

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

Selectmen's Meeting

August 6, 2009

MINUTES

Present: Selectmen: Karel A. Crawford, Joel R. Mudgett, Vice Chair, Edward J. Charest, Betsey L. Patten; Carter Terenzini, Town Administrator; Hope K. Kokas, Office Secretary.

- I. **CALL TO ORDER:** Karel called the meeting to Order at 7:00 P.M.
- II. **PLEDGE OF ALLEGIANCE**
- III. **REVIEW/APPROVE MINUTES:** Betsey made the Motion to approve the Minutes of July 30, 2009, as written. Ed Seconded. The Motion carried Unanimously.
- IV. **NEW RESIDENTS:** Dana L. MacKenzie, Cynthia A. & David B. Desmond, Elizabeth B. & James D. Utterback, Tammy A. & Robert D. O'Brien, Lynda B. & William F. Jr. Glavin, Morgan R. Frank, Christopher W. Smith.
- V. **PUBLIC MEETING:**
 1. **Citizen Input:** 1) Joe Quaresima addressed the Selectmen regarding his concern that Time Warner is dropping the second Boston channel. He said that he emailed Carter and Time Warner and the response he received was the FCC controls the channels. Mr. Quaresima added that people in Moultonborough are not interested in Portland, Maine news. He asked the Selectmen if the Town's agreement with Time Warner gives them the right to drop channels. Karel explained that the Town has a 15 year contract, which was in place prior to her becoming Selectmen, which the Town must adhere to until its expiration. She added that she agrees with Mr. Quaresima that she and the Town wants the Boston channels. Karel suggested that Mr. Quaresima organize a citizen's petition to Time Warner stating their concern. Betsey recalled through her legislative history that another Town had this problem, which she will look into and report back. Peter Jensen commented that Mike Edgecombe of Time Warner stated at a previous meeting, that the reason they are dropping channels is to add high definition channels with the plan of having 100 HD channels. Ed stated that he has a copy of the contract and will review it again regarding programming and suggested to Mr. Quaresima that he can request a copy of the contract to also review. Karel suggested and the Selectmen agreed to send a letter to Time Warner voicing the Town's concern about the Boston channels being dropped. Betsey added that a citizen's petition would be helpful to support their cause. 2) Jim Mullen asked the Selectmen when the parking restriction sign was approved that are on the left side by the boat ramp at the Long Island beach. He explained that the signs state "no parking between the signs" which eliminates approximately 20 parking spaces. Carter said that he didn't have an answer and will check with the Highway Agent. Mr. Mullen stated that he called the Highway Agent and was told that if the signs were up, it needs to be enforced. Joel recalled that around two years ago, there was a problem with children darting out between cars in this area. Mr. Mullen submitted a petition to the

Selectmen to reinstate the parking spaces, further commenting that if this is the Town's intent, then the Police Department should distribute flyers at the beach warning patrons that the parking restrictions will be enforced and giving an enforcement date. Karel assured Mr. Mullen that they will research the question and provide him with an answer. 3) Hollis Austin referred to last week's meeting when the Selectmen were asked if the search committee for a new Police Chief had been formed and learned that it had been and the process had already begun. Mr. Austin asked where the announcement was made requesting volunteers for that committee, as he was unable to find it. Karel replied that the Selectmen will not answer any questions about the police committee at this time due to receiving a letter from a member of the public threatening litigation, and must first consult with Town Counsel.

2. Non-Public Session Per RSA 91-A:3 II (b):

VI. NEW BUSINESS:

1. Review for Discussion: Halfway Brook Bridge: Karel explained that this is a question of ownership of the bridge. Carter informed the Selectmen that he hasn't received any response from the property owners, the Baintons'. He did learn that they did contact the Highway Department, asking for names of contractors, but there was no response to the letter the Selectmen sent. Carter stated that it is his and Town Counsel's recommendation to give the property owner the option to accept the bridge as is or the Town will remove it. He added that there is history of the Town repairing the bridge, although he has been unable to find out when or why. Joel suggested having the Highway Department put snow fencing on it to prevent access with a sign to keep people off of it. Carter expressed concern that if someone's vehicle goes on it and the bridge collapses, causing flooding, etc., the Town will be faced with DES action. Betsey suggested putting up the fence and contacting the property owners again to have them either accept it or not. Carter asked the Selectmen to confirm that he is to have the Highway Department install fencing with a sign on the bridge and with Town Counsel, draft a letter to the property owners again asking them to either accept the bridge as their property or the Town will remove it. Karel voiced her concern that by installing fencing and then removing the bridge implies that the Town owns it unless the property owner proves otherwise. Discussion occurred and it was agreed that installing the fence with the sign can be done through the Code Enforcement office as it is a hazard to the public. Joel questioned that if the Town does end up removing the bridge, should DES be contacted. The Selectmen agreed that working with the CEO, Carter will direct the Highway Department to put up fencing with signage and will draft another letter to the property owners with a time limit to either accept the bridge as their property or the Town will remove it. Carter was asked if anyone has spoken with Ernest Davis. He replied that Jim said he would do this, but hasn't heard from him.
2. Review for Discussion: Public Safety Building: Carter explained that the problem was diagnosed and the initial repairs were made to stabilize the problem, as they waited for Chicoine and Veno Electric to decide to pull in the wires. There still remains the cost of the work that the Town did along with the cost to repair the parking lot. Carter recommends fixing the parking lot before the winter, and working with Town Counsel, send a demand for payment for the costs the Town has incurred to Chicoine. Joel Made the Motion to repair the parking lot at the Public Safety Building. Ed Seconded the Motion. The Motion carried Unanimously.

3. Review for Approval: Disposal Agreement, David Fullerton: Betsey Made the Motion to approve the Disposal Agreement for David Fullerton. Ed Seconded the Motion. The Motion carried Unanimously.
4. Review for Approval: Disposal Agreement, Dennis Shaw: Betsey Made the Motion to approve the Disposal Agreement for Dennis Shaw. Ed Seconded the Motion. The Motion carried Unanimously.

VII. OLD BUSINESS: None.

VIII. OTHER BUSINESS:

1. Legislative Update: Betsey reported that she has no update.
2. Planning Board Update: Ed reported that they didn't meet this week.
3. Administration Update: Carter stated that besides his weekly update, he has nothing further to report.
4. Planning Board Work Session Minutes, July29, 2009: Acknowledged.

IX. PENDING: None.

X. CORRESPONDENCE: None.

XI. CITIZEN INPUT: 1) Ed, referring to the young girl that received a serious cut which resulted in stitches from one of the Long Island beach docks, asked what has been done to correct the problem. Carter responded that the problem was brought to the installer's attention and he was aware that it was taken out of service (barricaded), but then put back into the service. He added that bolts are used on docks and will protrude. He will verify that the problem has been fixed.

Joel Made the Motion for the Selectmen to go into Non-Public Session per RSA 91-A:3 II (b). Ed Seconded the Motion. Karel called for a Roll Call: Betsey – Aye; Ed – Aye; Joel – Aye; Karel – Aye. The Selectmen went into Non-Public Session at 7:30 p.m.

Betsey Made the Motion to come out of Non-Public Session and to seal the Minutes until the matter is resolved. Joel Seconded the Motion. Karel called for a Roll Call: Betsey – Aye; Ed – Aye; Joel – Aye; Karel – Aye. The Selectmen came out of Non-Public Session at 7:55 p.m.

XI. ADJOURNMENT: Joel Made the Motion to Adjourn. Ed Seconded.
Motion Carried Unanimously.
Karel adjourned the meeting at 7:56 p.m.

Approved

Date
Respectfully Submitted
Hope K. Kokas, Office Secretary