

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

Selectmen's Meeting

May 8, 2008

MINUTES

Present: Selectmen: 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: Ed called the meeting to Order at 6:30 P.M.

6:30 Carla Taylor, Non-Public, Personnel Matter: Joel Made the Motion for the Selectmen to go into Non-Public Session per RSA 91:A-3 II (a). Jim Seconded the Motion. Ed called for a Roll Call: Jim – Aye; Betsey – Aye; Joel – Aye; Ed – Aye. The Selectmen went into Non-Public Session at 6:32 p.m.

Betsey Made the Motion for the Selectmen to come out of Non-Public Session. Joel Seconded. Ed called for a Roll Call: Jim – Aye; Betsey – Aye; Joel – Aye; Ed – Aye. The Selectmen came out of Non-Public Session at 7:01 p.m.

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

II. PLEDGE OF ALLEGIANCE

III. REVIEW/APPROVE MINUTES: Betsey Made the Motion to approve the Minutes of May 1, 2008 as written. Joel Seconded. The Motion carried Unanimously.

IV. NEW RESIDENTS: Michael W. Frewin, Sean M. Roberts, Melanie Fifield, Amy G. Chesley.

PUBLIC MEETING:

7:00 Presentation Re: NH DOT Expansion of 710 Whittier Highway: Ed thanked David Rodrigue of the Department of Transportation for presenting DOT's plans for the state's shed on 710 Whittier Highway. Mr. Rodrigue informed the Selectmen that the property on Route 25 formerly was a maintenance shed and a patrol section, which has been vacant for some years. DOT is in the process of renovating the shed for a supply warehouse, adding a 28'x32' addition. It will be used to store highway supplies and equipment, with warm and cold storage. In order to secure the property a fence will be constructed. John Anderson asked if the snowmobile club will still be allowed to use the trail through the property. Mr. Rodrigue replied that he's spoken with a club member and the trail will need to be moved to the right of way and they will need to add material to fill in the ditch at their own cost. Keld Agnar, representing the three member ad hoc Fox Hollow Committee provided the Selectmen and Mr. Rodrigue with the Committee's plans. He stated that there have been five engineering studies done on the Fox Hollow entrance since 1988, as it is a very dangerous intersection, resulting in many accidents and one fatality which occurred 400' feet from the entrance of the road. He quoted the Police Chief's finding that the limited sight lines were a factor in the accident. Mr. Agnar

informed the DOT representative that the neighborhood is very concerned for the children that ride the school buses entering and exiting Fox Hollow and the safety of the residents that live in the area. In addition, he recalled that the Planning Board has recently approved the Option 10 which is a private and public effort, as the entrance to Fox Hollow would be too difficult and costly to fix. Mr. Agnar added that there appears to be no other option. Both the state and Town do not have the funds to build an alternative entrance. With the Committee's plan to build a connector road it would redirect approximately 25% of the traffic. In addition, he explained that a number of families in the Fox Hollow area have a 50' easement over the Davis family property which states that they have the right to use fill to maintain the right of way. The Committee proposes to share the driveway with the state onto Route 25. Mr. Agnar stated that the Selectmen sent a letter of intent to DOT about the Committee's proposal which would be privately funded. They are requesting that the state assist the effort by granting a 50' wide corridor on the westerly boundary of the state's property. Stuart Lamprey asked the Selectmen if they had received the Route 25 Corridor Study. Ed replied that they had received it and the Town accepted the report and signed a memo of understanding regarding access to Route 25. Ed added that the report is available through a link on the Town's website and a copy is available at the Library. Joel stated that the Fox Hollow problem was noted in the report. Brian Davis asked Mr. Lamprey if he was one of the property owners that had a deed right of way over his land. Mr. Lamprey replied that he was not. Mr. Rodrigue acknowledged that DOT did receive the Selectmen's letter of intent to consider the 50' right of way, adding that the state isn't building anything new to prevent what is proposed, with the exception of the installation of the fence. He added that the state would be more favorable to considering a 40' right of way versus 50'. Granting a 40' right of way will provide DOT with the room that is needed for vehicles to turn around, etc. Carter asked him to explain the process. Mr. Rodrigue stated that RSA 439:C, Disposal of Highway Property, requires that they receive a proposal to obtain an easement, which then is reviewed by various departments, with a decision being made by the Right of Way Bureau. The subject property would then be appraised for an estimated value for the state to be compensated. This would then be considered by several other state departments and if approved DOT would prepare a resolution for the Governor and the Governor's Council to prepare the deed. Mr. Rodrigue stated that the process can take about one year from start to finish. Mr. Davis asked if the Town would take eminent domain over his land. He learned that this isn't necessary as the property owners have received a deeded right of way over his land. Ed asked Mr. Davis if he questions the legality of the easements. Mr. Davis answered that he does not. Peter Jensen asked Mr. Rodrigue what would be stored on the property and what would the frequency of access be by DOT. He learned that DOT would store highway equipment and supplies, such as guard rails/parts, cones, and supplies for regular highway maintenance. Mr. Rodrigue estimated that approximately 10 to 20 vehicles would be in and out per day to pick up or drop off supplies. Ed expressed his concern that this may have a negative impact on traffic. Mr. Rodrigue stated that it isn't DOT's intent to negatively impact the area. Ed also asked if DOT is planning on testing the soil, as the Selectmen have heard concerns from the citizens about possible contamination. Mr. Rodrigue replied that several years ago DOT went through a process to identify problems and no contaminants were found. Joel asked if the present leach field is operational and was told that it is, but they are also drawing up plans for a new leach field if needed. Judy Ryerson, Chair of the Planning Board, stated they recently met and reviewed the memo of understanding for the Route 25 Corridor and access management. She hoped DOT would consider allowing the Fox Hollow Committee's proposed access to be combined with the state's. Mr. Agnar reinforced his early statement that the Committee is proposing that this project would be

privately funded and hopes that DOT will take this into consideration, which would reduce the state's burden to improve the Fox Hollow/Route 25 safety issues. Ed thanked Mr. Rodrigue and DOT for sending him to present this information to the Town.

VI. NEW BUSINESS:

1. Action Re: Outing Club Request for Funding from Substance Abuse Prev. & Enforcement Fund: Carter reminded the Selectmen that they tabled this in order to hear from MTA. Chief Kinmond provided information in his weekly update that MTA supports this funding, as they feel it is an attempt to reach out to students at risk. Carter recommended to the Selectmen to hold off on approving any further funding requests from this line item until MTA develops criteria for approval. Betsey stated that for the \$2,000 request, she would like to see a breakdown of how the money is to be spent and what activities are to be provided. Carter stated he will ask for the breakdown for next week's meeting.
2. Action Re: Selectmen's Summer Meetings: Ed explained that the Selectmen would like to consider having their meetings during June, July and August on the 2nd and 4th Thursday of these months, as the work load is reduced during this time. Betsey suggested giving it a try for the month of June and if it works out to continue through July and August. Ed expressed his concern that issues may fall through the cracks if they don't meet weekly. Joel and Jim expressed their willingness to give it a try for June and decide if they want to continue through July and August. Carter explained that they will still need to come in on Thursday to sign the manifest and they will continue to receive a weekly packet. Approved by Consensus.
3. Action Re: Wally's Marine Service, Inc., Request to use Town's Launch Sites: Carter explained that in years past the Selectmen have approved at least 8 of these requests and he will send out letters to other marine services. Approved by Consensus.
4. Action Re: Temporary Use Permit, Keith & Karin Nelson: Joel Made the Motion to approve the Temporary Use Permit request from Keith & Karin Nelson, 984 Whittier Highway for May 30, 31st and June 1st. Betsey Seconded the Motion. The Motion carried Unanimously.

VII. OLD BUSINESS:

1. Action Re: Local Government Health Trust LLC Participation: Carter reminded the Selectmen that in his update to them last week, he requested authority to sign for the day to day activities. Betsey commented that she preferred the Chair to sign, and as Karel is not present, Ed, as the Vice Chair should sign. Betsey Made the Motion to authorize the Vice Chair to sign the LGC Participation contract. Carter brought to the Selectmen's attention that presently LGC is involved with a dispute with the LRGHealthcare system, which could negatively affect many employees. He added this kind of dispute is typically resolved at the last minute.
2. Action Re: Ossipee Park Road Design Amendment: Carter asked that this remain tabled in order to receive test results. Betsey commented that Linda Nolin is in attendance waiting to hear the results. Carter stated that when the results are available he will be sure to contact her and let her know that it will be on the Agenda.

VIII. OTHER BUSINESS:

1. Legislative Update: Betsey reported that she spoke with DHHS in regards to Chief Bengtson's concern that the Lakes Region All-Hazards Emergency Preparedness & Response regions would be changed and that Moultonborough would have to align with

Carroll County. Betsey was told that it is more likely that the regions will be reduced to 15 to 17 and not 10 as earlier reported. If this is the case the Town will be able to continue to work with the Lakes Region area. Regarding the school funding question, Betsey reported that SB 539 was passed and they were assured that this is not a funding bill, but just costing the cost of education. If this goes into effect the Town will become a donor town again, but they have been told Moultonborough would be held harmless as the money would be returned to the Town. Next Wednesday the vote will be taken for the constitutional amendment CACR 34. Betsey added that she will vote in favor even if the amendment is sponsored by the Democrats. If the people vote it down, this will mean the state will have to find new tax revenues either sales or income or gambling. Betsey informed everyone that the Low and Moderate Income Tax Relief paperwork is now available in the Administration office. She will assist people to complete the forms at the Town Hall on Monday May 12th from 10-4, and June 9th and the 23rd. She will also do this in Tuftonboro on May 16th.

2. Planning Board Update: Ed had no update, as they will be meeting next week.
3. Administration Update: Betsey asked about the expanded newsletter, now four pages from two. Carter reported that the cost to print the newsletter will increase to approximately \$1,000. She expressed her concern that people may not be aware that the tax bill is in the envelope and may be discarded. People in the audience expressed that they were in favor of receiving more information about the departments in Town.
Approved by Consensus.
4. Planning Board Work Session Minutes, April 30, 2008: Acknowledged.
5. Library Board of Trustees Meeting Minutes, April 3, 2008: Acknowledged.
6. Hollis Austin again asked if the Town has submitted the payroll information to LGC for the retirement calculator that is on their website. Carter replied that he spoke with LGC and when they did this they did not request this information from all towns. Carter will fax this information to LGC in the future.

IX. PENDING:

1. Policy for Closing Town Offices Emergency/Inclement Weather, 5/15/08:

X. CORRESPONDENCE: None.

XI. ADJOURNMENT: Joel Made the Motion to Adjourn. Betsey Seconded.
Motion Carried Unanimously.
Ed adjourned the meeting at 8:33 p.m.

Approved

Date
Respectfully Submitted
Hope K. Kokas, Office Secretary