

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

Selectmen's Meeting

July 29, 2010

**MINUTES**

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

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

**II. PLEDGE OF ALLEGIANCE:**

**III. REVIEW/APPROVE MINUTES:** Karel made the Motion to approve the Minutes of July 15, 2010 and the Informational Meeting of July 22, 2010. Ed Seconded the Motion. Joel asked that the Minutes be amended, page 4, number 10, insert the word *were* to read: "The Selectmen *were* asked what the current discussion about changing Town Hall hours is." The Motion carried Unanimously.

**IV. NEW RESIDENTS:** John M. Gibbas, Keither L. Kapp, Sharon L. Waid, Charles R. Badzmierowski, Jr., Sharon L. Waid, Karen E. Nigzus, Allen & Joyce J. Brown, Janet A. & Paul R. O'Neil, Shirley Flines, Christine L. Spearen, Jeffrey E. & Tonya G. Boucher, Daniel J. & Carol E. Enis, Tracy L. Waterman, Dana Mastroianni, Jim S. & Nancy E. Schiemer.

**V. PUBLIC MEETING:**

1. Citizen Input: 1) Joe Quaresima told the Selectmen that he had submitted a letter (email) past the deadline for this week's agenda. He read his email into the record (attached), asking Ed and Betsey to view the video of the July 22<sup>nd</sup> Informational Meeting. Mr. Quaresima felt that the Minutes of this meeting did not accurately reflect the frustration expressed over the 2010 proposed assessed values for waterfront properties. He stated that he felt the process was flawed due to the low number of waterfront properties that sold. He also felt that the Minutes didn't accurately reflect Fred Van Magness' comments and Joel's responses. Ed replied that he will watch the video. 2) Jane Fairchild told the Selectmen that the Lakes Region Planning Commission is exploring interest in re-establishing the Lakes Region Tour Scenic Byway Committee and provided them with a letter from LRPC asking for the Town's support. She added that there will be a meeting August 4<sup>th</sup> and hopes that a member of the Board will be able to attend. 3) Richard Barrett told the Selectmen that he received a copy of the 25 sales from the Assessor, which Vision used for the 2010 waterfront proposed values. He created several spreadsheets using these sales which he felt disputed the large increase in waterfront values. He provided the Selectmen with copies for their viewing. Mr. Barrett stated that Moultonborough is the 8<sup>th</sup> highest ranking for property values in the state. He asked the Selectmen to consider all of the information he provided, being sure that assessing standards are being met, when reviewing and approving the 2010 assessed values. 4) Al Hume provided the Selectmen with copies of the Recreation Advisory Board minutes of February 9, 2009, highlighting the response of Harry Blood when he was asked if the

Recreation Department could use the fields at the Academy on Saturdays. The minutes reflect Mr. Blood's response was that other than the homecoming weekend, he could work with Recreation to make the rest work, "...even with two fields down." Mr. Hume commented that he asked Carter how much had been spent on engineering on phase H and what was being spent on Playground Drive, of which he replied nothing has been spent on Playground Drive. Mr. Hume stated that there has been money spent for engineering on Playground Drive in 2005 and there was a price of \$65,000 to fix that field and with a \$20,000 grant, the cost would have been \$45,000 to refurbish the field. Mr. Hume acknowledged that prices have gone up since then but with the engineering study and the condition of the grounds at the Lions Club hasn't changed. In addition he asked the Selectmen if they would abide by the Town's Zoning ordinances if it is decided to build on the "...soggy grounds." Joel expressed frustration over the controversy of the playing field issue and the reported wet conditions. He recalled an individual telling the Board any laymen could look at the property and determine that it was too wet to do anything with it, but that same person designed the leach field to put on the property, that was in the ground (not above ground). Joel acknowledged that some of the property is wet and it is not the Board's intent to build in these areas. The question is how close we should build to the wetlands. Personally, Joel doesn't think that it is necessary to stay far away from the wetlands when building a playing field. Joel responding to Mr. Hume's question regarding abiding by the Zoning ordinances, said people can request a variance to build, and it is his opinion that the Board, if needed, should request a variance. At this point, it is up in the air if anything is going to be done and it will be up to the Board. Joel stated that a certain group of people complain that the whole property is all wetlands, but the Town voted that is what they wanted to do. Later during the meeting, the Selectmen will decide whether to put off the whole program for now or how to go about it. Mr. Hume commented that during all of the meetings he's attended that he's not seen one person come in with schedules that show they are unable to have a soccer game because of unavailability of fields. Joel replied that he's heard from parents complaining that their elementary age child is practicing at 8 p.m. He added that if it were his granddaughter, she wouldn't be participating. Ed commented that the Town should abide by the Zoning ordinances and if needed make the request for a variance and shouldn't encroach on wetlands. He added that the Town should be held to the same standard as any property owner. 5) Fred Van Magness told the Selectmen that he is a non-resident property owner on Eagle Shore Road and had his hearing with the Vision representative on this past Tuesday. Mr. Van Magness said that he asked for an explanation of why his property's assessed value increased 28% and the Vision representative couldn't explain and suggested that he call the Vision project manager, which he did but has not received a return call. Mr. Van Magness stated that he's following the process, adding that he doesn't like having to first pay his tax bill and then file an abatement, which will cost the Town money. He questioned why there is such a large spread from 2009 to 2010 and felt there was a serious problem with Vision's work. He asked that the Selectmen request reducing costs Town wide and in this economy, why the Town is advertising to fill a vacancy at the Transfer Station. In addition, regarding the Lions Club property, there is now more information available than when the Town voted to approve it in 2009. He asked that the Selectmen consider going back to the voters at Town Meeting to revisit the question, ending that now is not the time for the Town to enter into a major capital expense. Joel asked and Mr. Van Magness confirmed that he's placed a call to the Vision project manager and has not received a return call. Joel assured him that he'll receive a return call. Mr. Van Magness commented that the statistical data doesn't support the

proposed assessed values of the waterfront. 6) Priscilla Teague told the Selectmen that she supports all of what Mr. Van Magness said that the 30% increase is not consistent with the economy which is horrible. She added that properties are on the market for a long time and aren't selling. People have come to retire to Moultonborough and now are being forced out. She feels there should be a more equitable system. Ms. Teague expressed that she is disappointed and disheartened that more people haven't attended to express their dissatisfaction. Joel commented that the Selectmen are waiting to hear from Vision once the hearings are done as to what is going on. The Board acknowledges their frustration and assures everyone that the Board understands waterfront owners' concerns. 7) Don McGillicuddy told the Selectmen that during his hearing with Vision, he was told that there were 2 properties like his and this is the basis for why his assessment went up 28%. He said that he too will pay his tax bill and file an abatement. 8) Fred Kramer told the Selectmen that his property also went up 28% and during his meeting with the Vision representative they had no data to support the increase and they couldn't answer any of his questions on the process or why his neighborhood is the highest, and why 5 sales were disqualified. Mr. Kramer said that the process should be simple, clear and transparent and questioned why in a poor economy that there are increases. He asked if the Selectmen review the process and data beforehand. Joel replied that the Board did receive an update of what was happening Town wide. Mr. Kramer asked the Selectmen to make the specific formulas that were used be made available to the public. Jim suggested that there be another special meeting with the management of Vision to answer these questions. He added that for those whose property assessment went down, this is hurting them too with obtaining loans, etc. Karel commented that the Department of Revenue will also review what is going on with the assessments and has in fact notified the Selectmen that information has been gathered to review the 2010 proposed values. DRA is another layer to insure equality. Joel told the audience that the Board understands their concern and asked to let them take the necessary steps and follow the process. 9) Fred Cox asked for the cost of Vision services and Carter replied approximately \$70,000, but without having the budget book in front of him, cautioned that this was to the best of his recollection. Mr. Cox asked that the Selectmen review the contract, as he feels Vision isn't competent. 10) Peter Jensen told the Selectmen that the Milfoil Committee met earlier with the Director of the NH Fish and Game Department, Glenn Normandeau, which he felt was productive. He showed the Selectmen the most recent milfoil map and the areas that remain to be inspected. 11) Joe Sullo told the Selectmen that he attended the prior meeting. He asked how there can be a 25% increase without receiving any explanation. He said that 71% of the Town's revenue comes from waterfront owners, and the Town will once again be a donor town. He stated that increased assessed values will discourage people from buying property in Moultonborough. 12) Hollis Austin questioned why Moultonborough has increased values when the rest of the country is going down. He suggested that the Selectmen check with other Towns that use Vision assessing services to inquire about their satisfaction. Mr. Austin expressed his hope that Betsey is feeling better. 13) Janet Kramer told the Selectmen that she's a Realtor in Town and in Massachusetts. She said that the Selectmen know better than the state about the Town's assessed values, which they know are unfair. 14) Mr. Van Magness stated that the data used needs to be the same to compare and this is hard to do with real estate.

**VI. NEW BUSINESS:**

1. Presentation: Glenn Normandeau, Director of NH Fish & Game: Told the Selectmen that last week Moultonborough's milfoil issue came to his attention and he then met with *Meredith News* to provide them with his Department's policy. He then contacted Town Administrator, Carter Terenzini which resulted in this evening's meeting with the Milfoil Committee, which he felt went well. He informed the Board that prior to 2005 the NH Fish and Game commission was 100% against any herbicide treatment to any body of water. DES has been working on the milfoil issue and approached NH Fish & Game Commission to modify its policies. Now herbicides are accepted as a component of long range plans for treating lakes and bodies of water. Currently, when an application is received to treat for milfoil, NH Fish & Game reviews it and submits any comments to the Department of Agriculture. There are concerns how the treatment agent "24D" compounds and how it mixes with water and chemicals coming from the shorefront. Dept. of Agriculture submitted the applications for milfoil treatment for Greens Basin and Lee's Mills to NH Fish & Game for its review only 4 days prior to treatment (despite 14 days given to abutting property owners) and at the same time they found an endangered species of fish in these areas. Unfortunately, this lead to the denial of the application. He told the Selectmen that there are now 4 agencies involved who are now meeting with a representative from the Governor's office and they have come up with an agreement to work together. Joel asked Mr. Normandeau if the treatment application will be approved. He responded that NH Fish & Game will not object for a fall treatment. Joel thanked Mr. Normandeau for attending their meeting and also meeting with the Milfoil Committee. Stewart Lamprey told the Selectmen that he's spoken to the Governor three times, once on budgeting and twice on milfoil and unfortunately he didn't come through on any of these. He added that the Town is spending 5 times what the state is for treating milfoil and concluded that the state won't live up to its obligations. He thanked Mr. Normandeau and expressed his appreciation for attending the meeting and clearing up the problem. Mr. Lamprey introduced Richard Drisko, the Chair of the Exotic Aquatic Plants and Species Committee, who then commented that if the state loses the milfoil battle NH Fish and Game will be known as NH Game only. Mr. Normandeau responded to a question about the diminished number of trout and told the audience that they are extremely sensitive to water temperature changes and sand run off. Trout will travel quite a ways to find cold temperatures and feeding areas. The increase in building has had an adverse affect on water quality.
2. Review for Approval: Master Plan Implementation Working Group: Joel reported that the Selectmen need to appoint members to the committee. Carter reported that if the Selectmen adopt the working group, the charge of the committee will be to track implementation of the Master Plan and keep a score card of what is occurring. It is not their charge to change the Master Plan. If approved, the Selectmen are to appoint a member of the business community and a community member at large. In addition, Carter said that the first item in the Master Plan is to create the implementation working group. Karel asked and Carter affirmed that they should advertise the committee openings. Ed Made the Motion to approve the Master Plan Implementation Working Group. Karel Seconded the Motion. The Motion carried Unanimously. Carter added that he hopes to have names for appointment by August 19<sup>th</sup>.
3. Review for Approval: LRPC TAC Appointment: Joel reported that it is recommended that the Town Planner be appointed as the Town's representative and the Director of Public Works be appointed as the alternate. Carter added that he recommends appointing

the Town Planner to the LRPC for a more global outlook. Herb Farnham, the Town's present LRPC representative told the Selectmen that due to a recent illness he has not been able to attend meetings, but would like to continue to serve and asked that he be reappointed. Ed asked if the Town Planner has been consulted and learned from Carter that he did express concern, but felt if he cut back on his involvement in other areas he would be in favor. Mr. Farnham added that he is also a member of the Executive Committee. Karel stated that if the Town Planner is willing, then she is in favor and Mr. Farnham has been recommended to serve as an alternate on the Conservation Commission. Ed commented that his loyalty is to Herb and he appreciates his service and work well done. Karel Made the Motion to appoint the Town Planner as the Town's member to the LRPC and the Director of Public Works as the alternate. Jim Seconded the Motion. Upon a vote, three were in favor and one abstained (Ed). The Motion passed.

4. Review for Approval: 2010 Investment Policy: Carter explained that it is required that the Selectmen review and approve the Investment Policy yearly. He added that everything is the same except for a typo that has been overlooked for several years. Karel Made the Motion to approve the 2010 Investment Policy. Ed Seconded the Motion. The Motion carried Unanimously.
5. Review for Approval: Moultonborough & Ossipee Perambulation: Joel asked that in the future when a vendor is hired to do the perambulation work that their name is on the letterhead. Carter replied that the Town is now working with Center Harbor and then Tuftonboro and he will be sure this change is made. The 2009 Perambulation Report for Moultonborough and Ossipee was Approved by Consensus.
6. Review for Approval: Conservation Commission Appointments: In the memo from the Chair of the Conservation Commission, Marie Samaha requested that William Gassman, now an alternate, be appointed as a regular member. She also requests that Herb Farnham be appointed as an alternate. Ed Made the Motion to appoint William Gassman as a member and Herb Farnham as an alternate to the Conservation Commission. Karel Seconded the Motion. The Motion carried Unanimously.
7. Review for Approval: Disposal Agreements, Kessler, Richter, Slaughter: Approved by Consensus.
8. Review for Approval: Temporary Use Permit, Castle in the Clouds, August 13-15: Karel asked if Police Chief Dawson recommends that 2 officers are assigned for traffic control at \$45 per hour. Carter answered in the affirmative. Fire Chief Bengtson also recommends 2 Fire/EMT's be assigned at \$45 per hour. Joel asked Carter to communicate to both departments that when recommendations such as these are made, that each department needs to staff these events as they recommended. Approved by Consensus as recommended by the Police and Fire Chiefs.
9. Review: UNH Technology Transfer Center, Peter Beede, Sr. & Edwin Wakefield: Joel reported that Ed Wakefield is now a Master Road Scholar and Peter Beede is a Road Scholar I. He and the Board congratulated both on this important achievement, adding that their taking classes and trainings add to their expertise in serving the Town.
10. Review: Police Department Resignation, Joshua Rowland: The Selectmen accept the resignation of Joshua Rowland and wish him well.

## VII. OLD BUSINESS:

1. Public Hearing: Preservation Easement, 339 Whittier Highway, MBLU 135-030: Joel reported that the Town has received the letter from the property owners withdrawing their application. Carter asked that it be removed from the agenda and placed on file.  
Approved by Consensus.
2. Review for Approval: Town Engineer Task Order Re Concept H - Lions Club: Carter reported to the Selectmen, recalling that in March they revisited the proposal for the soccer field, to be located on the Lions Club property, and asked that the engineer, based on the building being no bigger than 3 times its present size, to design the field around this premise. From this, designs 'F' and 'G' were formulated and weren't acceptable, and concept 'H' met with favor. In order to proceed with concept H, another \$4,000 in engineering costs would be spent and both he and the engineer aren't sure that this will provide any new information. It is Carter's suggestion that the Selectmen take a "time out" on the question, creating a Blue Ribbon Commission, which would be based on the Master Plan. He proposes that the commission be made up of 5 members to be appointed by the Selectmen for a period of 6 months to look at 8 of the Master Plan items which deal with community services, recreation and use of facilities (attached). Carter stressed that the Town Planner and Administrator would not be on the commission and will not assist. The Town will supply clerical support to the commission from Administration and Development Services. Jim asked where they will find 5 people who have not formed an opinion on the question. Ed expressed that he is in favor of the commission, adding that the members won't be tied to the Lions Club and they can look at other alternatives and to address social services. Joel commented that he feels they will be able to find the 5 members and asked that Carter supply them with names. Ed said that he would like to recommend people. Carter responded that his role will be to only review the commission's charge with the members and would feel more comfortable that the Selectmen nominate the members. Jim said that he's in favor of the commission, but is concerned that people will feel they are "stacking the deck". Carter clarified that the Lions Club is not the question, but the focus is only on the 8 questions. He felt that there are people who aren't firmly committed to one side or the other. Carter stated that the Town needs to complete the project or end it. Joel agreed. Karel said that if 5 respected citizens are chosen there won't be a problem, adding that everyone has an opinion, but opinions can be changed. Joel stated that they need the members to find out what each department needs. Al Hume commented that for credibility, the meetings must be open to the public. Joel agreed, but stated that the meetings will be work sessions, and are not open for public interaction and input; they need to have the time to work and digest the information. Nancy Wright agreed with Mr. Hume, stating that in the beginning there were listening sessions, which she felt they were being told what was to happen. Joel stated he understood, but if they accept the commission, the members will need the time and ability to hear from the departments of the need, not get bogged down in citizen input. Ms. Wright asked if the Capital Improvement Committee is doing the same thing, by visiting each department and facility. Carter replied that it isn't the CIC's charge to question the services being given. Based on a question received of allowing the commission to look at other Master Plan questions, he stressed that the charge is to look at the specific 8 questions only and to be completed in 6 months. Jim and Ed both expressed that they are in favor of the commission. Karel Made the Motion to accept the Blue Ribbon Commission on Community Services and Facilities as outlined. Ed

Seconded the Motion. The Motion carried Unanimously. Carter stated that he hoped the Selectmen could appoint members at the August 19<sup>th</sup> meeting.

3. Review: LGC Re: Legislative Policy for 2011-2012: Carter asked to table the question. Approved by Consensus.

**VIII. OTHER BUSINESS:**

1. Legislative Update: No update.
2. Planning Board Update: Ed reported that they met last night on subdivisions and had to postpone a hearing. He reminded everyone that the Heritage Commission's Landmarks tour will take place August 8<sup>th</sup>.
3. Administration Update: Carter stated he had nothing beyond his weekly report unless there are any questions on that.
4. Milfoil Committee Minutes, July 12, 2010: Acknowledged.
5. Planning Board, July 14, 2010: Acknowledged.
6. Zoning Board of Adjustment, July 21, 2010: Acknowledged.

**IX. PENDING: None.**

**X. CORRESPONDENCE:**

1. Paul Arnold, Re: 48 Frye Road: Joel commented and the Selectmen agreed that the issue appeared to be a civil matter.
2. Richard F. Mehegan, Re: 15 Glidden Road: Carter recommended referring the issue to Code Enforcement to report back to the Selectmen. Approved by Consensus.
3. NH Department of Revenue, Re: Annual Financial Audits: Carter commented that the Town has been conducting annual financial audits.
4. Time Warner Cable, Re: Programming Changes: Joel commented that this is their standard letter.

**XI. CITIZEN INPUT: 1) Hollis Austin thanked Joel for being open to the citizen input. Joel commented that he will allow it during the business meeting as long as people don't go on and on and prevent the Selectmen from conducting their business.**

**XII. NON-PUBLIC SESSION [Possible Request Per RSA 91-A:3 II (d)]: Karel Made the Motion for the Selectmen to go into Non-Public Session per RSA 91-A:3 II (d), real estate. Jim Seconded the Motion. A roll call was taken: Jim – Aye; Ed – Aye; Karel – Aye; Joel – Aye. The Selectmen went into Non-Public Session at 9:40 p.m.**

Ed Made the Motion, and Jim Seconded to exit Non-Public Session and to not disclose the minutes and decisions reached herein to the public, as divulgence of the information discussed likely would affect adversely the reputation of any person other than a member of the public body itself, to render the proposed actions ineffective, until - in the opinion of a majority of the members - the aforesaid circumstances no longer apply. Joel called for a roll call: Jim – Aye; Ed – Aye; Karel – Aye; Joel – Aye. The Selectmen exited Non-Public Session at 10:45 p.m.

**XIII. ADJOURNMENT:** Karel Made the Motion to Adjourn. Ed Seconded the Motion.  
Motion Carried Unanimously.  
Joel adjourned the meeting at 10:46 p.m.

---

Approved

---

Date  
Respectfully Submitted  
Hope K. Kokas, Administrative Assistant

Draft