

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

Selectmen's Meeting

December 30, 2010

MINUTES

Present: Selectmen: Joel R. Mudgett, Chairman, Karel A. Crawford, Edward J. Charest, James F. Gray, Betsey L. Patten; Hope K. 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 December 16 and December 10, 2010. Karel Seconded the Motion. The Motion carried Unanimously.

IV. NEW RESIDENTS: Alyssa M. & Thomas J. Funke, Caitlin A. Cunningham, Patricia A. Morten, Glenn O. Gustavson, Barry J. Lewis, Michael T. Ernest.

V. PUBLIC MEETING:

Citizen Input: 1) Hollis Austin, while wishing everyone a Happy New Year, asked the Selectmen to explain each expenditure item on the agenda and in particular, the total cost and resulting savings, i.e., NH Municipal Membership Association dues, and any other costs associated with the contract.

VI. NEW BUSINESS:

1. Review for Approval: 2011 NH Municipal Association Member Dues: Joel reported that the 2011 membership dues were \$9,591.95, adding that any additional cost would depend on Town committees' request for trainings. Ed commented that the NHMA provides helpful presentations, legal assistance and is worth the cost. He felt that the annual conference they put on in the fall is very valuable. Betsey added that they are very active on municipal issues, and provide towns with a pooled risk management. Joel said that the increase of 2.5% is the first since 2007. Betsey Made the Motion to approve the 2011 NH Municipal Association contract. Ed Seconded the Motion. The Motion carried Unanimously.
2. Review for Approval: 2011 NH DRA State Education Tax Warrant: Joel reported that the 2009 equalized valuation without utilities is \$2,981,086,106, requiring the Town to assess \$6,931,025 (\$2.325 per \$1,000), and pay \$3,879,463 no later than March 15, 2012. Betsey commented that she feels the possibility of extending the collar on the SWEPT is favorable.
3. Review for Approval: 2011 NH DOT Block Grant Aid: Joel reported that the 2011 Block Grant Aid of \$165,855.72 is slightly higher than expected.
4. Review for Approval: Citizens' Petition, Tri County Community Action: Joel asked that the petition be placed in the budget file.

5. Review for Approval: Citizens' Petition, Zoning Amendments: Joel reported that the petition was submitted after the December 8th deadline to amend Zoning ordinances and Mr. Taussig has said he will withdraw it.
6. Review for Approval: ACT Contract Re: 2011 Milfoil Treatment: Joel reported that although this seems early, if the contract is approved now will allow an early spring treatment. The total cost is not to exceed \$140,000 with \$66,850 for the initial treatment and \$64,450 for the fall treatment. Betsey Made the Motion to approve the contract dated December 16, 2010 and not to exceed \$140,000 and authorize the Chair to sign. Jim Seconded the Motion. The Motion carried Unanimously.
7. Review for Approval: DES Grant Agreement Re: 2011 Milfoil Treatment: Joel explained that NH DES has awarded the Town with a grant of \$16,642.50 towards the 2011 milfoil treatment. The grant requires that the Chair sign the Certificate, as the appointed official to receive these funds. Betsey Made the Motion to authorize the Chair to sign the DES Grant Agreement Certificate. Ed Seconded the Motion. The Motion carried Unanimously.
8. Review for Approval: Implementation of Energy Project With LighTec: Joel reported that this contract was to continue with the energy efficiency efforts started last year. Ed asked what the savings were for the energy improvements made and Joel agreed that he also would like to know the amount of the savings. Betsey Made the Motion to accept the contract with LighTec not to exceed \$34,000 and to authorize the Chair to sign. Ed Seconded the Motion. The Motion carried Unanimously.
9. Review for Approval: Gemini Electric Contract Town Hall Generator: Joel reported that Gemini Electric was the only bidder for the Town Hall generator, and as they have met all of the specifications it is recommended to accept the bid of \$51,000. In Carter's weekly update, he asked that the Selectmen transfer the sum of \$33,000 from the Town Officers Contingency Account (#001-00100-00500-4199) to the Capital Outlay, Town Hall Generator Account (#001-05000-00740-4194) to cover the \$25,000 we are short and an additional \$8,000 for contingencies and construction oversight by the Engineer. Betsey Made the Motion to accept the bid from Gemini Electric for the Town Hall Generator, authorizing the Chair to sign the contract to not exceed \$51,000 and to transfer \$33,000 from the Town Officers Contingency Account to the Capital Outlay, Town Hall Generator Account. Karel Seconded the Motion. The Motion carried Unanimously.
10. Review for Approval: FY 2010 Carry-Overs: Joel read the carry-overs (encumbrances) in their letter to the Town's auditor, Vachon, Clukay & Co., a total of \$994,565.20, allowing funded projects not completed in 2010 to be carried over to 2011. Betsey Made a Motion to approve the request of the carry-overs to the auditors. Karel Seconded the Motion. The Motion carried Unanimously.

VII. OLD BUSINESS:

1. Review for Approval: NH & FBI Criminal History Record Checks RSA 103-a & 103-b: Joel reported that both items are not ready for action. He added that he'd like a report from the Police Chief as to his recommendation(s) on this item.
2. Review for Approval: Revised Cemetery Ordinance: Not ready for action.

VIII. OTHER BUSINESS:

1. Legislative Update: Betsey reported that the three biggest items this year are the budget, education funding and NH retirement. The Legislature will begin on January 5th with the Governor being inaugurated on January 6th.
2. Planning Board Update: Ed reported that they met on Monday due to the holidays and discussed the Rizzo property on Sheridan Road. He explained that in 1971 the Town accepted the road, but it appears the owners still own the land. This was done before Zoning was in effect. Also discussed was the special exception criteria and rental signs. Town Council's opinion is by eliminating for rent signs is discrimination, as real estate for sale signs are allowed. Ed said that the voters will have the final say at Town Meeting.
3. Administration Update:
4. Zoning Board of Adjustment Minutes, December 13, 2010: Acknowledged.
5. Milfoil Committee Minutes, December 14, 2010: Acknowledged.
6. Planning Board Minutes, December 13 & 22, 2010: Acknowledged. Joel commented that during the meeting of the 22nd, the Road Agent appeared before the Planning Board telling them of a situation of a driveway having run off on to a Town road which has been causing problems. The statute reads that if it is a state road, then DOT is the agent and on a Town road it is either the Planning Board or the Highway Agent. The Planning Board voted to make the Highway Agent their agent to enforce the zoning ordinance. Joel added that Carter has mentioned that an inventory needs to be made of what has been approved (or not approved) at Town Meeting and during meetings. He said he supported this effort which would eliminate staff having to conduct lengthy searches through previous minutes and old Town Reports to find these important dates.

IX. CORRESPONDENCE:

1. Alden & Roberta Wambolt, December 13, 2010, Ward Bird: Joel reported that there wasn't any return address on the Wambolts' letter to reply to. Betsey said she received a copy of the letter and Chief Dawson replied to the Wambolts.
2. Paul Ardito, December 15, 2010, Rental Sign Modification to Zoning Ordinance: Joel asked that this letter be referred to the Planning Board.
3. Bob & Susan Connolly, December 20, 2010, Illegal Rental Signs: Joel asked that this letter be referred to the Planning Board.
4. Jean O. Schmidt, December 16, 2010, Sign Ordinance: Joel asked that this letter be referred to the Planning Board.
5. Richard C. Geden, December 15, 2010, Presentation of Town Budgets: Joel asked that this be referred to the Selectmen's next work session, January 6th.
6. Time Warner, December 20, 2010, Program Changes: Joel reported that this was Time Warner's usual letter of possible program changes.

- XI. CITIZEN INPUT:** 1) Herb Farnham asked Betsey for an update on Ward Bird. She told Mr. Farnham that he has applied for a pardon from the Governor and was moved to the Carroll County House of Corrections. Betsey has submitted a bill that clarifies that protecting one's private property by displaying a firearm is not criminal threatening and 117 Representatives signed a petition asking the Governor to pardon Mr. Bird. Betsey and Mr. Bird's supporters will keep the issue out front, but the pardon process needs to take place. She further explained that the Governor is not obligated to act, even if a majority of the Councilors recommend the pardon.

2) Hollis Austin asked the Selectmen about the NH & FBI Criminal History Record Checks and if there had been an incident of an unauthorized vendor at the Town Beach. Joel replied that they had no recollection of this. Betsey said that she's reviewed the law and agreed that Chief Dawson needs to come in to make his recommendation. Mr. Austin then asked if the Selectmen had an update on the Public Safety Building floor. Joel said that a scan of the floor has been done and they will have the results in a few weeks. He added that he questions if the concrete floor is sitting on the "wall ties". The scan done will show the material density under the floor. 3) Peter Jensen asked if the floor has cracked at the Public Safety Building. Joel replied that there are no visible cracks, but they may be able to see more from the pictures. 4) Ed reported that he was recently told by someone, that he feels the Moultonborough Selectmen are knowledgeable and informed. He based this on his experience with Selectmen from other towns.

XII. NON-PUBLIC SESSION: Not needed.

XIII. ADJOURNMENT: Betsey Made the Motion to Adjourn. Ed Seconded the Motion. Motion Carried Unanimously.
Joel adjourned the meeting at 8:02 p.m.

Approved

Date
Respectfully Submitted
Hope K. Kokas, Administrative Assistant