

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

Selectmen's Meeting

August 14, 2008

MINUTES

Present: Selectmen: Karel A. Crawford, Edward J. Charest, James F. Gray; Carter Terenzini,
Town Administrator; Hope K. Kokas, Secretary.

- I. CALL TO ORDER:** Karel called the meeting to Order at 7:00 P.M.
- II. PLEDGE OF ALLEGIANCE**
- III. REVIEW/APPROVE MINUTES:** Jim Made the Motion to approve the Minutes of July 24, 2008 as written. Ed Seconded. The Motion carried unanimously.
- IV. NEW RESIDENTS:** Michael D. Visbeck, Andrew D. Moore, Cynthia J. Tucker, Anne M. & Raymond H. Potvin, Marvin J. Padilla, Justin T. Avery, William J. Hyner, Seth A. Young, Derek A. Duke, Henry J. Arsenault, Yannick Rousseau, Rodyan Quinonez, Richard L. & Dianne L. Davis, Judith C. & Dudley Hare, Ralph K. & Patricia A. Putnam, Victoria A. King.
- V. PUBLIC MEETING:**
1. Non-Public Session, Personnel Matters: The Selectmen did not have a quorum for the scheduled Non-Public Session.
 2. Bob Wallace, Steamboat Rally: Mr. Wallace informed the Selectmen that the annual Steamboat Rally will be held on Friday, September 5th through Sunday, September 14th. They will begin to prepare on Thursday, September 4th, mowing, installing docks, etc. There will be the annual parade and fireworks are scheduled for Tuesday, September 12th. As in year's past the Steamboat Rally Committee requests that the Town provide the portable toilets and electricity. The Selectmen approved of the request by Consensus and thanked the members of the Steamboat Rally for the good work that they do.
 2. Don Muscavitz, Adopt-a-Spot: Mr. Muscavitz requested that his sign be removed from the Library's garden, as the month's worth of rain has killed his flower garden. He asked the Selectmen for their direction regarding what he should do next; i.e., remove and clean up the plants, re-plant, etc. Karel stated that the Selectmen understood his predicament and suggested that he contact the Library Trustees to see what they want done.
 3. Al Hume, Citizen's Petition: Mr. Hume read the petition he presented to the Administration office regarding their request to place the question on the 2009 Town Warrant to see if the Town will vote to approve the creation, funding and construction of a Firearms Training and Certification area at the Waste Management facility.
 4. Hollis Austin, MCA & Time Warner Public Access Channel: Mr. Austin read his letter into the Minutes regarding the Alliance's request to Time Warner to broadcast their videos of the Selectmen's Meetings (see attached). Karel responded that the real issue is that the Town was not first notified/asked or informed of MCA's desire to broadcast on cable TV, but learned about it from a reporter in a letter to the newspaper editor. Karel stated that she called Time Warner asking who authorized the broadcast and was told that

- the request was made by the Town, at which point she corrected them stating that as Chair of the Selectmen, they had not given authorization. The Time Warner representative told her that the person they spoke with (Paul Punturieri) implied authority. Karel added that it is common courtesy to make the request. She added that Carter has presented a draft of a policy for the public access channel which the Selectmen will work on in upcoming workshops. In addition, Karel stated that if the Town is to consider the MCA's request, they will need more information, such as who are the members of the Alliance, etc. Al Hume asked to clarify the MCA's request to Time Warner, stating that they did not intend to supersede the Board of Selectmen. Ed agreed that the MCA's actions were discourteous and reminded them that the Selectmen were not hired, but elected by the voters to do the job. Jean Beadle reminded the Selectmen that the 2% of the franchise fee Mr. Austin suggested be used to broadcast the meetings was approved at Town Meeting to help isolated areas get cable closer to their neighborhoods. Karel acknowledged this adding that they will be looking at this in their consideration of the broadcasting policy.
5. Linda & Bill Crabtree, Re: Building Permit: Mrs. Crabtree of 74 Curtis Lane requested from the Selectmen to extend their building permit. She stated that they were given a building permit for an addition and construction of a deck in March of 2008, but have been unable to get the work done as they are still waiting to sell their other home in Massachusetts. Pulling a new building permit will be very costly. Mrs. Crabtree stated that they have checked with DES regarding the Shoreland Protection Act, as they received their permit before the new law; they are not subject to the new rules. Carter stated that the building permit could be extended as long as work is ongoing with diligence. He questioned if the work would be completed in six months. Ed Made the Motion to extend the building permit given to Linda and Bill Crabtree of 74 Curtis Lane for six months from today's date, with monitoring by the CEO to insure that work is proceeding in a diligent manner. Jim Seconded the Motion. The Motion carried Unanimously.
 6. Hollis Austin, Ossipee Park Road: Mr. Austin read his letter to the Selectmen into the Minutes (see attached) regarding his concern of the cost reduction and alteration to the reconstruction of Ossipee Park Road. Karel responded that any money left over from the budgeted reconstruction will be returned to CG Roxane and returned to the Town's general fund.
 7. Pathway Committee: Pat Thomas, Kathy Barger and Donna Kuethe spoke to the Selectmen regarding their concern over the condition of phase II of the Pathway. Ms. Barger stated that the Committee can't request grant funds for phase III until the problem is corrected. She stated that the design presented by the state was poor and now they are faced with correcting the problem. Karel stated that the Selectmen are also concerned and thought that last year's actions by the contractor (at no cost) had resolved the problem. The problem still remains with the cars that pull over and kick up the rocks into the Pathway. Ms. Kuethe stated that they have been researching possible solutions to the problem and are talking with the engineer, Jay Poulin of HEB. The Selectmen were asked to allow the Committee to work on the problem. Karel volunteered to be on the Pathway Committee, adding that any solution will be costly, but the Selectmen will work in good faith to resolve the problem. Ms. Kuethe stated that despite the problems, phase II of the Pathway is being used and those that participated in the recent race were happy to have it versus running on the road.

VI. NEW BUSINESS:

1. Introduction of New Staff and Appointees: Kate Lancor, Welfare Director introduced

- Rae Marie Davis, as her interim replacement during her six month medical leave. The Selectmen welcomed Ms. Davis and wished Ms. Lancor the best during her leave.
2. Public Hearing Continuation Re: Auction Process - Tax Deeded Property: Dick Spaulding expressed his support of the Town retaining Loon and Goose Islands for conservation purposes and providing a respite area for paddlers in the Moultonborough Bay area. Karel responded that the Selectmen support the Town keeping these islands for the purposes stated. Carter reminded the Selectmen that they need to decide the questions he posed earlier. It was recommended: 1) The Town sell parcels 1-8 as listed; 2) the sale of the parcels will have deeded restrictions to be used as buffer lots, not for home construction, etc. (Carter expressed his opinion that if the Selectmen choose to restrict the lots, that the values will decrease); 3) Town Counsel recommends charging a flat fee of \$350 and the cost of tax stamps; 4) amount of the deposit should be \$350; 5) requiring merging with abutting non-conforming lots; 6) Suissevale Association has the first right of refusal with 30 days to act; 7) deciding if there should be a required minimum selling price. Carter reminded the Selectmen that several of the eight lots were left over from the last tax sale as the minimum price of 75% of assessed value was not met. He added that during the last tax sale in 2004 the real estate market was much more favorable than today. Carter informed the Selectmen that the draft of the ad has been modified to reflect sealed bids and can be in the newspaper by next Thursday. Discussion occurred about restricting the lots and setting a minimum selling price. Ed Made the Motion to sell the tax deeded parcels 1-8 as listed, selling with the restrictions, charging \$350 plus the tax stamps, requiring a \$350 deposit with forty five days to perform (Suissevale has thirty days for the right of first refusal), requiring merging with abutting non-conforming lots, and with a minimum selling price of \$5,000. Jim Seconded the Motion. The Motion carried Unanimously.
 3. Report Re: Request for Citizens to Join Town Health Insurance Program: Karel reported that they have researched this question that they received at the last Selectmen's Meeting. As she suspected, Primex is very clear that health insurance can only be offered to Town employees.
 4. Report Re: CEO Update on Various Lakes Region Water Company Matters: Carter reported that the meeting was held with representatives from DES and the PUC regarding Lakes Region Water Company. They learned that LRWC is subject to Planning and Zoning, but as a public utility, if needed they can go to the PUC to over ride Town ordinances. At the meeting they learned that DES has ordered emergency pumping of water for the July 4th weekend and also Labor Day weekend to supply water to Balmoral. Carter added that DES and PUC do not feel that the action taken by LRWC is a commercial use. LRWC must go before the Zoning Board of Adjustment for a variance and has until October to do so. The Selectmen were asked by Chris Ireland if LRWC can continue to cut trees and drill wells. Carter stated that LRWC has an Intent to Cut and they will continue to pump per DES. He added that LRWC is under the Public Utility Commission's protection. Ed stated that the enforcement of the ordinance is difficult and they must give the time allotted for LRWC to get the needed variance. The Selectmen all agreed that the enforcement of the ordinance is important and they will keep this matter on the Agenda for continuous review.
 5. Report Re: July 18th Storm; After Action Report/Improvement Plan July 18th Storm: Carter stated that it has been his practice after a storm to review the actions of all public service departments. The question came up about how public service departments should handle servicing private roads. Fire Chief Dave Bengtson gave a presentation to the Selectmen on NIMS (National Incident Management System) that deals with floods, tornados, winter storms, and man-made disasters. NIMS is a federal mandate of all agencies working together. It is required that all emergency personnel, elected officials

- and identified Town employees take NIMS training and evaluate their performance. Carter stated that at this time the Town is not prepared beyond Police, Fire and Highway Departments and the rest of the Town departments need to make progress towards this effort. There is cost involved and staff's time. Carter assured the Selectmen that they will work on this and come back to the Selectmen.
6. Action Re: Environmental Assessment of Potential Tax Deeded Properties: Carter reported that the Tax Collector has provided the Selectmen with a list of properties that have the potential of coming up for tax deeding. Town departments have been asked to review the list in an effort to identify any known environmental hazards. No known problems were noted on any of these properties. Karel stated that most of the property owners on the list are repeats from years past and she suspects that a majority of them will pay their taxes. Carter acknowledged this and stated Susette Remson will have an updated list on September 11, 2008.
 7. Action Re: Proposed Interim Policy Re: PEG Channel Access: Karel reported that Carter has drafted a policy and the Selectmen will work on this during their upcoming workshop. Mike Lancor asked the Selectmen for information regarding the Lions Club's request to have cable installed. Carter responded that they have received in writing from Time Warner the cost of \$1,700 to run the cable, which isn't budgeted and there are no discretionary funds to do this. Jim questioned if the funds could be taken from the franchise money the Town receives. Karel replied that they will study the criteria for using this fund during their workshop session.
 8. Action Re: Revised Interagency Mutual Aid Agreement w/Special Operations Unit: Carter explained that Primex has requested specific wording in an effort to provide continued insurance coverage when Town's police officers are called to cover in other towns. He added that Town Counsel has reviewed and approves of the changes. Ed Made the Motion to authorize the Chair to sign the Revised Interagency Mutual Aid Agreement. Jim Seconded the Motion. The Motion carried Unanimously.
 9. Action Re: Transfer of \$1,300 from Recreation: Personnel (ft) to Welfare: Personnel: Ed Made the Motion to transfer \$1,300 from the Recreation Personnel full time fund to the Welfare Personnel fund. Jim Seconded the Motion. The Motion carried Unanimously. Carter explained that this money is being transferred from wages not spent during a recent opening in Recreation to Welfare to cover the training costs for Kate Lancor's interim replacement, Rae Marie Davis.
 10. Action Re: Perambulation of Town Bounds with Ossipee: Carter requested authority to send correspondence to the town of Ossipee to begin this required process to identify mutual boundary lines. Approved by Consensus.
 11. Action Re: Deana Cahoon (fka Harty), Donate to Sick Bank: The Selectmen acknowledged Mrs. Cahoon's donation of her remaining sick time per the Town's policy.

VII. OLD BUSINESS:

1. Deliberations Re: Proposed Shooting Range for MPD at Holland Street Transfer Station: The Selectmen asked that this matter be placed on Pending.

VIII. OTHER BUSINESS:

1. Legislative Update: None.
2. Planning Board Update: Ed reported that during last night's meeting they heard proposed subdivisions, etc. There was discussion about the Lakes Region Water Company matter

and also the Fox Hollow intersection. Carter informed the Selectmen that Nat King and the Planning Board is requesting information regarding the Selectmen's decision. Carter suggested that this be done during a Non-Public session. Karel asked that Town Counsel be requested to attend. Carter will check to see if the first meeting in September will be acceptable to all involved.

3. Administration Update: None.
4. Moultonborough Public Library Board of Trustees Minutes, July 3, 2008: Acknowledged.
5. Planning Board Minutes, July 23 & 30: Acknowledged.
6. Zoning Board of Adjustment Minutes, August 6, 2008: Acknowledged.
7. Municipal Needs Committee Work Session Minutes, August 6, 2008: Acknowledged.

IX. PENDING: None.

X. CORRESPONDENCE:

1. Lamprey, Agnar, Nelson, Proctor, Rinkel, July 24, 2008: Acknowledged.
2. Kathleen Barger, July 24, 2008: Acknowledged.
3. Moultonboro Citizens Alliance, July 25, 2008: Acknowledged.
4. Hollis Austin, July 25, 2008: Acknowledged.
5. Joe Quaresima, July 29, 2008: Acknowledged.
6. Bruce Neff, July 29, 2007: Acknowledged.
7. Vappi Trust, Frewin, Nolin, Ashjian, July 31, 2008: Acknowledged.
8. Patricia Bass, July 31, 2008: Acknowledged.
9. John R. Gonzalez, August 7, 2008: Acknowledged. Ed questioned Mr. Gonzalez' statement that they are not allowed to have a flag pole at the Taylor Community at Westwynde. He added that the Town has no objections to this at all. Karel wondered if it was the association's policy.
10. Cristina Ashjian presented her letter to the Selectmen and read it into the Minutes, expressing her concern about trucks going to CG Roxane and idling beyond the legal time allowed and the accumulated trash on the road (see attached). Karel stated that they will notify Chief Kinmond and CG Roxane of the problem.
11. Al Hume apologized for the misrepresentation to Time Warner and stated it wasn't MCA's intent to supercede the Board of Selectmen.

XI. ADJOURNMENT: Ed Made the Motion to Adjourn. Jim Seconded.
Motion Carried Unanimously.
Karel adjourned the meeting at 8:59 p.m.

Approved

Date
Respectfully Submitted
Hope K. Kokas, Secretary