

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

**Selectmen's Meeting**

**July 1, 2010**

**MINUTES**

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

- I. **CALL TO ORDER:** Joel 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 June 17, 2010 and June 24, 2010 as written. Ed Seconded. The Motion carried Unanimously.
- IV. **NEW RESIDENTS:** Adam S. Ames, Alysha C. Torressen, Daniel A. Ringelstein, Eric T. Goodman, John M. & Mary Ann McCormick, Timothy G. Hartnett, Ronald E. Greigg, Kevin M. Burke.
- V. **PUBLIC MEETING:**
  1. Citizen Input: 1) Al Hume, referring to the Selectmen's work session of June 24<sup>th</sup> and Carter's comment that the account is almost at the end of the allocated funds for engineering studies for the Lions Club property. Mr. Hume asked how much has been spent. Carter replied that approximately \$40,200 has spent from that account. Mr. Hume then asked how much has been spent on rebuilding the playing field at Playground Drive and learned that no funds have been spent. Mr. Hume interpreted the 2008 warrant question and based on this felt that the money needs to be spent on the Playground. Joel replied that the field the Lions Club will be done first and then the field will be done on Playground Drive. Mr. Hume stated that if the field at Playground Drive is needed then do it now. Karel informed him that the Town needs another field to use during and after the construction of the field on Playground Drive. Mr. Hume reported that Harry Blood of the Recreation Advisory Board said that we can do without two fields. He concluded by saying that \$300,000 was allocated for two engineering studies and two fields. 2) Patricia Roy asked the Selectmen to consider allowing the Rowing Crew club to raise funds at the Transfer Station by assisting patrons for donations only. She said that this has been done at the Meredith Transfer Station, which is larger than the Town's, and it worked out well. Joel questioned the Town's liability. Ms. Roy told him that the club has liability insurance, adding that it would be for one day only with adult supervision. Betsey asked if she'd spoken with the Transfer Station Supervisor and the Road Agent. Ms. Roy said she had spoken with Scott Greenwood and he thought it was in favor. Joel asked Ms. Roy to provide proof of liability insurance coverage and asked that Carter check with Supervisor Greenwood and Highway Agent Kinmond for their approval. Carter said that he will report back at the next meeting. The Selectmen agreed that if the conditions were met, they'd be in favor of the fund raiser.

3) Peter Jensen, Chair of the Milfoil Committee told the Selectmen that there has been a conflict between DES and NH Fish & Game due to the identification of an endangered fish, the Bridal Shiner, and therefore the permits received by private associations have been rescinded. Joel added that the permits were obtained from DES and the vendor was ready to begin treating, but after the fact Fish & Game learned of the endangered fish and threatened the vendor with legal action if they proceeded. Now the vendor doesn't want to be involved until the issue is resolved. Betsey asked Mr. Jensen if NH Fish & Game contacted DES about the endangered fish. He replied that from what he knew it didn't appear that DES was contacted. Betsey said that as a State Representative she will investigate. Ed asked if the money for the permit could be refunded. Mr. Jensen replied that he didn't think so and added the permit was for the private associations and not the Milfoil Committee. Jim Leiterman asked how long the permits are good for and learned through September 30<sup>th</sup>. Mr. Jensen reminded everyone that because of the delay, if the matter is resolved, there will be the additional expense of advertising again and sending letters to property owners in the area. 5) Joel reported that the July 4<sup>th</sup> parade will be on Sunday, July 4<sup>th</sup>, and will start at noon. Carter added that marchers will assemble at the school at 11 am and the annual community barbeque at the Lions Club will begin at the end of the parade. The parade is starting at noon so as not to conflict with church services.

## **VI. NEW BUSINESS:**

1. **Public Hearing: Proposed Planning Board Fee Schedule:** Joel opened the Public Hearing at 7:23 p.m. Town Planner, Dan Merhalski told the Selectmen that the fees for the Planning Board have not been updated for 15 to 20 years. He acknowledged the Selectmen's concern about what seems to be large increases and the lack of notice to property owners; however the Planning Board voted unanimously to make the changes. Betsey repeated her concern that the increase is too much too fast. Joel commented that he agrees with Betsey, but unfortunately the fees should have been increased sooner which would have had a smaller impact, but now it is necessary to get caught up with the times. He asked Dan what the Planning Board now spends to advertise in the newspaper, which has not been charged to the property owner. Dan replied usually \$75. Joann Farnham asked what the increases were. Joel read the increases as follows: Site Plan - \$250 (\$100 now); Minor Subdivision - \$275 (\$100 now); Major Subdivision - \$300 + \$100 per newly created lot (\$300 + \$50 per lot over 5 lots now); Boundary Line Adjustment - \$200 (\$50 now); Voluntary Merger - \$0 (\$25 now); Special Use Permit - \$100 - waived if with another application for Site Plan/Subdivision (\$0 now); Mailing to Abutters - same as current; Advertisement - \$50 (\$0 now - Town pays for all); Recording Fee - Applicant Pays All (Town charges \$30). Karel asked when this would take effect. Dan replied that it was the Planning Board's intent that it would start immediately or when the Selectmen choose. Betsey expressed concern that a plan would be recorded by the applicant versus it being done by the Town. Dan assured her that the Carroll County Register of Deeds sends them a copy of the recorded plan. Karel Made the Motion to approve the Planning Board fees for permitting as stated in the Town Planner's memo and to take effect in thirty days. Ed Seconded the Motion. Upon a vote there were four Ayes and one Nay (Betsey). The Motion carried. Ed asked Dan to comment on the Radio Tower Lease. Dan reported that the owner and lessee are not in agreement on the structural engineering, therefore no construction will start. Joel asked that the item be removed for Old Business.

2. Review for Approval: Agreement & Release Building Class VI Road – Vigeant: Carter explained that any property owner requesting a building permit for property on a class VI road, must first by RSA 674:41 file a notice agreeing that the Town is not responsible for the maintenance of or libel for any damages resulting from using the class VI road. The property must maintain access to the property and hold the Town harmless for failure to provide municipal services including police, fire and ambulance services due to poor condition of the class VI road. In addition the property owner assumes responsibility for transporting any children to the nearest regular school bus stop. Betsey asked if the Planning Board gave any comment. She learned from Carter that the agreement/release was forwarded to the Town Planner and returned to Administration without any comment. He added that if the Selectmen chose, it could be forwarded again to the Planning Board for comment. Betsey felt that it should go back to the Planning Board for comment. Ed explained that although they did not look at this agreement/release, they've recently discussed the need for the Planning Board's ordinances and policies to align with the Town's. Karel Made the Motion to accept the agreement/release for Stephen R. Vigeant of Linda's Way. Ed Seconded the Motion. A vote was taken with 4 Ayes and 1 Nay (Betsey). The Motion carried.
3. Review for Approval: Intermunicipal Agreement-Aquatic Nuisance Plant Control: Joel reported that Tuftonboro, Wolfboro and Moultonborough are applying for grant funding to obtain a DASH unit (diver assisted suction harvester). Carter reported that this was the 6<sup>th</sup> or 7<sup>th</sup> draft and the most recent change is under 4.2 striking the words "Chair and Treasurer". The three communities would use one vendor who would be responsible for operation of the DASH unit and doing the harvesting of milfoil. He added that the agreement does have the provision to add additional towns. Betsey Made the Motion to enter into the Intermunicipal Agreement for the Provision of Aquatic Nuisance Plant Control and authorize the Chair to sign the agreement. Ed Seconded the Motion. The Motion carried Unanimously.
4. Review for Approval: Sales of Surplus Street Signs: Carter reported that he has received four requests to obtain the old road signs. He felt in order to be fair and to lessen staff time, he recommends adding the road signs to the yearly surplus auction, for sale at \$20 per sign. After the auction they will be disposed of as scrap metal. Carter added that the signs will require minimal storage and will be put in alphabetical order to make it easy to find them. Ed Made the Motion to put the old road signs in the annual surplus sale at \$20 each. Betsey Seconded the Motion. The Motion carried Unanimously.
5. Temporary Use Permit – 4<sup>th</sup> Castle Car Show: Ed commented that he read over the Permit request and learned that the Center Harbor Fire Department will be supplying staff to park and they must have Moultonborough EMT's on site for medical service per law. Carter stated that Chief Bengtson has listed specific stipulations that must be met for emergency access and fire protection and emergency medical service. In Chief Bengtson's memo to the Selectmen, Carter pointed out that he has requested that the Board adopt a uniform fee for Fire/EMS and Police services for special events, and he recommended \$40 to \$50 per hour per personnel. Carter reported that Police Chief Dawson had no comments or recommendations as this event has not caused any issues. Betsey Made the Motion to adopt the Fee for Services, a uniform fee for Fire/EMS and Police services for special events at \$45 and approving the Temporary Use Permit, for the 4<sup>th</sup> Annual Castle Car Show to be held at the Castle in the Clouds, Saturday, July 10, 2010, following the Fire Chief's stipulations as stated in his memo dated July 1, 2010. Karel Seconded the Motion. The Motion carried Unanimously.

**VII. OLD BUSINESS:**

1. Radio Tower Lease: Item to be removed from Agenda.
2. Request for Tuition Reimbursement – Officer Peter John: Carter reported that they have received the requested letter from the department head. The Selectmen agreed that this policy needed rewording to clarify the intent. Betsey Made the Motion to approve the tuition reimbursement for Officer Peter John per the maximum allowed per class and per year as stated in the policy. Ed Seconded the Motion. The Motion carried Unanimously.
3. Public Hearing: Preservation Easement, 339 Whittier Highway, MBLU 135-030: Carter reported that a letter was sent to the property owner and then a subsequent letter sent requesting a written withdrawal for the Discretionary Preservation Easement. To date nothing has been received. Carter requested leaving this on the table for two more weeks.

**VIII. OTHER BUSINESS:**

1. Legislative Update: Betsey reported that they are in summer recess. She reminded everyone that elections will be coming up in September and November and encouraged everyone to talk to the candidates. Betsey told Carter that she would like to participate in the Coalition Working Groups on Legislation to have DRA collect the Statewide Education Property Tax and Legislation to allow towns to add one half of the SWEPT increase to the first-half tax billing of the year. She asked to let the group know. Regarding the Historical Committee's desire to assist with fund raising for the Milfoil Committee, she told the Selectmen that they had a long discussion and they are setting up a subcommittee for lake preservation towards this effort. Betsey stated that the Town would not be involved in any way. Betsey also reported that the County is going out to bond for \$20 million for the nursing home and based on the Town's assessments, she will be able to report what that will mean to Moultonborough tax payers.
2. Planning Board Update: Ed reported that they met last night and worked on site plans and prioritizing ordinances to work on. He reported that he attended the Coalition Communities meeting. Donor towns is going to happen and there is nothing to be done right now. He added that the state needs a constitutional amendment, which is not on the agenda now. Karel added that \$40 million will be going to Nashua and Manchester.
3. Administration Update: Carter told the Selectmen that if they had no questions from his Weekly Report, he had nothing else to add.
4. Milfoil Committee Minutes, June 8, 2010: Acknowledged.
5. Planning Board Minutes, June 23, 2010: Acknowledged.

**IX. PENDING: None.**

**X. CORRESPONDENCE:**

1. Time Warner, Re: Programming Changes, June 18 & 21, 2010: Acknowledged.

**XI. CITIZEN INPUT: 1) Al Hume asked where the property is located that submitted an application for the Discretionary Preservation Easement. Carter reported that it is the white house and barn by Aubuchon Hardware, 339 Whittier Highway, owned by Jo Anne, William and**

Joseph Leach. Mr. Hume then asked about the RSA for the class VI road, which Betsey read. Mr. Hume asked why the Selectmen approved the agreement/release without the Planning Board commenting. Joel said that he feels the people own the parcel and as long as the Town is not responsible for maintaining the road, then the Town can't keep him from building. 2) Nancy Wright asked for clarification regarding the Historical Society raising funds for the Milfoil Committee and asked if any funds would be coming from the Town. Joel replied that the Town is not involved, and only the Historical Society is involved. 3) Herb Farnham asked Betsey to comment on the recent report that the Carroll County jail is falling apart. Betsey corrected him by saying it isn't falling apart, but has structural movement on the wall for the offices. When it was built, in an effort to save money, the County Commissioners did not have a clerk of the works. The construction company involved has gone bankrupt. They are checking in with the insurance company (Primex) to see if they can cover the upfront costs while they go to court to recover the funds. 4) Al Hume asked Betsey if there will be a clerk of the works for the new nursing home. Betsey replied that there will be.

- XII. ADJOURNMENT:** Betsey Made the Motion to Adjourn. Ed Seconded.  
Motion Carried Unanimously.  
Joel adjourned the meeting at 8:10 p.m.

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Approved

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Date  
Respectfully Submitted  
Hope K. Kokas, Administrative Assistant