

**OFFICE OF SELECTMEN
6 HOLLAND STREET
PO BOX 139
MOULTONBOROUGH, NH 03254**

Selectmen's Meeting

November 6, 2008

MINUTES

Present: Selectmen: Karel A. Crawford, Edward J. Charest, James F. Gray, Joel R. Mudgett;
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:** Joel Made the Motion to approve the Minutes of October 16, 2008 and the Minutes of the October 23, 2008 Work Session as written. Ed Seconded. The Motion carried unanimously.
- IV. **NEW RESIDENTS:** Kaila E. & Samuel B. Catalano, Trevor D. Stone, Meagan C. Prudhomme, Zachary A. Tremblay, Troy Lewis, Kathleen I. Kramer, Donald S. & June C. Hall, Richard A. Engfor, Donna M. & Thomas W. Riel, Mark A. Meehan, Samantha Suzanne S. Booth, Irene V. Canty, Jennifer K. Stanford, Brian Bourgeois, Richard W. Grossman, Elaine R. Warshell, Ashley D. Logue, Robin L. Cheney, Phillip K. Sullivan, Janet E. & Dennis P. Sullivan, Suzene L. Bonner, Andrea D. Bonner, Bryan W. Sindorf, Brittany C. Ruiz, Ryan C. Cahoon, Evan R. Ames, Michael S. Grzelak.
- V. **PUBLIC MEETING:**
 1. Rick Heath asked the Selectmen what the new schedule is for their meeting. He added that he was unaware and came to attend a meeting during the past two weeks and found that there was none. Karel informed him that the Selectmen meet the 1st, 2nd, and 3rd Thursday of the month. The 4th Thursday is utilized for the Selectmen's work session and the 5th Thursday will be used as an optional work session if needed. Mr. Heath asked if the work session minutes were posted. Karel replied that they were. In response to Mr. Heath's question about the work session minutes being posted on the Town's website, Carter replied that they are not on the present website, but will be on the new website. Carter added that he hopes that the new website will be up and running before the end of this calendar year.
 2. **Stewart Lamprey, Fox Hollow Steering Committee:** Mr. Lamprey spoke to the Selectmen stating that he attended the Route 25 Intersection Design Matrix as an observer (see IV New Business, Item 1). He stated that the issue is safety on the Route 25 corridor and asked the Selectmen to consider moving the Fox Hollow Road intersection from second to the last in priority of the reported matrix. Mr. Lamprey cited his long political history and service to Moultonborough and the state of New Hampshire. He added that recently he was asked by the state to assist in an issue, and as a result had a meeting with DOT's Commissioner, George N. Campbell. Commissioner Campbell sent a letter to the Town Administrator dated October 29, 2008, reporting of his meeting with Mr. Lamprey and members of the Steering Committee for Fox Hollow Road. In his letter he stated that DOT would "...participate in a State Aid Highway Project at the existing

NH Route 25 and Fox Hollow Road intersection, provided there was a 1/3 matching funds from the Town including possible private contributions.” Mr. Lamprey stated that with the 2/3 matching funds from the state, the cost to the Town would be \$94,500 (includes the Agnar contribution of \$11,500). He added that the DOT Commissioner offered this funding for the spring of 2009. Mr. Lamprey expressed that he felt the matrix that was done was flawed, as Fox Hollow has been identified as the most dangerous of intersections by DOT and Lakes Region Planning Commission, with 27 accidents and 2 fatalities within 1000’ of the intersection. Gordon Proctor, a resident of Fox Hollow concurred with Mr. Lamprey, stating his knowledge of two fatalities that were due to the curve in the road and site factors. He added that he feels that DOT’s offer is a great opportunity and the Town should act on it. Carter stated that all Town roads are eligible for the 2/3 DOT funding match, but it is a question of when DOT will have the money. He added that it is the Selectmen’s decision. Joel commented that the other intersections were also subject to the 2/3 match from the state, but the question is when the funding would be available. He added that if DOT is making a 2009 commitment for Fox Hollow then the Town should consider taking advantage of the funding. The Selectmen were asked if any other intersection in Town has received a commitment letter from the state. The response was that there has not been any letters of commitment for any other road. Judy Ryerson stated that she attended the meeting with Commissioner Campbell and stated that DOT would find the money for the Fox Hollow intersection for the spring of 2009. She added that if DOT doesn’t fund the project, then the Town wouldn’t spend the money. The Selectmen discussed the pros and cons of DOT’s offer to provide the 2/3 match for the Fox Hollow intersection, the Route 25 Intersection Matrix results, the need to consider what is best for the whole Town. Mr. Lamprey suggested putting the question on the Warrant for Town Meeting and stipulating that the money will only be spent if DOT comes up with the 2/3 match. Karel asked Carter what the engineering plan would be for the Fox Hollow intersection. He stated that the hump in the road would be removed and it would the left hand lane would be expanded. Joel stated that he would like to see LBG’s preliminary plans and what easements are needed. Ms. Ryerson commented that there is sufficient right of way on Route 25, but what would be needed would be on the Town’s portion. The Selectmen agreed to table the issue for one week to consider the question.

3. Non-Public Session, Personnel Matter(s):

VI. NEW BUSINESS:

1. Presentation: Route 25 Intersection Design Matrix: Carter, through a PowerPoint presentation, explained to the Selectmen the process of the matrix to prioritize the road projects for the 2009 - 2010 budget years. The scoring team consisted of the Town’s engineer, Robert Saunders of LBG, Michael Iazard of LRPC, Police Chief Scott Kinmond, Eric Taussig, of the Planning Board. Carter facilitated the matrix and kept score. Scoring was based on projected cost, greatest safety impact, traffic volume, technical issues required (i.e., easements or right of ways required, state permitting, etc.), and additional considerations (i.e. state funding, grant money available, etc.). The intersections that were identified in descending order were: 1) Redding Lane to Rob’s Citgo; 2) Sheridan Road; 3) Lake Shore Drive – East; 4) Lake Shore Drive – West; 5) Glidden Road; 6) Fox Hollow Road; 7) Saw Mill Road – West/East with Red Hill Road.

2. Presentation: Municipal Needs Committee, Waste Management Facility: Barbara Rando, Chair of the MNC stated that the Selectmen requested that the Committee go back to the drawing board and consider less expensive options for the WMF. The Committee gave the Selectmen four options to consider. 1) Large scale project which would include construction a 120'x100' addition to the existing building; purchasing necessary equipment; add signage; relocating trash compactors, reducing residents need for entering the building, resulting in reduced lines. This plan reduces staffing levels, allows for capturing of future recyclable revenues, and eliminates safety issue for staff and residents. The cost for the large scale project is approximately \$1.3 million with 85% capital reserve funded. 2) Medium scale project does not include expanding the building; purchasing necessary equipment; erecting a concrete bunker for glass disposal which will free up a window for additional plastic processing; erecting a 60'x40' dry storage building in the back lot for bulk recyclables; add signage. This plan will allow residents to remain outside of the building and would offer a part-time "valet" service during peak times; maintains current staff levels, but with some employee safety risks; has no flexibility for future grown or modification to new recycling trends or mandates. The approximate cost is \$450,000 with 100% capital reserve funded, utilizing only 50% of the capital reserve funds. 3) Small scale project includes no new building expansion or no new equipment; erecting a concrete bunker/slab for glass disposal, freeing up a window for additional plastic processing; extending slab to accommodate future paper compact, which reduces recycling handling by 8%; "valet" service for peak times, maintaining current staff levels; add signage. This project has no flexibility for future growth or new recycling trends or mandates, but does meet the major safety concern of the department head. The projected cost is \$175,000 and is 100% funded through the capital reserve fund, using 25% in the fund. 4) Do nothing, but consult the Town's Joint Loss Management Committee to address only the safety/hazardous conditions and budget to fix the problems; add signage; future budget considerations to replace the can sorter/conveyor unit which will soon need replacement; analyze the need to budget a replacement of the perforator or eliminate it all together. Karel thanked Ms. Rando and the Committee for providing the Selectmen with the four options. Joel asked what the MNC recommends. Ms. Rando told the Selectmen they recommend a project that falls somewhere in between the large and medium project. When asked to identify the safety issue(s), Ms. Rando replied that there isn't a large issue, but reducing the exposure to hazardous materials and cuts, etc.
3. Presentation: FY 2008 Tax Rate: Carter, in his PowerPoint presentation reported that the 2008 tax rate is \$7.66, an increase from the 2007 tax rate which was \$6.99. Overall the property assessment values are down 2%. Carter emphasized that the important thing to remember is the value to the rate. Although the tax rate has increased, properties that decreased in values will experience a zero or minimal increase, and for a few a slight decrease. The Selectmen met with the Department of Revenue Administration and retained 7.5% of the fund balance, which is within DRA's recommended levels in an effort to keep the tax rate down. Karel stated that the Town has made an effort to reduce operating costs by group purchasing with the SAU. She added that they are presently working on the budget and are urging departments to budget frugally, and asking that any increase be based on need and not want.
4. Action: Highway Well Drilling/Sealed Bids: Carter reported that the sealed bids were opened and evaluated. The bidders were Roth Artesian at \$25,000; Tasker's Well Company at \$25,687.50; Gilford Well Company at \$26,270.00; Thomas & Sons at

\$29,790.00; Hartley Well at \$32,425.00; Capital Well Company at \$34,245.00. Carter recommended the bid be awarded to Roth Artesian at \$25,000. He added that the old wells will not be sealed until everything is first tested. Ed Made the Motion to award the Highway Well Drilling project to Roth Artesian and authorizing the Chair to sign the contract. Jim Seconded the Motion. The Motion carried Unanimously.

5. Action: Clinton E. Smith, Resignation from Waste Management Facility: Karel informed the Selectmen that Clint Smith's resignation will take effect December 1, 2008. The Selectmen accepted Mr. Smith's resignation with regret and appreciate his service to the Town since 2001. Carter informed the Selectmen that Mr. Smith has offered to work part-time during the summer months. The Selectmen approved by Consensus.
6. Action: Peter John, Tuition Reimbursement: Karel informed the Selectmen that Officer John had submitted his grades for tuition reimbursement as previously approved by the Board.
7. Action: Recreation Advisory Board's Recommendation, Appointment for Vacancy: Karel reported that in Becky Bryant's letter to the Selectmen, the RAB recommends appointing Alternate, Carla Taylor to the recently vacated seat. Joel Made the Motion to appoint Carla Taylor to the Recreation Advisory Board. Ed Seconded the Motion. The Motion carried Unanimously.
8. Action: Review & Consent to Conditional Assignment of Lease: Carter reported that the lessee, Peter DaSilva, owner of PAD Realty Corp. is refinancing with Laconia Savings Bank. The bank is requiring that the lease be assigned to them for collateral. Carter added that Town Counsel has reviewed the lease assignment and reports that this is a typical commercial lease document and recommends approval. Karel asked Carter to correct the spelling of her name on the second page. Ed Made the Motion to approve the lease assignment from PAD Realty Corp. to Laconia Savings Bank, on the property known as 4 Whittier Highway. Joel Seconded the Motion. The Motion carried Unanimously.
9. Action: Review of Proposed Ordinance for On-line Tax Payments (S. Remson, Tax Collector): Carter explained that Susette has researched on-line tax payments and has submitted a proposed ordinance. Karel asked that this be placed in the Warrant file.
10. Action: Review LGC Flexible Spending Account Administration: Carter explained that presently the Town is working with EPBA for the administration of the Flex Account, which allows employees to put aside pre-taxed money for the purchases of medical supplies, doctor co-pays, child and senior care. He has spoken with LGC and received information on their plan which includes no monthly fee which is a savings to the Town. He recommended setting a weekly minimum for employees at \$10/week and if desired \$18 for the use of a Flex Spending Account debit card. Ed Made the Motion to switch from EPBA for the Flex Spending Account Administration to LGC requiring an employee \$10/week minimum contribution and an \$18 fee for a debit card for the account. Joel Seconded the Motion. The Motion carried Unanimously.
11. Action: Review & Approve, Town's Medical Coverage and Rates: Karel announced that the Town's medical coverage has decreased 8%.

VII. OLD BUSINESS: None.

VIII. OTHER BUSINESS:

1. Legislative Update: None.

2. Planning Board Update: Ed stated that the Route 25 Corridor Study Committee gave their presentation to the Planning Board.
3. Administration Update: None.
4. Advisory Budget Committee Meeting Minutes, October 2, 2008, October 23, 2008: Acknowledged.
5. Planning Board Meeting Minutes, October 22, 2008, Work Session October 29, 2008: Acknowledged.
6. Municipal Needs Committee Meeting Minutes, October 22, 2008: Acknowledged.

IX. PENDING: None.

X. CORRESPONDENCE:

1. James Leiterman, October 17, 2008: Karel acknowledged Mr. Leiterman's email regarding regional SWAT teams. Chief Kinmond responded that the Town's police department has been a participant of the Central NH Special Operations Unit since 2002 with two officers assigned, part-time to not exceed 96 hours per year. The Chief added that he is the President of the Executive Board and serves as the Control Chief. When asked what the criteria is to call out the special unit, Chief Kinmond explained that the Control Chief calls the commander and then evaluates the situation based on a matrix. He added that the Central NH Special Operations Unit began when the former Holderness Police Chief had to wait for state police to arrive, which was an extended time period, and the unit was developed in order for towns to receive a more timely response.
2. Gary & Katherine Sweet, October 17, 2008: Acknowledged and appreciated.
3. Keld Agnar, October 20, 2008: Acknowledged.
4. Chris & Lori McDonald, Annual Trick-or-Treating Request to close Wentworth Acres: Karel stated that this is an annual request. Chief Kinmond added that it was a great event for the kids and the residents of Wentworth Acres did a great job of closing off the street for trick-or-treating and returned all of the Town's traffic cones, etc.
5. UNH Technology Transfer Center, October 27, 2008: Karel announced that Scott Kinmond is now a Master Road Scholar after meeting the final achievement level. The Selectmen congratulated Chief Kinmond in this accomplishment.
6. Center Harbor Board of Selectmen, October 22, 2008: Karel explained that the Center Harbor Selectmen requested that Moultonborough cover the costs of installing a dry hydrant on the Town's side of the High Haith Bridge, which is near completion of being replaced. She added that the Selectmen were in favor of this, as it would benefit Moultonborough property owners. She asked that this be placed in the budget file.
7. Kevin Levesque, October 31, 2008: Karel stated that Mr. Levesque is requesting that the property on 34 Hanson Mill Road be brought into compliance of the Zoning Ordinance, citing several violations. Karel asked that the letter be given to the Code Enforcement Officer for his review and comment.
8. Richard L. Benton, Jr., October 31, 2008: Karel reported that Mr. Benton is requesting approval for a foundation only building permit for Map 191 lot 004, as he is waiting an approval of a site/septic plan permit from the state. He stated that there is an existing septic system which is in good operating order and this is a new regulation. Joel stated that they have approved this in the past, as long as the property owner understands that if he does not receive the septic approval, the property will be returned to its original and

natural state at the owner's cost. Joel Made the Motion to approve the request for a foundation only building permit under the condition that the CEO gives his approval. Ed Seconded the Motion. The Motion carried Unanimously.

Ed Made the Motion for the Selectmen to go into Non-Public Session per RSA 91-A:3 (a). Jim Seconded the Motion. Karel asked for a roll call: Jim – Aye; Ed – Aye; Joel – Aye; Karel – Aye. The Selectmen went into Non-Public Session at 9:22 p.m.

Joel 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; Ed – Aye; Joel – Aye; Karel – Aye. The Selectmen came out of Non-Public Session at 9:25 p.m. Joel Made the Motion to seal the Non-Public Minutes until the matter is resolved. Jim Seconded the Motion. The Motion carried Unanimously.

XI. ADJOURNMENT: Joel Made the Motion to Adjourn. Jim Seconded.
Motion Carried Unanimously.
Ed adjourned the meeting at 9:26 p.m.

Approved

Date
Respectfully Submitted
Hope K. Kokas, Secretary