, the Selectmen would be able to make an informed recommendation for the 2009 Town Meeting and deciding about electing committee members with a warrant article. Mr. Hopkins, The Chair of the Budget Study Committee, stated that all that was required is that the committee report to the Selectmen. Karel stated that she would review the Minutes for clarity. The sentiment by a 3-2 polling of the Selectmen was to not have a warrant article.

Karel asked the Selectmen to sign the 2008 Warrant with the corrections being made.

8:00 Non-Public Session, Personnel Matter:

VI. NEW BUSINESS:

1. Library Book Tent Sale, July 4-& 5: Karel stated that the Trustees are planning for their annual book sale which will take place on July 4-6. They are requesting to add another tent, which will require making additional tent holes in the parking lot asphalt. The Selectmen approved the request by consensus
2. MPD, Overtime Enforcement & Equipment Grants: Chief Kinmond told the Selectmen that this is the Police Department's annual grant application to the NH Highway Safety Agency for funding for four overtime enforcement grants and four equipment grants. He added that these grants are part of the department's 2008 budget and if received the Town will be reimbursed. The Chief stated that they plan on conducting seat belt checks, targeting younger children in car seats and also teen enforcement. In addition the Town will work collaboratively with Meredith and Center Harbor to conduct three sobriety checkpoints. With the funds from the equipment grant, all of the fleet will be equipped with in car video systems.

Chief Kinmond, as Chair of the Town's Highway Safety Committee requested that the Selectmen appoint Fire Chief Dave Bengtson to Committee, which was previously held by the former Town Administrator. Joel Made the Motion to appoint Chief Dave Bengtson to the Town's Highway Safety Committee. Ed Seconded the Motion. The Motion carried Unanimously.

3. Joanne Coppinger, Septic Design Plan: Karel stated that the Town authorized Ms. Coppinger to design and prepare the DES application for the septic plan for the proposed community/senior center located on the Lions Club property.
4. Municipal Pest Management, Inc., Request for Digitized Maps for DES Permit: Karel and the Selectmen agreed to authorize Cartographics to release the digitized maps to Municipal Pest Management in order for them to complete the 2008 DES permit for the Town.

VII. OLD BUSINESS:

1. MRI, Professional Services Agreement: Karel acknowledged MRI's letter stating that Carol Murray would continue to provide services and invoices would be submitted monthly to Judy Ryerson.

VIII. OTHER BUSINESS:

1. Legislative Update: Betsey reported that she had no update.
2. Planning Board Update: Ed reported that the meeting was canceled due to the weather and the next meeting is February 27th. Karel commented that it was her understanding that when the Town Hall is closed, then all activities that are scheduled at Town Hall are also canceled. Unfortunately, the Planning Board was not under the same understanding and the Chairman did not receive the message that the Town Hall was closed. Karel added that the Selectmen should consider developing a policy to clarify the situation.
3. Chief Kinmond told the Selectmen that his Department has received numerous phone calls regarding the condition of private roads, which is made up of over 200 miles. He added that the Town plows private roads for emergency purposes and they are now open, but it has been a struggle. Personnel are working with limited sleep, the roads are narrow and there have been a lot of mechanical breakdowns, which has resulted in Town equipment being used on private roads. The Chief asked people to be patient and reminded everyone that Town roads are the first priority. Tom Howard asked if there is

an emergency plan if we get more snow and is there a liability issue to the Town with private people plowing. Chief Kinmond replied that in an emergency the Town can call its insurance company for authorization.

4. Administration Update: Karel reported that Carter Terenzini, the new Town Administrator will be full time as of March 17, 2008.
5. Moultonborough Library Minutes, January 3, 2008: Acknowledged.
6. 2008 Budget Public Hearing Minutes, February 11, 2008: Acknowledged.

IX. PENDING:

1. Public Hearing, SB2, February 21, 2008, 7:05 pm: Al Hume asked the Selectmen if he could speak in support of SB2 during Town Meeting. Karel replied that he could.

IX. CORRESPONDENCE:

1. Bob Goffredo, Sunrise Drive, February 8, 2008: Karel stated that Mr. Goffredo thanked the Highway Department and the Road Agent for responding by sending a larger truck to widen Sunrise Drive. She thanked Mr. Goffredo for his letter.
2. Robbie Cahoon, Support of Community/Senior Center, February 6, 2008: Acknowledged.
3. Chris Maroun, Support of Community/Senior Center, February 6, 2008: Acknowledged.
4. John McRae, Support of Community/Senior Center, February 5, 2008: Acknowledged.
5. Andrew Coppinger, Support of Community/Senior Center, February 5, 2008: Acknowledged.
6. Suzanne R. Fullerton, Support of Community/Senior Center, February 6, 2008: Acknowledged.
7. Amy Elflin, Support of Community/Senior Center, February 6, 2008: Acknowledged.
8. Angela & Glenn Smith, Support of Community/Senior Center, February 8, 2008: Acknowledged.
9. Phil & Felicia Cowels, Support of Community/Senior Center, February 8, 2008: Acknowledged.
10. Thomas & Christine Howard & Kurt P. Casey, Support of Community/Senior Center, February 10, 2008: Acknowledged.
11. Lisa St. Amand, Support of Community/Senior Center, February 11, 2008: Acknowledged.
12. Brian Eaton, Support of Community/Senior Center, February 11, 2008: Acknowledged.

Hollis Austin asked the Selectmen who would be the moderator for the Public Hearing on SB2. Karel replied that as the Chair, she would moderate the Public Hearing. When he asked if she had taken a position, Karel replied that she has and she will welcome anyone to speak during the Public Hearing. She added that the people may do so as long as they speak through the Selectmen only.

Joel Made a Motion to go into Non-Public Session. Ed Seconded the Motion. Karel asked for a roll call for the Selectmen to go into Non-Public Session per RSA 91-A:3 II (a). Jim – Aye; Betsey – Aye; Ed – Aye; Joel – Aye; Karel – Aye. The Selectmen went into Non-Public Session at 9:43 pm.

Betsey Made a Motion to come out of Non-Public Session. Ed Seconded the Motion. Karel asked for a roll call for the Selectmen to come out of Non-Public Session per RSA 91-A:3 II (a). Jim – Aye; Betsey – Aye; Ed – Aye; Joel – Aye; Karel – Aye. The Selectmen came out of Non-

Public Session at 10:04 pm.

Joel Made a Motion to Seal the Non-Public Minutes until the matter is resolved. Betsey Seconded the Motion. The Motion carried Unanimously.

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

Approved

Date
Respectfully Submitted
Hope K. Kokas, Office Secretary