

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

Selectmen's Meeting

February 4, 2010

MINUTES

Present: Selectmen: Karel A. Crawford, Joel R. Mudgett, Edward J. Charest, James F. Gray; Betsey L. Patten; Carter Terenzini, Town Administrator; Carol A. Fucarile, Executive Secretary.

I. CALL TO ORDER: Karel called the meeting to Order at 7:00 P.M.

II. PLEDGE OF ALLEGIANCE:

Karel explained why the computer was on the Board of Selectmen's Table: Ed Marudzinski, a member of the Advisory Budget Committee who is in Georgia, is on Skype. The ABC voted and agreed that Ed Marudzinski can vote via Skype.

III. REVIEW/APPROVE MINUTES: Joel made the Motion to approve the Minutes of January 21, 2010 and January 28, 2010 as written. Betsey Seconded. The Motion carried Unanimously.

Karel stated that there is one clarification from the Conservation Commission (see Minutes of January 21, 2010, VI 5) to be noted in these Minutes in that, we have five members, five alternates, Judy Ryerson for one year, Paul Schmidt for two years, Bob Clark for three years, and Bob Clark will return at the end of the year if he feels he needs seven alternates. It was so noted.

IV. NEW RESIDENTS: Christina Mosquera, Tim Wade, Pamela Ross, Mary DiMaria and Mark Diette.

V. PUBLIC MEETING:

1. **Citizen Input:** Jane Fairchild encouraged the Board of Selectmen to hold additional public hearings on the Lions Club property. There seems to be confusion concerning this. Karel stated that they will take it under advisement. Jim Morrison asked if the Minutes just approved by the Board, were the Minutes that are received via e-mail? Are they the Draft Minutes exactly as written and available on the website? Mr. Morrison pointed out a couple of typographical errors in the Minutes of January 21, 2010 and the January 7, 2010. Hollis Austin pointed out that in the Minutes of January 21, 2010 reference was made that Mr. Jensen stated that monies that were not spent can go back to the general fund, but Mr. Austin states that Mr. Jensen never made that statement. Joel stated that it should read milfoil fund, and Mr. Austin agreed. Karel stated that these can be corrected. Tim Tinel stated that the wording had been changed on Article 18 and it should read Veteran's Memorial Park. The original Petition was reviewed and this will be corrected. Bill Gasman asked should the public discuss them now or as they are read? Karel asked for the input and/or comments now.

VI. NEW BUSINESS:

1. Review: Citizens' Petition to Amend NH Constitution that Defines "Marriage": Acknowledged.
2. Review: Citizens' Petition, Moultonboro/Sandwich Senior Meals Program: Acknowledged.
3. Review: Citizens' Petition, West Wynde Retirement Community: Acknowledged.
4. Review: Citizens' Petition, Milfoil Control Trust Fund: Acknowledged.
5. Review: Citizens' Petition, Winnepesaukee Wellness Center: Acknowledged.
6. Review: Citizens' Petition, Center Harbor Soup Kitchen: Acknowledged.
7. Review: Citizens' Petition, Moultonborough Suicide Prevention & Mental Health Coalition: Acknowledged.
8. Review: Citizens' Petition, Starting Point: Services for Victims of Domestic & Sexual Violence: Acknowledged.
9. Review: Citizens' Petition, Inter-Lakes Day Care Center & Nursery School: Acknowledged.
10. Review: Citizens' Petition, Hemlock Cove Milfoil Eradication: Acknowledged.
11. Review: Citizens' Petition, Hemlock Harbor, Lees Mills & Town Boat Launch Area Milfoil Eradication: Acknowledged.
12. Review: Citizens' Petition, Sandwich Children's Center: Acknowledged.
13. Review: Citizens' Petition, Town's Checkbook Online: Acknowledged.
14. Review: Citizens' Petition, Include Salaries & Payments in Annual Town Report: Acknowledged.
15. Review: Citizens' Petition, Adoption of Fiscal Year per RSA 31:94-a - May 2012: Acknowledged.
16. Review: Citizens' Petition, Adoption of 18 Month Accounting Period January 1-June 30: Acknowledged.
17. Review for Approval: 2010 Town Warrant: Acknowledged.

Karel stated that the Board of Selectmen will ask questions and allow the public to do so. Hopefully the Petitioners are present to answer questions and/or comment on their Petition(s). The Board will not be voting on the Planning Board issues – they are ballot issues and do not require Selectmen recommendation for Articles 2, 3, 4 and 5; they will start with Article 6. Cristina Ashjian said she believed there is a clerical error on Article 5: "Village Center District" and the Zoning Ordinances defines it as the Village Zone or Commercial Zone. We will review this with the Town Planner.

ARTICLE 6: The Article was read aloud. As there was no discussion, Karel called for a vote.

Recommended by Selectmen 5 yes – 0 no

Recommended by Advisory Budget Committee 5 yes – 0 no

ARTICLE 7: The Article was read aloud. As there was no discussion, Karel called for a vote.

Recommended by Selectmen 5 yes – 0 no

Recommended by Advisory Budget Committee 4 yes – 0 no - 1 abstain

ARTICLE 8: The Article was read aloud. As there was no discussion, Karel called for a vote.

Recommended by Selectmen 5 yes – 0 no

Recommended by Advisory Budget Committee 5 yes – 0 no

ARTICLE 9: The Article was read aloud. As there was no discussion, Karel called for a vote.

Recommended by Selectmen 5 yes – 0 no

Recommended by Advisory Budget Committee 5 yes – 0 no

ARTICLE 10: The Article was read aloud. As there was no discussion, Karel called for a vote.

Recommended by Selectmen 5 yes – 0 no

Recommended by Advisory Budget Committee 5 yes – 0 no

ARTICLE 11: The Article was read aloud. As there was no discussion, Karel called for a vote.

Recommended by Selectmen 5 yes – 0 no

Recommended by Advisory Budget Committee 5 yes – 0 no

ARTICLE 12: The Article was read aloud. As there was no discussion, Karel called for a vote.

Recommended by Selectmen 5 yes – 0 no

Recommended by Advisory Budget Committee 5 yes – 0 no

ARTICLE 13: The Article was read aloud. As there was no discussion, Karel called for a vote.

Recommended by Selectmen 5 yes – 0 no

Recommended by Advisory Budget Committee 5 yes – 0 no

ARTICLE 14: The Article was read aloud. As there was no discussion, Karel called for a vote.

Recommended by Selectmen 5 yes – 0 no

Recommended by Advisory Budget Committee 5 yes – 0 no

ARTICLE 15: The Article was read aloud. As there was no discussion, Karel called for a vote.

Recommended by Selectmen 5 yes – 0 no

Recommended by Advisory Budget Committee 5 yes – 0 no

ARTICLE 16: The Article was read aloud. Betsey confirmed that there was no amount of money noted here. Bob Goffredo, one of the Petitioners, stated that at the time it was submitted, they did not know what the cost involved would be. They cannot give a figure at this time. Betsey suggested it can be amended on the Town Meeting floor. Mike Lancor suggested there might be some confusion wherein Article 28 asks for \$200,000 for milfoil, but Article 16 has no dollar figure, Article 19 asks for \$10,000, Article 21 asks for \$5,420, and Article 22 asks for \$5,000, and so he suggested that Article 28 appear on the Warrant before any of the other milfoil Articles. Joel said that he will make a motion concerning this later on. Karel and Joel explained that they were put on as they were received, but Joel said for this one time, we should change this order. Jerry Hopkins suggested that maybe an Article cannot have money inserted into it as a revision on the floor of the Town Meeting. Karel stated that because it doesn't have a monetary amount, then maybe it can't be added. Betsey will check into this with DRA.

By Petition

Recommended by Selectmen 4 yes – 0 no - 1 abstain

Recommended by Advisory Budget Committee 0 yes - 1 no - 4 abstain

ARTICLE 17: The Article was read aloud. As there was no discussion, Karel called for a vote.

By Petition

Recommended by Selectmen 5 yes – 0 no

Recommended by Advisory Budget Committee 5 yes – 0 no

ARTICLE 18: The Article was read aloud. Karel suggested that we wait until the fields are done and then possibly make it a contest for the children, but wanted to be clear that she and the Board of Selectmen have nothing against Veterans (her husband is a Veteran), and we have several tributes to our Veterans in the town. Sally Carver agreed to wait and involve the children and the community for a different name; although it is a great name, maybe we should put it out to the community. Tim Tinel stated that this is a good way to treat our Veterans and wants it done for the Veterans as well as the active duty military as he feels this is the right thing to do. He feels it would be a great honor for our Veterans. Al Hume shared how Meredith makes an event out of it. Ed asked if there were any Petitioners here that signed this Petition. Tim Tinel said he is a Veteran and wants to support them. Ed hopes that the people who signed the Petition would support the expenditure of funds to do this. Tim Tinel also stated that the name could be changed in the future by another Warrant Article. Jean Beadle also agreed that this would be a great community event to involve the children. Karel stated again that in no way are they against the Veterans as this is definitely not the case.

By Petition

Recommended by Selectmen 2 yes – 0 no – 3 abstain

Recommended by Advisory Budget Committee 1 yes – 0 no - 4 abstain

ARTICLE 19: The Article was read aloud. Carter suggested that if it were moved, that when the party makes the motion to approve the \$200,000, they could provide that no less than the sum of (fill in the blank) for the purpose of for each of these other Articles so that it is clear that you want those monies expended on those Articles and that the Petitioners of these Articles do not become concerned that their purpose and their dollars are getting lost in the master \$200,000 Article. There would have to be a further amendment from the floor to specify that those monies will in fact be expended this year. Ed asked what the total of all of these were. Alan Ballard asked that the Petitioner tell us what the estimated cost is, whether state funding had been applied for, and if so, was it approved and for how much. Paul Daisy said that state funding was applied for and received for just under \$5,000 which represents 30% of what we now know to be the cost of the treatment. The intention is to raise 1/3 by the landowners, 1/3 by the state and 1/3 by the town. At Town Meeting, Mr. Daisy said that there will be a motion to adjust the \$10,000 down to an amount that represents 1/3 of the cost. Further discussion was had concerning the milfoil Articles, the amounts and the order in which they would be presented.

By Petition

Recommended by Selectmen 5 yes – 0 no

Recommended by Advisory Budget Committee 5 yes – 0 no

ARTICLE 20: The Article was read aloud. As there was no discussion, Karel called for a vote.

By Petition

Recommended by Selectmen 5 yes – 0 no

Recommended by Advisory Budget Committee 5 yes – 0 no

ARTICLE 21: The Article was read aloud. As there was no discussion, Karel called for a vote.

By Petition

Recommended by Selectmen 5 yes – 0 no

Recommended by Advisory Budget Committee 5 yes – 0 no

ARTICLE 22: The Article was read aloud.

By Petition

Recommended by Selectmen 5 yes – 0 no

Recommended by Advisory Budget Committee 5 yes – 0 no

ARTICLE 23: The Article was read aloud. Sally Carver stated that this money goes to the Laconia Salvation Army for the soup kitchen and shelter. The Salvation Army is looking to buy another shelter. Sally also stated that Town's Human Services Director recommends to some of the Moultonborough citizens to go there for help, and requested the Board support this.

By Petition

Recommended by Selectmen 5 yes – 0 no

Recommended by Advisory Budget Committee 5 yes – 0 no

ARTICLE 24: The Article was read aloud. There was discussion as to who this actually is for. This is for the VNA-Hospice of Southern Carroll County. Karel called for a vote.

By Petition

Recommended by Selectmen 5 yes – 0 no

Recommended by Advisory Budget Committee 5 yes – 0 no

ARTICLE 25: The Article was read aloud. Joel felt that this is not something that the Board should be voting on since this is a state law.

By Petition

Recommended by Selectmen 0 yes - 0 no - 5 abstain

Recommended by Advisory Budget Committee 0 yes – 1 no - 4 abstain

ARTICLE 26: The Article was read aloud. As there was no discussion, Karel called for a vote.

By Petition

Recommended by Selectmen 5 yes – 0 no

Recommended by Advisory Budget Committee 5 yes – 0 no

ARTICLE 27: The Article was read aloud. As there was no discussion, Karel called for a vote.

By Petition

Recommended by Selectmen 5 yes – 0 no

Recommended by Advisory Budget Committee 5 yes – 0 no

ARTICLE 28: The Article was read aloud. Peter Jensen stated that this initiative is one of the most effective things that can be done this year to improve Moultonborough's local economy both off and on the lake, the tax rate, property values, local businesses, etc. Moultonborough is a highly desirable area in terms of its water resource. He stated that every other town around the lake is contributing at the municipal level for milfoil. Further discussion followed concerning the milfoil treatment, the length of time of treatment and when the treatment is effective. Mr. Jensen will submit (after the meeting) two plans of how to expend this money. They have spent time with DES trying to get this amount right. This will take care of the beginning process of addressing this problem with enough to do full treatments for everything and probably some second treatment in the spring of the next year. Mr. Jensen strongly encouraged the Board to support this Article. Ed stated that he would like to see the plan to see how this money is going to be used. Ed's other concern is that there are other issues involved, not just the milfoil, such as steep slopes, ground water protection; all of these things need to be considered. Mr. Jensen stated that these funds are not for other problems such as erosion, etc., but addresses the milfoil. He further stated that at the end of 2008, DES surveyed 201 acres of milfoil in the inner part of Moultonborough Bay. In 2009, they surveyed some of the same area and some areas that were not surveyed in 2008, and found roughly 20 to 30 acres more, plus Lee's Pond. Karin Nelson stated that they would follow DES's plan so that no one would be left out (at least until the money ran out). She also stated that Moultonborough is upstream of most of the other towns on the lake so that we need to get the entire lake together and get this started so that we can show the other towns what we are doing now. Jerry Hopkins stated that the Article does describe as agents to expend, so the final decision rest on the Board of Selectmen as to where and when the money goes. He feels that everyone is going to bear the burden of this cost. John Anderson stated that even though he does not live on the water, he feels this should be the most important thing the Board of Selectmen can consider. They are looking at less money per acre than most other towns. Mat Humer agreed that this milfoil affects the property values. Bill Gasman asked for the Board's support, milfoil is not going to go away and we need to get used to spending for it like we got used to spending for plowing snow. Sally Carver stated that if the milfoil is not addressed, people could take matters into their own hands by using chemicals in the water to get rid of the milfoil which would harm the fish, loons, etc. She wants it to be done correctly with a good plan and lead by good people. Paul Daisy stated this is critically important at Town Meeting to see that the Selectmen are 100% behind this. There was much discussion concerning this subject. Karel suggested it be brought up at the Town Meeting. Joe Keegan advised that Little Sebago Lake in Maine spends \$147,000 per year for their milfoil problem, and they are still working on it. Ed stated that the water quality of the lake is important, and their concern is the financial wellbeing of not only the lakefront people, but for everyone. Ed stated that at the same time we deal with the milfoil, we should also deal with the degradation that comes from developers who clear cut on and off the lake, people using the lake as a bathroom, building more homes, and all this eventually ends up in the lakes. Betsey stated that we have a master plan that maybe overly ambitious, and so the Planning Board has a proposal for the storm water, ground water protection and to cut back a little at the Village. Everyone has put time and effort into this. Betsey has been looking into this herself in Concord, the milfoil committee, and what everyone else in the state is doing and the Board of Selectmen have sent out a survey. Some reports have come back from surrounding towns. We have a problem here. We have gotten DES to

look at what is happening in Moultonborough because we have concerned citizens. A map, the rules and an explanation of how the program will work is necessary at Town Meeting, otherwise all citizens will not agree.

By Petition

Recommended by Selectmen 5 yes – 0 no

Recommended by Advisory Budget Committee 5 yes – 0 no

ARTICLE 29: The Article was read aloud. As there was no discussion, Karel called for a vote.

By Petition

Recommended by Selectmen 5 yes – 0 no

Recommended by Advisory Budget Committee 5 yes – 0 no

ARTICLE 30: The Article was read aloud. Karel stated this is the first time we have seen this Article in Moultonborough and asked if there was a Petitioner here, but no one responded. Betsey asked for clarification as to which church this was (next to the Post Office in Center Harbor). Karel suggested that one of the Petitioners should be at Town Meeting since it is a new Article so that it can be explained.

By Petition

Recommended by Selectmen 5 yes – 0 no

Recommended by Advisory Budget Committee 5 yes – 0 no

ARTICLE 31: The Article was read aloud. Scott Kinmond spoke of what has been done and how it all works. Betsey stated how important she feels this is to the community.

By Petition

Recommended by Selectmen 5 yes – 0 no

Recommended by Advisory Budget Committee 5 yes – 0 no

ARTICLE 32: The Article was read aloud. As there was no discussion, Karel called for a vote.

By Petition

Recommended by Selectmen 5 yes – 0 no

Recommended by Advisory Budget Committee 5 yes – 0 no

ARTICLE 33: The Article was read aloud. There was some discussion about this nonprofit organization which subsidizes Moultonborough children.

By Petition

Recommended by Selectmen 5 yes – 0 no

Recommended by Advisory Budget Committee 5 yes – 0 no

ARTICLE 34: The Article was read aloud. As there was no discussion, Karel called for a vote.

By Petition

Recommended by Selectmen 5 yes – 0 no

Recommended by Advisory Budget Committee 5 yes – 0 no

ARTICLE 35: The Article was read aloud. Joel made a Motion to have Article 28 appear before any of the milfoil Articles. Betsey Seconded. The Motion carried Unanimously. Carter asked for clarification that the “master” Article will appear first, and

the others will be put in the order in which they were received and put them behind the master Article. It was agreed. He also asked if it is the Board's desire to amend their recommendation to reflect that the \$200,000 should include the other Articles? Karel stated that that can be done on the floor.

By Petition

Recommended by Selectmen 5 yes – 0 no

Recommended by Advisory Budget Committee 5 yes – 0 no

ARTICLE 36: The Article was read aloud. Karel stated that this is another new Petition Warrant Article and asked if there was a Petitioner here? No one responded.

By Petition

Recommended by Selectmen 5 yes – 0 no

Recommended by Advisory Budget Committee 5 yes – 0 no

ARTICLE 37: The Article was read aloud. There was some discussion and comments from the citizens as to the reasons why this should not be recommended. The amount of time and money this would take, not to mention larger storage space will be needed for the website. Karel stated that all of these documents are available to the public either by viewing or requesting a copy. Also mentioned was the unfairness to the Human Services recipients as well as taxpayer's information. Another mentioned it being unsafe.

By Petition

Recommended by Selectmen 0 yes – 5 no

Recommended by Advisory Budget Committee 0 yes – 5 no

ARTICLE 38: The Article was read aloud. Joel stated that this was done in the past, but then it was removed. This would probably add a minimum of 15 pages and \$1,500 to printing costs for the Town Report.

By Petition

Recommended by Selectmen 0 yes – 5 no

Recommended by Advisory Budget Committee 0 yes – 5 no

ARTICLE 39: The Article was read aloud. Betsey explained what it would take to get the Town to a fiscal year which means that you take the 18 month budget and put it into one year so that in the first year, taxpayers would pay one and one-half of their tax bill in the first year. Betsey suggested that an orderly transition be done by using a trust fund to get over the hump of the first 18 month budget. She feels this would hit the residents too hard. There are reasons to go to a fiscal year, but she feels this might be too much at one time. No comments from the Petitioners.

By Petition

Recommended by Selectmen 0 yes – 5 no

Recommended by Advisory Budget Committee 0 yes – 5 no

ARTICLE 40: The Article was read aloud.

By Petition

Recommended by Selectmen 0 yes – 5 no

Recommended by Advisory Budget Committee 0 yes – 5 no

ARTICLE 41: The Article was read aloud.

No vote taken

Carter stated that throughout the workshops there was one question that was unsettled with respect to the Complement of the Police Department. The Chief had recommended one Chief, three Sergeants, one Corporal, one Detective and six Patrol Officers. Within those Patrol Officers would be the School Resource Officer who will have the ability to seek the rank of Master Patrol Officer. Is that the Board's final decision? Betsey made a Motion to accept the Chief's Complement for his officers. Ed Seconded. The Motion carried Unanimously.

18. Review for Approval: Re RSA 674:54, 139 Old Route 109: Carter stated that the Board may hold a hearing, but they need not. If they hold a hearing, it must be within thirty days or no later than February 25. The Planning Board indicates that it will hold a public hearing, but it would prefer it not be a joint public hearing. Various members of the Board are planning on attending the Planning Board's meeting on February 24, 2010 at 7:30 at the auditorium. Karel wanted to stress that this Board has absolutely, positively no intentions in the near future to build any building on that land. There was some talk of moving the gazebo. The Plans are for the drainage for the entire site. Betsey stated there would only be a soccer field built at this time. Karel cleared up the questions that Jane Fairchild had asked. There was further discussion concerning the drainage. Betsey reiterated that there are no plans to build in the near future other than the soccer field.
19. Review for Approval: Hammond Reversion Rights, Red Hill Outing Club: Betsey suggested this be put off until they have time to discuss it after Town Meeting. Betsey Made a Motion to Table this. Ed seconded. The Motion carried Unanimously
20. Review for Approval: Disposal Agreement, Mark Fullerton: Betsey Made a Motion to accept the Disposal Agreement for Mark Fullerton. Ed Seconded. The Motion carried Unanimously.
21. Review for Approval: Tax Collector's Memo Re Interest Charged to Delinquent Taxpayer: Betsey Made a Motion to not waive the interest charged. Joel Seconded. The Motion carried Unanimously.
22. Review for Approval: Kathleen Lord Letter of Resignation: With deep regret the Board of Selectmen accepted Ms. Lord's resignation. Carter stated that the Town will retain her services as a dispatcher.
23. Review for Approval: Warrant Article for Discontinuance of Caverly Road: Carter stated that this was addressed in the Warrant.

VII. OLD BUSINESS: None.

VIII. OTHER BUSINESS:

1. Legislative Update: Betsey stated that there was a Bill to say that the rooms and meals for \$5 million would be rerouted and sent back to the municipalities and that went through. She is not sure what is being done with the Collar so that it goes out to 2012-2013 to hold harmless the donor towns. Anyone looking for a legislative update, can go to NH.gov to see what was being done.
2. Planning Board Update: Ed reported that the Planning Board will be meeting next week.
3. Administration Update: Other than his weekly update, Carter followed up on Betsey's comments regarding the Collar. Carter got a notice late today, that House Bill 1674 and 76, on which we hope that the transitional Collar would be extended out, had failed in committee. The one we had hoped for was 1674 while 1676 failed narrowly. Carter will prepare a letter to the delegation. It could be up for a vote as early as next Wednesday.

4. Milfoil Committee Minutes, January 4th, 11th, 13th & 19th: Acknowledged.
5. Planning Board Minutes, January 27 5:00 P.M. & 7:30 P.M.: Acknowledged.

IX. PENDING: None.

X. CORRESPONDENCE:

1. Peter Jensen, January 24, 2010: He would like to be considered for the CIP Committee. Carter stated that we have three or four other letters of intent that were not on the agenda for tonight. Karel suggested that all of the letters be reviewed.
2. Time Warner Cable, January 25, 2010: List of possible stations that could go off if they don't come to agreement.

XI. CITIZEN INPUT: 1) Sally Carver advised the Board of Selectmen that when there is such a crowd at Town Hall as there is tonight, some people have to park out behind the Town Hall and there is no lighting out there. 2) Jim Morrison stated that not everyone gets the letter from Time Warner in their bill. Karel stated that there has been correspondence back and forth with Time Warner, but there doesn't seem to be any action taken. The Board will keep pursuing it even though Karel believes it is a 15 year contract. 3) Cristina Ashjian announced that tomorrow and Saturday is the New Hampshire Farm and Forest Expo.

XII. ADJOURNMENT: Joel Made the Motion to Adjourn. Ed Seconded.
Motion Carried Unanimously.
Karel adjourned the meeting at 9:30 p.m.

Approved

Date

Respectfully Submitted

Carol A. Fucarile, Executive Secretary