

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

Selectmen's Meeting

November 13, 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 November 6, 2008 as written. Ed Seconded. The Motion carried unanimously.
- IV. **NEW RESIDENTS:** None.
- V. **PUBLIC MEETING:**
 1. **Karin Nelson, Lees Pond, Milfoil Treatment:** Ms. Nelson, as the Treasurer of the Lee's Pond Association, told the Selectmen that this past summer they treated Lee's Pond for milfoil using the chemical treatment of "24D" at the cost of \$10,000 and a vacuum harvester for \$4,000. She stated that the treatment went well, but they discovered more. Their association checked with DES and learned that this year they can only offer a 1/3 match vs. 50/50 match as in the past. Ms. Nelson asked the Selectmen if they could support a petition requesting \$5,000 and would the Town be likely to pass it. She stated that their association wished that the Town would create a line item and budget for milfoil treatment, eliminating the need to get petitions signed. Karel responded if the Town was to create a line item for milfoil treatment, the amount would be a large sum and it would need to be equally expended for all of the lakes with milfoil. The Selectmen agreed that they would be in support of the association's request for funds, but felt petitioning was the better way to go. As to supporting an amount, the Selectmen agreed that they could not say as it is too early in the budget process. Ms. Nelson stated that the Lees Pond Association is one of a few groups that is organized and knowledgeable about the problem and necessary treatment. Barbara Ganem urged the Selectmen to at least support maintaining the treatment on Lee's Pond and not go backwards. Karel said she understood and suggested to Ms. Nelson to hold off submitting their petition until the Selectmen and Advisory Budget Committee have a better idea of the budget needs.
 2. Jean Beadle, a resident of Sachem Drive and a user of Sheridan Road, commented that she felt the Route 25 Intersection Matrix recently done by the team was fair and balanced. She added that if the Selectmen decide to move up the Fox Hollow Road intersection on the list, to then create a plan to work on the other Route 25 intersections, such as Sheridan Road. Ms. Beadle cited that just recently she escaped an accident while she was coming from Center Harbor and had to make a left hand turn on to Sheridan Road. The Selectmen all agreed that it was a dangerous intersection and thanked Ms. Beadle for her input.

VI. NEW BUSINESS:

1. Opening of Bids – Surplus Property: Karel opened the sealed bids. Bids made for the 2004 Ford Crown Victoria were: Paul LaBranche, \$400.01; Carl Kohit, \$1,500.00. Bids made for the 2001 Chevy Impala: Paul LaBranche, \$400.01; Scott Kinmond, \$750.00. A bid was made for the 1987 Stingray 22' boat: Michael Kepple, \$501.00. A bid was made for the 1987 International Fire Pumper: David Spinosa, \$1,200. Bids made for the Cub Cadet lawn mower: Kathleen Lord & Jason Boucher, \$70.00; Michael Kepple, \$100.00. A bid was made for the 1 lot of 20' light pole with 3 lights: Michael Kepple, \$250. No bids were made for the 20 SCBA Air Packs or the 1 lot of miscellaneous computers and monitors. Joel suggested and the Selectmen agreed to have the Police and Fire Chief review the bids to decide if it would be better to keep the item in service versus selling it for much less than its actual value. Carter stated that the Selectmen have 45 days to hold the deposit and has reserved the right to reject any and all bids if deemed to be in its best interests.
2. Opening of Bids – Tax Deeded Properties: Karel opened the sealed bids. A bid was made for Map 098 Lot 025, St. Moritz Street, by Richard F. Connors, \$800.00. A bid was made for Map 120 Lot 046, Grande Street, by Kenneth & Patricia Belliveau, \$1,000.00. A bid was made for Map 129 Lot 022, Oberdorf Street, by Joanne M. Comtois, \$100.00. A bid was made for Map 129 Lot 097, Castle Shore Road, William H. Garber, \$1,011. Joel asked Carter to verify that each bidder is an abutter of the parcel they bid on. Carter stated that this would be done and the Selectmen have 45 days to hold the deposit and has reserved the right to reject any and all bids if deemed to be in its best interests.
3. Action Re: Notice for Retirement, Wayne Richardson: Karel reported that the Road Agent, Wayne Richardson has submitted his letter of retirement which will begin February 28, 2009. She added that his elected term would be up in 2009. As there is a gap in time between his retirement date and the elections, the Selectmen will need to appoint an interim Road Agent. The Selectmen agreed to discuss this in Non-Public session.
4. Action Re: Carroll County 2008 Assessment: Karel announced that the Town's portion of the Carroll County tax is \$2,746,353 which is due on December 17, 2008. Carter informed the Selectmen that 13 counties are suing the state as a result of the state reducing funding to the county nursing homes. In addition, he questioned the county charging the Town for dispatch service, when the Town does not use it, while charging other towns no fee for dispatch. Carter plans to have a follow-up for the Selectmen on this issue.
5. Action Re: Assignment of Sick Time, Clinton E. Smith: The Selectmen acknowledged Mr. Smith's contribution of 40 hours of his sick time to the Employee Sick Bank.
6. Action Re: NH Dept. of Revenue Administration, 2009 Statewide Enhanced Education Tax: Karel reported that the Town's share for the Statewide Enhanced Education Tax for the 2009 tax year is \$6,520,346 or \$2.135 per \$1,000 of assessed value.
7. Action Re: Recreation Department's Request for Senior Programming Funds: Karel reported that Donna Kuethe, Director of the Recreation Department, is requesting in her memo \$2,050 from the Senior Needs account to help offset the costs for senior programming. The majority of the funds are to be used for the transportation costs for the Yankee Candle trip and the Boston Pops trip. Carter stated that he supports using \$1,000 from this account for the Recreation Department's senior programming. He

added that there hasn't been any funds spent from this account and expects to have a request of \$250 to \$500 for pamphlets and other expenses. Karel stated she supports spending \$1,500 from this account for senior programs. Joel explained that the Recreation Department was urged by the Selectmen to add programs for seniors. Carter added that these programs were not budgeted for this year, but will be for the upcoming year. Joel Made the Motion to transfer \$1,500 from the Senior Needs account to the Recreation Department to offset the senior needs programs. Jim Seconded the Motion. The Selectmen were asked if Joanne Farnham, the author of the petition for \$3,000 for Senior Needs programming, was consulted about the expenditure from this account. Karin Nelson, a member of the Recreation Advisory Board, stated that Ms. Farnham is also a member of the RAB and is aware of the Recreation Department's senior programs. She could not say if Ms. Farnham knew about Donna's request. Carter stated that he will inform Ms. Farnham. Upon the request that the Selectmen table this item to allow Betsey Patten's input, Joel commented that the Recreation Department has done what was intended in Ms. Farnham's petition. The money is needed now and there is no reason to postpone the decision. The Motion carried Unanimously.

8. Action Re: HB1596, Town Clerk's Request to Collect Additional Fee: Karel reported that the Town Clerk is making the Selectmen aware that her department is collecting an additional fee as per HB1596.

VII. OLD BUSINESS:

1. Fox Hollow Road Intersection: Karel asked the Selectmen if they have made a decision regarding moving the Fox Hollow Road Intersection up in priority based on DOT's Commissioner Campbell's commitment of a 2/3 match with the Town. Gordon Proctor a resident of Fox Hollow, told the Selectmen that Stewart Lamprey was unable to attend the meeting, but Mr. Lamprey wanted them to know that despite the recent news that DOT's finances are less than expected, that this is nothing new and has been known for sometime. Mr. Lamprey feels that the Commissioner's commitment for the Fox Hollow intersection remains firm, whereas it will be very hard to get any funding for the other intersections. Ed stated he supports budgeting \$95,000 for the Fox Hollow intersection and if DOT doesn't fund the project, the money won't be spent. Peter Jensen asked the Selectmen to consider if the \$95,000 budgeted for Fox Hollow isn't used that it goes towards funding a Route 25 Intersection plan. Ed stated that DOT is in favor of Town's having a funded plan for this work. Carter pointed out that the estimate from the Town's engineer has increased from the year before to \$400,000 and therefore the Town's share would be \$135,000 and not the amount Mr. Lamprey has used of \$95,000. Karel explained that the Town has had a Top Ten Road Project list which typically is funded at approximately \$250,000 and the intersections in the matrix are above and beyond the Top Ten Road list. When asked if the Town knows what fixes can be done on other roads, Karel replied that the engineer has yet to do the study and this is an additional cost. She added that she is disappointed with DOT for favoring one road based on a personal connection, when 7 intersections need the money for the work. Mr. Proctor suggested that the Selectmen meet with the DOT Commissioner. Ed expressed his support of moving the Fox Hollow intersection to the top of the priority list as the money for the work is available, whereas it isn't for the other intersections. Carter reminded the Selectmen that he is looking for their direction and if the Fox Hollow intersection is the top priority, then he needs to stop spending money on the low cost fixes that have been planned. Joel argued that the Town should take the money that has been committed for

the Fox Hollow intersection. He added that if DOT had made a commitment for any one of the other intersections, then he would support that road. There was discussion about what would occur if the Town budgets for the Fox Hollow Intersection and DOT does not come up with the funds and if the money can be used for another intersection. The Selectmen agreed that the Town needs to have a plan for the Route 25 intersections. Again, Carter reminded the Selectmen that if Fox Hollow is made the first priority, then they need to stop work on the short term approach. Ed Made the Motion to alter the Route 25 Intersection Matrix, making Fox Hollow Road number one based on DOT's commitment of a 2/3 match, requiring the Town pay 1/3 of the match, and suspend all work for low cost interim fixes. Joel Seconded the Motion. The Motion carried Unanimously.

2. Revised Route 25 Corridor Intersection Matrix: Addressed. Carter will provide the Selectmen with a revised Matrix and budget amounts.

VIII. OTHER BUSINESS:

1. Legislative Update: Karel stated that Betsey is not present; however, she reported that the Selectmen have attended the LGC Conference and have each attended presentations on various subjects. She attended the State Retirement presentation and of particular interest was the discussion about the treatment of part-time employees. The question has been how many hours must a part-time employee work before the Town must contribute for their retirement. Karel told the Selectmen that LGC will adopt the state's retirement policy requiring that a part-time employee must work six months in one year in order for the Town to contribute towards retirement. Ed reported that he attended the presentation that talked about the various court cases and the effect they've had on Towns. In particular the Right-to-Know law was discussed and the SB2 deliberative session. He informed everyone there is upcoming legislation to change the deliberative session and its ability to totally change what has been petitioned. Ed also attended a presentation that talked about the status of NH's employment rates and learned that NH is one of a few states that employment rates continues to be in good shape. Joel attended a presentation that talked about safety and in particular the Department of Labor checking breakaway safety vests, which leaves an employee vulnerable on the side. In addition, all road workers directing traffic must have paddle signs. Only police and fire personnel are exempt from this rule in emergency situations only. Joel also attended a presentation about terminating employees and the pros and cons and associated costs involved. Jim attended a presentation on anger management, especially in public meetings. He also attended a presentation on Town's allowing credit card payments for taxes, adding that the Selectmen will need to pay attention to this issue, as LGC reported issues.
2. Planning Board Update: Ed reported that they met last night. He welcomed Jane Fairchild to the Selectmen's Meeting, stating that she is an Alternate to the Planning Board and was required to sit in on last night's meeting. Ms. Fairchild stated that she is also a member of the Route 25 Zoning Work Group, working with Master Plan Committee members.
3. Administration Update: Acknowledged.
4. Advisory Budget Committee Meeting Minutes, October 30, 2008: Acknowledged.
5. Moultonborough Public Library Board of Trustees Meeting Minutes, October 2, 2008 & Budget Workshop Minutes, October 9, 2008 & October 15, 2008: Acknowledged.
6. Joel informed the Selectmen that he spoke with DES and learned that the permit the Town received for the Long Island boat ramp is still in effect, but will need a letter

explaining what work needs to be done, which will receive approval. The estimated cost to make the repair is \$7,900. As DBU is named on the wetlands permit and did the original work they will make the repair. Carter asked for the authority to sign the contract. Approved by consensus. Karel suggested that the Selectmen consider charging those who are not Town or Center Harbor residents a fee to use the boat launches, as it isn't fair to ask the residents to pay for the negligence of others who cause the damage. This is a topic for upcoming work sessions. The Selectmen were asked if the repairs have been made to the Lee's Mills boat ramp. Carter replied that the Town is still waiting on DES for the wetlands permit.

IX. PENDING: None.

X. CORRESPONDENCE: None.

Ed Made the Motion for the Selectmen to go into Non-Public Session per RSA 91-A:3 II (a) and (c). 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 8:32 p.m.

Jim 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 9:10 p.m. Jim Made the Motion to seal the Non-Public Minutes until the matter is resolved. Ed Seconded the Motion. The Motion carried Unanimously.

XI. ADJOURNMENT: Joel Made the Motion to Adjourn. Ed Seconded. Motion Carried Unanimously. Karel adjourned the meeting at 9:11 p.m.

Approved

Date

Respectfully Submitted
Hope K. Kokas, Secretary