

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

Selectmen's Meeting

August 20, 2009

MINUTES

Present: Selectmen: Karel A. Crawford, Joel R. Mudgett, Vice Chair, Edward J. Charest, James F. Gray, 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: Joel made the Motion to approve the Minutes of August 6, 2009, as written. Betsey Seconded. The Motion carried Unanimously.

IV. NEW RESIDENTS: George A. Plaisted, William N. & Joyce E. Faucon, Joanne Billings, Melissa L. Phillips, Salvatore M. Consoli, Bruce Sanborn, Radames Figueroa, Jose Serrano, Gabriel Merced, Elaine M. Blizzard, Brandyn A. Wixon, Chris A. Bassett, Kenneth G. Kelley.

V. PUBLIC MEETING:

1. Citizen Input: 1) Joseph Dizoglio, addressed the Selectmen stating that he is a World War II Veteran and recently his Veteran's Tax Credit file was reviewed by staff in Administration, and found that he served honorably only 88 days from the required 90 days for that qualifying period, therefore losing the Veteran's Tax Credit. Mr. Dizoglio stated that his discharge papers did not accurately state the day he was inducted, which would have qualified him for the Tax Credit. Karel thanked Mr. Dizoglio for his service adding that she agreed that the state law was unfair in this respect, but none the less, it is state law which the Town must follow. Mr. Dizoglio stated that the law is unjust to Veterans and it is his intent to get the law changed. Betsey added that bills have come to the Legislature to change the law, but due to time sensitivity, did not go through. She encouraged him to seek her out to change the law. 2) Hollis Austin asked the Selectmen to explain why they are conducting the interviews for the Chief of Police in Non-Public Session and the criteria used to make this decision along with sealing the minutes. Karel responded that this is a personnel matter and it is covered under RSA 91-A:3 II. (b) and the Minutes are sealed until the matter is resolved. Betsey added that under the RSA they are allowed to interview in Non-Public Session. Mr. Austin asked if anyone was hired and learned that that no one was. Ed commented that questions that are asked during interviews can be sensitive in nature and the candidate's right for privacy must be protected.
2. Center Harbor Selectmen: Karel welcomed Chairman Charley Hanson and Randy Mattson, two of the three Selectmen from Center Harbor. Mr. Hanson thanked the Selectmen for the Town's contribution towards the 2009 July Fourth fireworks, which was a great display. Mr. Hanson informed the Selectmen that the reconstruction for the High Haith Bridge, which Moultonborough and Center Harbor residents use was found

eligible for stimulus funding. He added that they now have the final design for the hydrant which required that two easements be obtained. Mr. Hanson reported that they are moving forward and the job for the bridge will be going to bid, with most of the construction being done in the fall and finishing before Memorial Day. There will be periods that the bridge will be out of service for a couple of hours, but they will have emergency services available and have arranged with the Moultonborough Fire Department to have a fire truck cover at the Center Harbor station. Mr. Hanson asked about the Moultonborough's beach/landfill permit sticker program, explaining that their town is having difficulty regulating parking at their town beach and recently had a problem with some young people. Karel explained how the two year permit and process works which is enforced by the Police Department, through a part-time special officer. The Center Harbor Selectmen asked about the status of Moultonborough's new Town Planner, adding that they have contracted with LRPC, but are looking towards the future of having a town planner. Ed informed them that so far that the Town Planner, Dan Merhalski is working out very well. He has begun to plan for Town Meeting working on long range goals for the Master Plan and developing new policies for Land Use forms. Ed added that a main concern is the development of Route 25 and the Corridor Study, with the major intersections, along with the revitalization of the center of Town. Karel recommended that before the Center Harbor Selectmen bring the question to their Town Meeting, to be sure that they have researched the position fully and have 'all of their ducks in a row.' Karel asked the Center Harbor Selectmen when Moultonborough can expect to pay for the hydrant on High Haith Road, hoping that this can be paid before January 1st. They responded that they should have an answer for them in about a month or as soon as they have their wetland approval. Carter informed the Center Harbor Selectmen that Moultonborough is also working on its portion of High Haith Road and he will have the Highway Agent coordinate work with their town.

VI. NEW BUSINESS:

1. Review for Discussion: Susette Remson Re: On-line Payments & Tax Deeds for 2006: Susette provided the Selectmen with the preliminary 2006 tax deed list. She reminded them that she needs to provide at least a thirty day notice and asked the Selectmen to review the list for properties that are known to have major problems that the Town will not want to own. Susette added that there were no tax deeded properties last year; however this year's list does contain repeat delinquent tax payers. Carter stated that he will give the preliminary list to department heads of the Police and Fire Departments, Code Enforcement and Land Use for their recommendation to Susette for the final notification at the next Selectmen's meeting, September 3rd. Susette informed the Selectmen that she has spoken with Town Counsel regarding the fee disclosure and it is his opinion that the law is being met as long as the disclosure is made prior to the tax payment being made. She then discussed RSA 80:52-c which authorizes electronic payments versus RSA 41:29 VI and RSA 41:6 which involves payment by cash or check that is being deposited physically by Town staff delegated to do so. Following the 2009 Town Meeting, the next step is to have a public hearing to adopt the procedures. Carter suggested September 17th, and advertising it September 3rd which was agreeable by all. Susette told the Selectmen that she talked with eight different tax collectors and learned of their experience, which is depicted in the spread sheet she provided them. In her research, she recommends contracting with PayGov, which has a month by month contract versus long term. PayGov received good recommendations and is being used by

- Farmington, which also uses Vadar for their billing software. Susette added that it is reassuring to know that PayGov works well with the Town's tax billing software company. Susette requested and received by consensus authorization to have Town Counsel review the contract. Betsey suggested to Susette that she also include with the contract her spread sheet with the questions she asked of the various vendors.
2. Review for Approval: Conservation Committee Appointment – Robert Patenaude: Betsey Made the Motion to appoint Robert Patenaude as an alternate to the Conservation Committee. Joel Seconded the Motion. The Motion carried Unanimously.
 3. Review for Approval: Planning Board – Master Plan Implementation Committee: Betsey expressed her opinion that this should be under the jurisdiction of the Planning Board and not the Selectmen, and asked that they meet with the Planning Board and the Town Planner to discuss the matter. Carter stated that he feels it is consistent with the Master Plan, adding that the Town's department managers will be asked to implement the goals and they are under the Selectmen's supervision and jurisdiction. The Planning Board can't direct the Department Managers to act. Betsey acknowledged Carter's explanation, but stated she would feel more comfortable meeting with the Planning Board and the Planner. Joel stated that he agrees with Betsey. Discussion took place about the implementation of the Master Plan. Carter stated that action #1 of the Master Plan is to create the implementation committee, adding that the Planning Board can't implement, but this doesn't negate their authority to amend the Master Plan. Jim Made the Motion to create the Master Plan Implementation Committee as described in Judith Ryerson's letter to the Selectmen, Chair of the Planning Board. Ed Seconded the Motion. The Motion carried three to two (Betsey and Joel against).
 4. Review for Approval: Application for Sign Permit, 133 Severance Road: Karel commented that the CEO reports that the size of the sign meets the ordinance, but feels it may be in violation of the Zoning Ordinance. Karel asked that the application be tabled for review by the Town Planner and Code Enforcement Officer.
 5. Review for Approval: Notification of Retirement, Brownie Jones, Town Assessor: Karel reported that the Selectmen have received and accept with great regret Brownie Jones' letter of retirement as of September 30, 2009. In his letter he offers to assist if needed until a replacement is found. Karel stated that she authorized the Town Administrator to advertise the opening, as they have a very short schedule to find a replacement. Carter added that he will have suggested names for the Screening Panel by September 3rd.
 6. Review for Approval: Resignation, Starla Watson, Office Manager – VNS: Karel reported that the Selectmen have received Starla Watson's letter of resignation from the Visiting Nurse Service and they accept her resignation with regret.
 7. Personnel Announcement: Police Dispatcher: Karel announced that Emily Hansen has been hired as the new Police Dispatcher.
 8. Review for Approval: Temporary Use Permit – Commercial Use (2), Castle in the Clouds: Carter explained that the manager of Castle in the Clouds was unaware of the time needed to submit a Temporary Use Permit and therefore the permit request for August 15th & 16th for the Granite State Nationals Car Show is after the fact. The Temporary Use Permit for the 4th Annual Fall Foliage Festival is scheduled for October 4, 2009. Joel Made the Motion to approve the Temporary Use Permit submitted by the Castle in the Clouds for August 15th & 16th and also the Temporary Use Permit for October 4, 2009. Betsey Seconded the Motion. The Motion carried Unanimously. Joel suggested that the Temporary Use Permit be revised to include additional information describing the function in more detail than what is now on the form. Carter stated he will ask the department heads involved to review the form.

9. Review for Approval: Task Orders from Town Engineer: Carter asked that the Chair be authorized to sign the Task Order for Blacks Landing to retain surveys and borings at a cost of \$6,850; and for Paradise Drive to retain the conceptual design at a cost of \$13,700. Betsey made the Motion to authorize the Chair to sign the Task Order for Blacks Landing, \$6,850 and Paradise Drive, \$13,700. Joel 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 had a planning session this week and will meet next week.
3. Administration Update: Carter stated that besides his weekly update, he reported that he did receive a signed release from the owners of 157 Lee's Mill Road, the Ernest L. Bainton, Jr. Revocable Trust, accepting ownership of the Halfway Brook Bridge. In addition, Dave Rodrique of DOT will be a member of the Route 25 Task Force and will be meeting with the Town Planner in mid September, along with the Police and Highway Departments. Carter reported that he received a request from a resident, asking that a small group of triathlon members be allowed to park at the Long Island Beach on Saturday, August 22nd from 8 a.m. to 10 a.m. Carter suggested providing the members with a card that they could place on their dashboard. Karel commented that parking at the Long Island Beach for those with permits is difficult and it is likely that the beach will be busy on Saturday morning. Betsey suggested that they shuttle the triathlon members from the Moultonboro Neck Fire Department Station to Long Island Beach. Karel added that those participants that have permits could shuttle people back and forth. Carter reported that the Town received the Sandwich Fair's annual request to place signs in Town and to use the Recreation Department's bleachers. Karel asked that Carter check with the Recreation Department to be sure that the bleachers are available that weekend. Approved by Consensus.
4. Advisory Budget Committee Minutes, June 11, 2009 & July 30, 2009: Acknowledged.
5. Library Board of Trustees Minutes, July 9, 2009: Acknowledged.
6. Zoning Board of Adjustment Minutes, August 5, 2009: Acknowledged.

IX. PENDING: None.

X. CORRESPONDENCE:

1. Jane Fairchild, August 10, 2009: Karel reported that Ms. Fairchild has reconsidered her request to remove her letter of interest for being on the Recreation Advisory Board as an alternate. Ed Made the Motion to appoint Jane Fairchild as an alternate to the Recreation Advisory Board. Betsey Seconded the Motion. The Motion carried Unanimously.
2. Ed reported that the Heritage Commission met last week and appointed Cristina Ashjian as President and Jean Beadle as Secretary.
3. Paul Punturieri, August 5, 2009: Karel reported that Mr. Punturieri, who states he is not a member of Moultonboro Citizen Alliance, threatens litigation against the Town regarding the Right to Know law RSA 91:A. As litigation has been threatened the Selectmen will have no further comment.

4. Joel reported that Camp Robindel will be hosting their annual Paralyzed Veterans' weekend, September 11th to 13th and requested that a certificate be prepared.

XI. CITIZEN INPUT: 1) Nancy Wright asked if Staff Meetings are open to the public. Carter replied members of the staff are not a public body as defined by RSA 91-A, therefore not a public meeting.

Betsey Made the Motion for the Selectmen to go into Non-Public Session per RSA 91-A:3 II (b). Joel Seconded the Motion. Karel called for a Roll Call: Jim – Aye; Betsey – Aye; Ed – Aye; Joel – Aye; Karel – Aye. The Selectmen went into Non-Public Session at 8:25 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: Jim – Aye; Betsey – Aye; Ed – Aye; Joel – Aye; Karel – Aye. The Selectmen came out of Non-Public Session at 8:55 p.m.

XI. ADJOURNMENT: Ed Made the Motion to Adjourn. Jim Seconded. Motion Carried Unanimously. Karel adjourned the meeting at 8:56 p.m.

Approved

Date
Respectfully Submitted
Hope K. Kokas, Office Secretary