

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

Selectmen's Meeting

August 5, 2010

**MINUTES**

Present: Selectmen: Joel R. Mudgett, Chairman, Edward J. Charest, Betsey L. Patten; Carter Terenzini, Town Administrator; Hope K. Kokas, Administrative Assistant.  
Absent: James F. Gray and Karel A. Crawford, 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:** Ed made the Motion to approve the Minutes of July 29, 2010. Betsey Seconded the Motion. The Motion carried Unanimously.
- IV. **NEW RESIDENTS:** Daniel J. Wilkins, Kylah T. Anderson, José E. Abreu, Stephanie N. Halstead, Sean R.E. Gillis.
- V. **PUBLIC MEETING:**
  1. Citizen Input: 1) Hollis Austin asked the Selectmen and Joel confirmed that the public hearing for the plans for the Lions Club property is on hold until after the Blue Ribbon Commission does its work to look at the 8 Master Plan items which deal with community services, recreation and use of facilities, approximately 6 months. 2) Al Hume asked the Selectmen when they devised the creation of the Blue Ribbon Commission. Joel responded that Carter made the recommendation in his weekly update from a previous week. 3) Rick Heath acknowledged Betsey's presence at the meeting after a short illness and welcomed her back. Mr. Heath asked Joel to comment on the cease and desist order issued by the Attorney General's office regarding a mailing by citizens opposing SB2 (2009), and in particular Karel Crawford's involvement. Joel commented that he and the other Selectmen had no information about the mailing, adding that he feels the issue has nothing to do with the Board of Selectmen, as Karel acted on her own and not as a Selectman. Mr. Heath commented that he feels that Karel and Laurie Whitley are seasoned politicians, should know the laws regarding election rules and asked Joel if this was an issue. Joel responded that it was not. 4) Fred Kramer provided the Selectmen with information and asked what the process is to achieve a resolution for Vision's 2010 assessments on waterfront. Joel said that the Board has agreed to wait for the hearings to conclude at which time Vision will report their findings and also to hear from DRA. He added that there is no purpose in Vision coming in any sooner until the work is done. 5) Richard Barrett told the Selectmen that he went through the abatement process in 2006 and then to the Board of Tax and Land Appeals (BTLA) to appeal the abatement decision. He provided the Selectmen with several spreadsheets along with a form "Petition to the Board of Tax and Land Appeals Pursuant to RSA 71-B:16, IV" which he urged waterfront owners to sign now, even before the process is complete, in order to appeal the assessments in a timely manner. Mr. Barrett stated that he feels Vision has preconceived notions. 6) Don McGillicuddy apologized to Betsey for calling her while

she was ill, but it was his first instinct after receiving the 2010 proposed assessed value for his property. He said he was unable to understand why assessments are going up while the economy is going down. Mr. McGillicuddy asked Betsey to explain donor towns and if the towns affected were going to sue the state. Betsey explained that the Coalition Communities has not taken the state to court yet. During the last legislative season, those who opposed donor towns tried to get it defeated, but were unsuccessful. Betsey stated that what is needed is a constitutional amendment and urged those who reside in New Hampshire to question their candidates and find out where they stand. She said that legislators in the southern part of the state and also those in Concord don't care about the affect to Moultonborough's tax payers, with a cost to the Town's property owners of \$3.4 million. Mr. McGillicuddy commented that the waterfront owners will have to carry the majority of the burden, adding that the 34 donor towns shouldn't pay it. Ed commented that he attended the Coalition Communities meeting with Governor Lynch, who told them that he was in favor of a constitutional amendment, but the towns in the southern part of the state are opposed. Ed added that he feels it is not a political issue, but one of fairness. After hearing Mr. McGillicuddy's comment about the court mandating donor towns, Betsey corrected him and told him that the court's only ruling was that if there is a statewide property tax for education, then children throughout the state should receive an equal amount, and there should be no disparity from town to town. She added that she is a member of the Assessing Standards Board and they have worked to insure uniformity and equality in assessing practices. Betsey expressed her frustration about the donor town issue, adding that without it, the state will need to look at legalizing gambling or a broad based tax. Mr. McGillicuddy agreed with others that the 2009 assessment should be used this year. Betsey responded that DRA will look at the assessments. 7) Russ Wakefield asked the Selectmen if a petition to BTLA has been submitted and learned that the Town is not involved in any petition process. 8) Peter Jensen suggested to the Selectmen to have Vision attend a public meeting and if they can't explain their process to then not accept the assessment. 9) Priscilla Teague stated that the problem is the state law which says assessments are based on properties that have sold and in a poor economy this doesn't work. She added that properties in her neighborhood aren't selling, not even at 2009 assessments. Ms. Teague asked the Selectmen to roll back to the 2009 assessments, which will reduce the number of abatements. 10) Jim Dunn asked how assessments can go up when the economy is going down. Joel repeated that the Selectmen are waiting to hear from Vision and if needed, DRA. 11) Rick Heath commented that Vision doesn't talk about the expired listings or the length of time properties are on the market. Joel said that the question is how many sales are being used for the assessment base. 12) Diane MacArthur told the Selectmen that at her hearing with Vision she submitted a bank appraisal as evidence and was told by the Vision representative that he was not familiar with the comparables. 13) Hollis Austin reported the latest economic information he heard on the television with all indicators that the economy is not improving. He asked and learned that the contract with Vision still has 2 to 3 years remaining. He wondered if this was a breach of contract. Joel responded this is a legal question which he is unable to answer. Joel repeated that the Selectmen are waiting for the hearing process to end and to hear from Vision. Betsey added that Vision will have to explain the numbers when all of the information is analyzed. Mr. Austin asked if the Selectmen have checked with other towns that contract with Vision. Joel replied that they have not. 14) Fred Kramer commented that there is a short timeline and action needs to be taken before the tax bill comes out. Carter responded that during the August 26<sup>th</sup> work session, he hoped that all of the information

would be ready, along with the methodology and any response from DRA, but cautioned that the date is not fixed. All of the assessing information must be completed for the MS-1 to be sent to the state. Joel responded to a question about opening the work session (August 26<sup>th</sup>) to the public (which will be publicized), stating that he'll allow it as long as the comments don't go on and on, without anything new being said. He repeated that the Selectmen understand their concern. 15) Rick Heath stated the Selectmen need to be proactive. Carter responded that they are working on the issue, with the new Town Assessor giving it 100% of his attention since coming on board July 1<sup>st</sup> and even more since the Informational Meeting. He added that they must allow Vision to go through the process and have the time to work on it. Joel added that the Assessor is looking at how many sales are needed to be more equitable, but cautioned that DRA must approve any changes and this change will have to be done yearly, not just during a tough year. 16) Priscilla Teague stated that she felt the petition process to BTLA should start now.

**VI. NEW BUSINESS:**

1. Review for Approval: LGC's Floor Proposal Re: 1<sup>st</sup> Half Tax Billing: Betsey explained that Carter has been working with Pat Remick of the Coalition Communities to help ease the financial pain of the 2011 donor town tax burden. The summer bill is an estimate based on the previous year's assessment and tax rate. It is proposed for the summer bill of 2011 to estimate half of the Statewide Education Property Tax amount that will be due for the last tax bill of the year and add it to the summer tax bill, reducing the financial impact on property owners for the December billing. The Selectmen agreed that they approve of what is proposed. Betsey Made the Motion to approve the added language to 76:15-A as specified in the 2011-2012 legislative policy process Floor Policy Proposal dated August 6, 2010. Ed Seconded the Motion. The Motion carried Unanimously.
2. Review for Approval: Disposal Agreement, Baker: Betsey Made the Motion to approve the Disposal Agreement for Richmond and Carolyn Baker, 6 Countryside Lane. Ed Seconded the Motion. The Motion carried Unanimously.
3. Review: Election Training: Joel reported from Barbara Wakefield's memo, the Town Clerk, the Deputy Town Clerk and Moderator attended a recent election training and learned about 100 new laws. Joel commented that as of September half of all ballot clerks must be certified and all must be certified by November, which will require they take classes. Carter added that this will likely require a transfer in funds to cover the cost of classes.
4. Review: Deputy Forest Fire Warden Appointments: Joel reported that Richard Buckler and Andy Daigneau have been appointed as Deputy Forest Fire Wardens for the Town.

**VII. OLD BUSINESS:**

1. Review: LGC Re: Legislative Policy for 2011-2012: Carter asked that this remain tabled until after the August 26<sup>th</sup> work session. Approved by Consensus.

**VIII. OTHER BUSINESS:**

1. Legislative Update: Betsey reported that some meetings are taking place, but no votes are being taken. She reminded everyone that the primary is on the 2<sup>nd</sup> Tuesday in September and the election will take place in November. She urged everyone to vote.
2. Planning Board Update: Ed reported that they will meet next Wednesday.

3. Administration Update: Carter reported that other than his weekly update, he reminded the Selectmen of the Volunteer Picnic that takes place in September and he will need a date by the next meeting, August 19<sup>th</sup>. Betsey recalled that last year, some volunteers were left out and how would they insure that this doesn't happen again. Carter said that last year the problem was determining what committees had been decommissioned and when, i.e., by the first of the calendar year. He feels that they've done a better job in disbanding the commissions and the task should be easier and clearer. Carter asked the Selectmen to complete their editing of the job descriptions and classifications and return to him by the end of next week for review for the August 26<sup>th</sup> work session.
4. Milfoil Committee Minutes, July 26, 2010: Acknowledged.
5. Planning Board, July 28, 2010: Acknowledged.

IX. **PENDING**: None.

X. **CORRESPONDENCE**: None.

XI. **CITIZEN INPUT**: None.

XII. **NON-PUBLIC SESSION [Possible Request Per RSA 91-A:3 II (d)]**: Carter reported that it was not necessary to go into Non-Public Session.

XIII. **ADJOURNMENT**: Ed Made the Motion to Adjourn. Betsey Seconded the Motion.  
Motion Carried Unanimously.  
Joel adjourned the meeting at 8:06 p.m.

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Approved

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Date

Respectfully Submitted

Hope K. Kokas, Administrative Assistant