

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

Selectmen's Meeting

April 29, 2010

MINUTES

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

- I. **CALL TO ORDER:** Joel called the meeting to Order at 7:03 P.M.
- II. **PLEDGE OF ALLEGIANCE:**
- III. **REVIEW/APPROVE MINUTES:** Karel made the Motion to approve the Minutes of April 15, 2010 4:00 p.m. and 7:00 p.m. as written. Betsey Seconded. The Motion carried Unanimously.
- IV. **NEW RESIDENTS:** Emmanuel R. Caraballo, Jose Ortiz, Andrew C. Luhrmann, Amy G. Becker, Cameron J. DeCormier, Keith D. Wells, Jeff R. Kapp, Daniel N. Weene, Michael L. Sherry R. Weene, Thomas Burrows, Daniel K. Baker.
- V. **PUBLIC MEETING:**
 1. Citizen Input: 1) Alan Ballard questioned the Lakes Region Conservation Trust exempt status. He pointed out that LRCT owns 29 properties in Town that are exempt from paying taxes, which is approximately \$140,000 in lost tax revenue. Castle in the Clouds, owned by LRCT is zoned commercial, charges fees for events, has a restaurant open to the public, etc. He added that the Castle's newly hired director's yearly salary is \$109,000. Mr. Ballard stated that there are other exempt properties that are open far less during the year and are paying taxes through a PILOT. 2) Cristina Ashjian told the Selectmen that LRCT and Castle in the Clouds are two separate organizations. 3) Hollis Austin asked if the draft newsletter contains any mention about the Milfoil Committee's activities to inform summer residents. Ed responded that he's asked Carter to see if space can be made available in the newsletter for the Milfoil Committee. Mr. Austin then asked for an update on the Lions Club property for the playing field and phases II and III. Joel replied that the plans were passed back to the engineers asking them to relocate the field. To date they haven't had any word, which is due to the engineers being on vacation and they've been working on other projects. Mr. Austin asked what the new structural problem is at the Public Safety Building. Joel stated that part of the cement slab floor in the bay area used for the ambulances appears to be sinking and it is being looked at. Discussion occurred about the radiant heat that is in the floor and the adverse affect the problem may have.
- VI. **NEW BUSINESS:**
 1. **Review for Approval: Radio Tower Lease:** Joel explained that the lease is for the Police Department's space on the tower located on Moultonboro Neck Road. Ed requested that the item be tabled under Old Business until the next Planning Board meeting and they receive the report from the structural engineer. Approved by Consensus.

2. Review for Approval: Delegating Authority Re Temporary Signs: Joel stated that during a previous Selectmen's meeting discussion occurred about granting the authority to the Code Enforcement Officer to approve temporary sign applications. The CEO would keep the Selectmen informed of the temporary sign applications that have been approved. Betsey Made a Motion to designate the Code Enforcement Officer as the Selectmen's agent to approve temporary sign permits under Article 5, paragraph G, of the Town of Moultonborough's zoning ordinance or its successor provision. In approving this designation of the Code Enforcement Officer as the agent of the Board in this matter, it shall be the obligation of the Code Enforcement Officer to inform the Board of the granting of such permits in the Administrator's Report next following the granting of such a permit. Karel Seconded the Motion. The Motion carried Unanimously.
3. Review for Approval: Newsletter Draft: Carter reported that based on the request to add information about the Milfoil Committee, he'll remove the section about the Town Hall's business hours which will provide limited space. He added that in the December newsletter half a page could be devoted for Milfoil. Carter reminded the Selectmen that it needs to go to the printer soon and the Tax Collector won't publish it without the Selectmen's approval. He asked that the Selectmen approve what's submitted with the addition of the Milfoil section. Betsey asked that some space be opened to allow a statement about the parking at Long Island Beach, as this has been a problem in the past. Carter told the Selectmen that staff will try their best to fit in a few lines about it, but cautioned that it doesn't take a lot of changes before the whole thing has to be reformatted and this takes more time than what they now have. Betsey Made a Motion to approve the draft newsletter as long as it is grammatically correct, with the addition of the Milfoil Committee article and Long Island Beach parking policy. Ed Seconded the Motion. The Motion carried Unanimously.
4. Review for Approval: Snowmobile Club Debris Disposal: Joel reported that the Snowmobile Club is requesting to bring construction debris to the Transfer Station without being charged a fee. Karel commented that the Selectmen have approved this request in the past. Betsey questioned if pressure treated lumber would be part of the debris and the proper disposal. Joe Quaresima, a member of the club, commented that some of it will be pressure treated lumber. Discussion occurred about the correct disposal of such items and the Selectmen asked that club members check with Scott Greenwood first about how to handle it. Betsey Made the Motion to approve the Snowmobile Club's request to dispose of construction debris at the Transfer Station at no cost to the Club. Ed Seconded the Motion. The Motion carried Unanimously.
5. Review for Approval: Tuition Reimbursement Request: Carter commented that Officer Peter John has completed one class and is in the middle of another and is requesting tuition reimbursement. The Selectmen agreed that upon completion and submission of his grades, they will consider his request for reimbursement.
6. Review for Approval: Disposal Agreement, Brian Leighton: Betsey Made the Motion to approve the Disposal Agreement for Brian and Brenda Leighton. Karel Seconded the Motion. The Motion carried Unanimously.
7. Review for Approval: Application for Permanent Sign Permit, 344 Whittier Highway: Joel reported that Murphy's Mobil will be going to Irving, which will result in new signage and according to the application, will be less than what is now on the property. The CEO recommends approval and the Planning Board is in favor of the changes. Betsey Made the Motion to approve the Application for Permanent Sign Permit for 344 Whittier Highway. Ed Seconded the Motion. The Motion carried Unanimously.

8. Review for Approval: Budgeting Milfoil Trust Fund: Joel asked Peter Jensen if the amount of funding for each association/area is the same amount requested in the 2010 warrant articles. Mr. Jensen responded that the Suissevale Association was not on the warrant and will pay at least half of their cost. He further explained that the amounts being requested are the original amounts on the warrant plus each area's share. Mr. Jensen explained that the first letter requests that the Selectmen sponsor a warrant to fund and replenish the Milfoil Control Trust Fund for the 2011 Town Meeting and do so for the next five years. The second memo is asking the Selectmen to approve and issue a commitment letter for payment to the six associations listed. Joel commented that the Selectmen need a process to disburse the funds. Mr. Jensen replied that they have submitted a disbursement process to the Selectmen in the past, which hasn't changed, and will provide the Board with a copy to adopt. Ed asked if the job will be put out to bid. Mr. Jensen replied that the state recommends and will only approve of two vendors. The Selectmen approved by Consensus to support a warrant article to fund and replenish the Milfoil Control Trust Fund and to send out payment commitment letters to the six associations listed.
9. Review for Approval: 2010 Exempt Properties; Lakes Region Conservation Trust – Charitable; Huggins Hospital – Charitable; Squam Lakes Conservation Society – Charitable; Bank of America/Loon Preservation Com. – Educational; Center Harbor Christian Church – Religious: 1) Betsey asked that Lakes Region Conservation Trust be asked to appear before the Selectmen to discuss their exempt status and the possibility of a PILOT (payment in lieu of taxes), as she agrees with Mr. Ballard's concerns. Cristina Ashjian again stated that LRCT and the Castle are separate entities. Betsey Made the Motion to table LRCT's Charitable Exemption Application until a representative comes before them to discuss their exempt status. Karel Seconded the Motion. The Motion carried Unanimously. 2) Betsey Made the Motion to approve the Charitable Exemption Application for Huggins Hospital (58% building, 100% land). Ed Seconded the Motion. The Motion carried Unanimously. 3) Betsey Made the Motion to approve the Educational Exemption Application for Bank of America/Loon Preservation Committee. Ed Seconded the Motion. The Motion carried Unanimously. 4) Betsey Made the Motion to table the Charitable Exemption Application for the Center Harbor Christian Church, until the appropriate financial statement is provided (IRS 2008 990).
10. Review for Approval: Carroll County Transit – Bus Stop: Carter explained that the CCT is requesting to have a bus stop and provided limited parking spaces at the Town Hall and at Playground Drive and will provide the necessary signage. Betsey Made the Motion to approve Carroll County Transit's request to utilize the Town Hall and Playground Drive as bus stops and provide limited parking areas. Betsey added that once this is in use the parking situation should be monitored. Ed Seconded the Motion. The Motion carried Unanimously.
11. Review: MPD's Highway Safety Projects – Sobriety Checkpoint, School Bus Enforcement Patrols, Statewide DWI Hunter Patrols: Joel reported that the Police Department has been awarded three grants to fund the following projects: Moultonborough Sobriety Checkpoint, Moultonborough School Bus Enforcement Patrols, and Moultonborough Statewide DWI Hunter Patrols.

VII. OLD BUSINESS:

1. William C. Tolman, March 29, 2010: Joel asked the CEO, Don Cahoon to report on Mr. Tolman's concern regarding the drainage/excess water on his property, which is the lot

behind Keepsake Quilting. Don told the Selectmen he feels there is an issue despite the 2008 decision by the Planning Board that Keepsake Quilting's detention basin was not in failure based on a dye test that was conducted. Don feels that the problem is the presence of large trees on the berm, with their root system infiltrating the basin. He further explained that the problem is most apparent in the spring when the ice that has built up melts. Don asked for permission to speak with Town Counsel and work with the Town Planner on the issue. The Selectmen approved by Consensus and requested that the CEO contact Mr. Tolman.

VIII. OTHER BUSINESS:

1. Legislative Update: Betsey, responding to the question Mr. Austin asked the previous meeting regarding the amount of the budget deficit, she reported it is anywhere from \$100 to \$200 million. The Governor in an attempt to balance the 2010 budget is borrowing from one department to pay another, with debt payments for years to come. A law was passed eliminating municipalities merging lots without the owner's permission, i.e. involuntary mergers. Betsey added that this is not retroactive. She expects a heated discussion on either May 7th or 12th regarding extending the collar on the educational funding tax. The gambling bill is coming back. Betsey encouraged residents to send letters to the chairs of the Senate and House Financing Committee opposing the educational funding bill.
2. Planning Board Update: Ed reported they met the night before and discussed a minor subdivision on Bean Road and a site walk is scheduled. The Planning Board will be looking at and working to correct discrepancies between the Town's policies and ordinances. Betsey asked if they were planning any new ordinances, and if they are commercially oriented, that the Planner work with the business owners. Ed agreed, but added that this should be done in an open forum, as there is always a segment that feels they were left out.
3. Administration Update: Carter reported that besides items in his weekly update, he has nothing new to report.
4. Milfoil Committee Minutes, April 13, 2010: Acknowledged.
5. Zoning Board of Adjustment, April 21, 2010: Acknowledged.

IX. PENDING: None.

X. CORRESPONDENCE:

1. Barbara Brash, April 23, 2010: Joel reported that Ms. Brash is concerned about the condition of the beach at States Landing. He added that there has been a lot of erosion this year and unfortunately the Town can't do anything about it without first receiving a permit from DES. Carter will respond to Ms. Brash's letter.
2. Time Warner, April 13 & 23, 2010: Joel reported that these letters are the usual ones submitted regarding contract negotiations with various program providers.

XI. CITIZEN INPUT: 1) Don Cahoon pointed out to the Selectmen that the Disposal Agreement approved for the Leighton property is zoned commercial and any fill needs to be approved by the Planning Board. The Selectmen asked Hope to send a letter to Mr. Leighton informing him of this. 2) Peter Jensen told the Selectmen that the Milfoil Committee's grant request from the NH Lakes Association was awarded for the Lake Host Program. He added that they've met with the

candidates for this position. Mr. Jensen stated that they are awaiting a decision regarding the multi-town effort for the DASH grant.

Betsey Made the Motion for the Selectmen to enter into Non-Public Session per RSA 91-A:3 II (a) and (d). Karel Seconded the Motion. Joel took a roll call: Betsey – Aye; Ed – Aye; Karel – Aye; Joel – Aye. The Selectmen went into Non-Public Session at 8:14 p.m.

The Selectmen exited the Non-Public Session at 9:58 p.m., having voted by a vote of 2/3 or greater of the members present to not disclose the minutes and decisions reached therein to the public, as divulgence of the information discussed likely would affect adversely the negotiations of any real estate transaction, until - in the opinion of a majority of the members - the aforesaid circumstances no longer apply.

XII. ADJOURNMENT: Ed Made the Motion to Adjourn. Betsey Seconded.
Motion Carried Unanimously.
Joel adjourned the meeting at 9:59 p.m.

Approved

Date
Respectfully Submitted
Hope K. Kokas, Office Secretary