

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

Selectmen's Meeting

February 12, 2009

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, Secretary. Advisory Budget Committee: Jean Beadle, Gary Haracz, Kathy Garry, Ed Marudzinski per teleconference.

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 5, 2009 & Workshop Minutes of January 29, February 5 and Public Hearing of February 9, 2009 as written. Ed Seconded. The Motion carried unanimously.

IV. NEW RESIDENTS: Richard F. Thomas, Frank J. Gioia, Cristen M. Coleman-Gioia, Craig D. Cote, Jason B. Herron, Tonshonia J. Broaby, Curtis A. & Jane E. Elliott.

V. PUBLIC MEETING:

8:00 Non-Public Meeting, RSA 91-A:3 II (b)

1. Nat King asked the Selectmen to provide information regarding the enlarged photo that was placed on the bulletin board depicting construction equipment. The Selectmen asked if anyone in the audience could enlighten them. Chip Bollinger stated that he posted the photo of the construction equipment placed on property across the street from him on Route 109. He did so as he feels it is in violation of the Zoning Ordinance and wanted to bring it to the Selectmen's attention. Carter recommended and the Selectmen agreed to refer the issue to the Code Enforcement Officer and will await his report.
2. Jim Morrison asked the Selectmen if they were going to give their recommendation on each warrant article and if so, questioned if it was permissible. Karel replied that the Selectmen would make their recommendation for each warrant article. Betsey stated that RSA 32:5 V-a speaks to budget and warrant article items and the governing bodies are under their own initiative to decide to vote on each warrant article. She added that the NH Municipal Center interpretation agrees with the Selectmen's. Betsey informed the audience that in order to provide additional clarity to the RSA, she has a bill (SB 38) that adds the wording "any warrant" and feels confident that it will be passed, as that was the Legislature's intent when the original bill was passed two years ago. Karel stated that Town Counsel has researched the question and agrees that it was the intent of the original RSA for any warrant article. Jim Morrison asked that his objection be noted. Carter added that the question has been thoroughly researched by Barbara Wakefield, Town Counsel, Karel and Betsey. Peter Jensen voiced his support of the Selectmen voting to recommend, which he feels provides transparency and allows citizens to know how they

feel. Hollis Austin stated that Betsey's proposed legislation has not been passed yet. Betsey replied that she was involved in the original bill proposed by Senator Kenney and at the 2008 Town Meeting, the question was clear, all of which make her comfortable in their decision. Joel commented that based on Town Counsel's opinion, the Selectmen are acting within the law.

VI. NEW BUSINESS:

1. Karel stated that the Selectmen would begin with Article 7 of the draft copy of the Warrant Article provided to the audience.

Article 7: Karel read the article. As there was no discussion, she called for a vote. Recommended by Selectmen 5 – 0.

Recommended by the Advisory Budget Committee 5 – 0.

Article 8: Karel read the article. As there was no discussion, she called for a vote. Recommended by Selectmen 5 – 0.

Recommended by the Advisory Budget Committee 5 – 0.

Article 9: Karel read the article. As there was no discussion, she called for a vote. Recommended by Selectmen 5 – 0.

Recommended by the Advisory Budget Committee 5 – 0.

Article 10: Karel read the article. Upon being asked if this was a new committee, Karel replied that it was and would replace the Municipal Needs Committee. Their charge will be to meet with department heads and develop a plan for the next six years, with the intent of avoiding spikes and dips in the tax rate and keeping it at an even rate. She stated that the committee members would be appointed by the Selectmen, and if approved at Town Meeting, encouraged those interested in serving to submit their letter of intent. As there was no further discussion, Karel called for a vote.

Recommended by Selectmen 5 – 0.

Recommended by the Advisory Budget Committee 5 – 0.

Article 11: The article was read. Upon being asked who oversees the care of the parks, cemeteries, public forests, playgrounds, shade and ornamental trees, Karel replied that presently the Highway Agent and the Building & Grounds department oversees these tasks. This article would place the full responsibility with the Highway Agent. As there was no further discussion, a vote was called.

Recommended by Selectmen 5 – 0.

Recommended by the Advisory Budget Committee 5 – 0.

Article 12: The article was read. Betsey asked Susette Remson, upon approval at Town Meeting, would the Tax Collector's office be ready to begin on March 14, 2009, as stated in the warrant. Ms. Remson replied that they would begin the necessary steps and process, but they would not be able to accept credit card payments of taxes until the second billing. The Selectmen were asked if the Town would be charged with a service charge. Joel replied that the Town would not and the cost would be passed on to the person making the credit card payment. Upon the suggestion of removing Section IV and deleting the effective date, Carter stated that the law requires that the warrant have an effective date. As there was no further discussion, a vote was called.

Recommended by Selectmen 5 – 0.

Recommended by the Advisory Budget Committee 5 – 0.

Article 13: The article was read. As there was no discussion, a vote was called.

Recommended by Selectmen 5 – 0.

Recommended by the Advisory Budget Committee 5 – 0.

Article 14: The article was read. As there was no discussion, a vote was called.

Recommended by Selectmen 5 – 0.

Recommended by the Advisory Budget Committee 5 – 0.

Article 15: The article was read. Karel stated that DRA recommended revising the question concerning further defining the purposes of the Municipal Building fund, a Capital Reserve, for the purposes of designing, developing the site, constructing, furnishing and equipping, and making capital improvements and replacements upon Municipal Buildings and Facilities. The Selectmen were asked that when the Municipal Building fund was first voted on, wouldn't this article change the intent of the fund. Karel responded that it isn't the first time the Municipal Building fund has been changed and redefined. Carter added the present language refers to construction only and this warrant breaks it down to the actual processes that occur so that in the future it is spelled out. Joel stated that he proposed that the article state that the Selectmen could withdraw \$100,000 with a public meeting from the Municipal Building fund in case of emergency. This was removed from the article and it remains the only way to make a withdrawal is by approval at Town Meeting. Betsey commented that if an emergency occurs the Town can go to DRA and they will provide oversight. The Selectmen were asked if it would be best to keep furnishings, etc., separate and Joel replied that it would require an additional warrant article. Betsey added that the voters will decide upon the question at Town Meeting. Joel added that DRA is requiring that the language be very specific as how the funds can be used. Joel stated that it was his suggestion to use the money in the Municipal Building fund to repair the roof versus appropriating the money. As there was no further discussion, Karel called for a vote.

Recommended by Selectmen 4 – 1. (Ed)

Recommended by the Advisory Budget Committee 5 – 0.

Article 16: The article was read. The Selectmen were asked why they are proposing to pay for a soccer field from municipal funds. Karel responded that the condition of the playing field at Playground Drive has been a known problem for as long as she's been a Selectman (8 years). She added that at the 2008 Town Meeting the voters approved to appropriate \$100,000 for the Community Center/Senior Needs fund, with the intent of looking to the future. Karel stated that the Town now has a plan that can be completed in phases over the next 5 to 15 years. If it is postponed, the costs to repair the field at Playground Drive and build the new field on the Lions Club property will only increase. Al Hume stated that he doesn't feel there is a need for a new field. Karel stated that in order to repair the Playground Drive field, it will require a year to grow and will not be useable in that time. She asked Harry Blood, the School Athletic Director to comment. Mr. Blood stated that if the Playground Field comes out of service, then the Recreation Department won't have a field. The school will try to accommodate the Recreation Department, as it does now, but it creates a scheduling nightmare. Donna Kuethe added that the school works hard to accommodate the Recreation Department now, but they must take second priority to the school. Presently the times available to use the gyms and practice space, requires that young children miss dinner and play in the evening, when they should be home. Lori Whitley stated that the school fields are now used to capacity and their fields need repair. Jean Beadle, ABC Chair, stated the question before them is to construct a new playing field for the Recreation Department and repair the old field on Playground Drive. Jim Morrison suggested fixing the Playground Drive field now and

then build the new field in two years. Karel reminded him that fixing the old field means it would be out of commission. Mr. Morrison stated that Camp Tecumseh has offered to allow the Recreation Department to use their field when not in use by the camp. Carter stated that the majority of the time the Tecumseh field would not be available to the Town, as they would be using it. Ed offered his opinion that he is not in favor of the article. He added that when the Town was approached to purchase the Lions Club property, there was no discussion of building a community center, and the purchase was for the future. Last year the question of building a community center was rejected by the Town, but \$100,000 was approved, and Ed added, that it was his understanding that it was for the purpose of engineering studies of the land. He asked the question if the Town hadn't purchased the Lions Club property, what would the Town do regarding the repair of the Playground Drive field. Ed stated that he doesn't feel it is the time to spend the money in this economy and with the strong possibility of becoming a donor Town. Ms. Kuethe stated that the Recreation Department uses the field for baseball, softball, summer camp and it is also used in the winter. Camp Tecumseh can not accommodate the Recreation Department's need. Karel commented that the \$100,000 approved at last year's Town Meeting is designated for this purpose and will require that \$137,500 be raised by taxes. The Selectmen discussed that the article as written does not clearly state where the money is coming from. Carter explained that \$37,500 is for the Pathway and had been previously separated, but DRA asked that it be included in this article. Betsey commented that if the \$100,000 that was approved last year is going towards paying for this, then it should be stated. Carter asked that he be allowed to rewrite the article to reflect each amount and what fund it would be withdrawn from and what amount would be from taxation. Karel asked him if DRA approved of the article as written. He replied that they requested that the costs for the pathway be included in this article. Russ Wakefield stated that the total cost of the project is \$335,000 and should state this. The Selectmen approved of Carter's request. Carter excused himself and shortly thereafter provided a new version which he read and provided copies for the Selectmen. The Selectmen agreed that this version clarified the amounts and was acceptable. As there was no further discussion, Karel called for a vote.

Recommended by Selectmen 3 – 2. (Ed & Betsey)

Recommended by the Advisory Budget Committee 5 – 0.

Article 17: The article was read. The Selectmen were asked how old the Town Hall is and learned that it was constructed in 1996. Carter reported that the warranty for the shingles did not include architectural issues, adding that the problem is a result of not having adequate ventilation in the roof. Karel responded that they considered installing a metal roof, but due to the high cost and the desire to have a consistent appearance for the municipal buildings, this idea was rejected. As there was no further discussion, a vote was called.

Recommended by Selectmen 5 – 0.

Recommended by the Advisory Budget Committee 5 – 0.

Article 18: The article was read. Betsey informed the audience that the figure of \$50,000 would cover the salary and benefits of a Town Planner for approximately 6 to 7 months, as the hiring process will take time. The Selectmen have estimated approximately \$90,000 to 95,000 for a year's salary and benefits. Discussion occurred about the projected cost, with a member of the audience stating that the Selectmen's estimate is too high. Jean Beadle, ABC Chair stated the cost for NH retirement and benefits are very high, and even with a \$50,000 salary, the benefits will result in a total

figure of \$80,000 to \$90,000. Ed stated that it was a Master Plan recommendation to hire a planner to use the board members of the Planning and Zoning Boards. Given the complexity of the federal and state statutes, a planner is needed for research and to work towards the Master Plan goals. Allan Ballard stated that this was first recommended in 2005. Nat King added that the original Master Plan wasn't implemented because there was no one to coordinate and work towards the goals. As there was no further discussion, Ed called for a vote.

Recommended by Selectmen 5 – 0.

Recommended by the Advisory Budget Committee 5 – 0.

Article 19: The article was read. Carter responded to a question regarding the length of the lease to buy the grader. As stated in the warrant it is a 5 year lease/purchase agreement. As there was not further discussion, a vote was called.

Recommended by Selectmen 5 – 0.

Recommended by the Advisory Budget Committee 5 – 0.

Article 20: The article was read. As there were no questions, a vote was called.

Recommended by Selectmen 5 – 0.

Recommended by the Advisory Budget Committee 5 – 0.

Article 21: The article was read. Russ Wakefield asked the Selectmen if the Town would need to receive easements for the reconstruction of the intersection of Fox Hollow Road. Joel stated that the will go to Gilman Point only. Nat King stated that the state will pay 2/3 for the work on the intersection only. Joel agreed that was the understanding. The Selectmen were asked why the project would be certified by the Town Administrator versus the Board of Selectmen making the certification. The Selectmen agreed to make the article read that the Selectmen will certify the project's completion. Karel stated that they will make it very clear that if DOT is unable to fund their portion, then the work will not be done. As there was no more discussion, Karel called for a vote.

Recommended by Selectmen 5 – 0.

Recommended by the Advisory Budget Committee 5 – 0.

Article 22: The article was read. The Selectmen were questioned why mosquito abatement is included when the article reads for capital improvements and equipment. Carter replied that this was how the article read last year with mosquito abatement included, but the word expenditures can easily be added to address this concern. Karel stated that at Town Meeting, if the voting body wishes that this item not be in the article, they can amend it and the bottom line figure will be adjusted. The Selectmen were asked to explain the project at Lee's Mill. Karel stated that it is for reconstruction of the boat launch. It was suggested and the Selectmen agreed to include in parentheses 'boat launch'. As there was no more discussion, Karel called for a vote.

Recommended by Selectmen 5 – 0.

Recommended by the Advisory Budget Committee 5 – 0.

Article 23: The article was read. As there was no discussion, a vote was called.

Recommended by Selectmen 5 – 0.

Recommended by the Advisory Budget Committee 5 – 0.

Article 24: The article was read. As there was no discussion, a vote was called.

Recommended by Selectmen 5 – 0.

Recommended by the Advisory Budget Committee 5 – 0.

Article 25: The article was read and it was stated it was by petition. Mr. Hume asked what the cost was to build the Firearms Training and Certification area at the Waste

Management facility. Betsey replied that he wrote the petition and it did not include any cost. Karel added that the Police Department had the money in their budget to do the work and the Town equipment would be utilized. Mr. Hume questioned if the Town's liability insurance would increase. Joel responded that the liability would be the same. As there was no further discussion, Karel called for a vote.

Recommended by Selectmen 5 – 0.

Recommended by the Advisory Budget Committee 5 – 0.

Article 26: The article was read and it was stated it was by petition. As there was no discussion, Karel called for a vote.

Recommended by Selectmen 5 – 0.

Recommended by the Advisory Budget Committee 5 – 0.

Article 27: The article was read and it was stated it was by petition. Mr. Ballard commented that he felt that the Selectmen had addressed the problem in the Road Projects to rebuild 480' Black's Landing Road and paving wasn't necessary. He questioned why the petition didn't include a cost and by leaving the cost out made any work not legally possible. The Selectmen agreed with his comment. As there was no further discussion, Karel called for a vote.

Not Recommended by Selectmen 5 – 0.

Not Recommended by the Advisory Budget Committee 5 – 0.

Article 28: The article was read and it was stated it was by petition. As there was no discussion, a vote was taken.

Recommended by Selectmen 5 – 0.

Recommended by the Advisory Budget Committee 5 – 0.

Article 29: The article was read and it was stated it was by petition. Sally Carver, author of the petition spoke in support of it as Moultonborough residents seek the Salvation Army's assistance. She added that if a resident/property owner receives assistance from the Town, a lien can be placed on their property until they are able to pay it back. Ms. Carver informed the Selectmen that the Salvation Army will not do this. As there was no further discussion, Karel called for a vote.

Recommended by Selectmen 5 – 0.

Recommended by the Advisory Budget Committee 5 – 0.

Article 30: The article was read and it was stated it was by petition. As there was no discussion, a vote was taken.

Recommended by Selectmen 5 – 0.

Recommended by the Advisory Budget Committee 5 – 0.

Article 31: The article was read and it was stated it was by petition. As there was no discussion, a vote was taken.

Recommended by Selectmen 5 – 0.

Recommended by the Advisory Budget Committee 5 – 0.

Article 32: The article was read and it was stated it was by petition. As there was no discussion, a vote was taken.

Recommended by Selectmen 5 – 0.

Recommended by the Advisory Budget Committee 5 – 0.

Article 33: The article was read and it was stated it was by petition. Betsey spoke in support of the Moultonborough Suicide Prevention and Mental Health Coalition thanking everyone involved for their efforts. As there was no further discussion, a vote was taken.

Recommended by Selectmen 5 – 0.

Recommended by the Advisory Budget Committee 5 – 0.

Article 34: The article was read and it was stated it was by petition. As there was no discussion, a vote was taken.

Recommended by Selectmen 5 – 0.

Recommended by the Advisory Budget Committee 5 – 0.

Article 35: The article was read and it was stated it was by petition. As there was no discussion, a vote was taken.

Recommended by Selectmen 5 – 0.

Recommended by the Advisory Budget Committee 5 – 0.

Article 36: The article was read and it was stated it was by petition. As there was no discussion, a vote was taken.

Recommended by Selectmen 5 – 0.

Recommended by the Advisory Budget Committee 5 – 0.

Article 37: The article was read and it was stated it was by petition. As there was no discussion, a vote was taken.

Recommended by Selectmen 5 – 0.

Recommended by the Advisory Budget Committee 5 – 0.

Article 38: The article was read and it was stated it was by petition. As there was no discussion, a vote was taken.

Recommended by Selectmen 5 – 0.

Recommended by the Advisory Budget Committee 5 – 0.

2. Action: Review & Approve, Transfer Station Hours: Karel stated that during a Workshop the Selectmen reviewed the recommendation to change the Transfer Station operating days to Friday through Tuesday. These days of operation will continue all year long. Betsey Made the Motion to approve the days of operation for the Transfer Station to Friday through Tuesday all year long. Jim Seconded the Motion. The Motion carried Unanimously.
3. Action: Review & Approve W. B. Mason as Preferred Office Supply Provider: Carter reported that W.B. Mason can provide a 19% savings in office supplies, approximately \$600 per year. He added that they are web-based, will honor competitors' coupons and will provide one bill with a breakdown by department. Delivery is by courier, guaranteed for the next day with no charge. W.B. Mason is asking that the Town use their services solely in order to continue providing this savings. After six months we will review the savings and then recommend to the Library to also use W.B. Mason. Ed Made the Motion to authorize the Town Administrator to sign the agreement with W.B. Mason. Betsey Seconded the Motion. The Motion carried Unanimously.
4. Action: Review Citizens' Petition, VNA-Hospice of Southern Carroll County & Vicinity, Inc.: Acknowledged.
5. Action: Review Citizens' Petition, Inter-Lakes Day Care Center & Nursery School: Acknowledged.
6. Action: Review & Approve Bids for Thermal Scan & Blower Door Quotes: Carter informed the Selectmen that Andy, working with the school has received bids for the pricing on thermo scan and blower door tests for the Town buildings. There were four bids, with Infrared Analyzers of Nashua bidding the lowest cost of \$4,450. Betsey Made the Motion to accept the quote from Infrared Analyzers not to exceed \$4,450 and to authorize the Town Administrator to sign the contract. Joel Seconded the Motion. The Motion carried Unanimously.

VII. OLD BUSINESS: None.

VIII. OTHER BUSINESS:

1. Legislative Update: Betsey reported that the Governor presented his budget and his announcement that the education funding remains, but there will be no revenue sharing with the rooms and meals tax, the state's share for NH retirement will decrease and there will be approximately 300 state job layoffs. In addition, DES will not make any new grants for 2010 or 2011, the Laconia Correctional facility will be closed, and there will be increases in tolls, along with consolidation of state departments. The state will honor 2009 grants. Mr. Jensen asked if those towns that receive educational funding aid can use this money in their general budget. Betsey stated and the Selectmen all agreed that is a major concern. Betsey stated that she will look into this.
2. Planning Board Update: Ed stated they met last night.
3. Administration Update: None.
4. Moultonborough Planning Board Minutes, February 2, 2009: Acknowledged.
5. Moultonborough Zoning Board of Adjustment Minutes, February 4, 2009: Acknowledged.
6. Advisory Budget Committee Minutes, January 22, 31 & February 3, 2009: Acknowledged.

IX. PENDING: None.

X. CORRESPONDENCE: None.

Ed Made a Motion to go into Non-Public Session per RSA 91-A:3 II (b). Joel Seconded the Motion. Karel requested a roll call to go into Non-Public Session: Jim – Aye; Betsey – Aye; Ed – Aye; Joel – Aye; Karel – Aye. The Selectmen went into Non-Public Session at 9:34 p.m.

Betsey Made a Motion to come out of Non-Public Session. Joel Seconded the Motion. Karel called for a roll call: Jim – Aye; Betsey – Aye; Ed – Aye; Joel – Aye; Karel – Aye. The Selectmen came out of Non-Public Session at 10:00 p.m. Betsey Made a Motion to seal the Non-Public Minutes until the matter is resolved. Joel Seconded the Motion. The Motion carried Unanimously.

XI. ADJOURNMENT: Betsey Made the Motion to Adjourn. Joel Seconded. Motion Carried Unanimously. Karel adjourned the meeting at 10:01 p.m.

Approved

Date
Respectfully Submitted
Hope K. Kokas, Secretary