

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

Selectmen's Meeting

May 5, 2011

**MINUTES**

Selectmen: Selectmen: Joel R. Mudgett, Chairman; Edward J. Charest; James F. Gray; Betsey L. Patten; Russell C. Wakefield; Carter Terenzini, Town Administrator; 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 April 21 & 28, 2011. Russ Seconded the Motion. The Motion carried Unanimously.

**IV. NEW RESIDENTS:** Roger F. & Shirley M. Carder, Jay A. Leader, Jenna L. Bartlett, Chris & Karen Dows, Janet R. Morley, Lynn K. & Brian G. Sanford.

**V. PUBLIC MEETING:**

Citizen Input: 1) Dave Rosetti, MPD, requested to be on the Agenda, but did not appear. 2) Hollis Austin said that he was glad that the Legislative Update was on the Agenda. 3) Betsey publicly thanked the Navy Seals and all of the armed forces for doing a great job.

**VI. NEW BUSINESS:**

1. Presentation: Debra Peaslee, VNS, Community Resource Fair June 3, 2011: Debra Peaslee, Director of Moultonborough Visiting Nurse Service and Kaitlyn Sampson of the Recreation Department invited the Selectmen and Carter to attend the Community Services Team's Community Resource Fair scheduled for June 3, 2011, 10 a.m. to 2 p.m. at the Community Center and the Library. The fair is open to all community members, but is focused on older adults. Several organizations, clubs and vendors (30+) will be showcasing their service, activity or opportunity. Lunch and light refreshments are available and there will be raffles and prizes. The event has been widely advertised through the local newspapers, public access TV, posters, etc. Debbie told the Selectmen that she's met with Chief Dawson and there will be a police officer available to direct traffic. She asked the Selectmen to consider having the Town Hall employees park down at the Public Safety Building for the day to allow more parking for the fair participants. Betsey suggested that this could be brought up during tomorrow's staff meeting. Carter said that he would also add it to his weekly update. The Selectmen all agreed that this was a great idea, thanked the members/departments of the Community Services Team for putting on the event, and by consensus approved their request for Town Hall employees to park at the PSB for the day.
2. Review for Approval: GASB 45: Carter reported that he is following-up on their last work session of April 28<sup>th</sup>. Their next question is whether or not to reduce costs and whether to fund the liability or not. If they choose to reduce costs the Selectmen need to

revisit the health insurance benefit platform and contribution structure, our post 65 assumptions (i.e., Medicare or not), or lower the growth rates projected in payroll, health insurance, dental, and earnings. Heidi and Nancy have looked at the worst case scenario with the post 65 assumption, assuming that any employee over the age of 65 would stay on the regular plan which increases our numbers by 25%. Carter felt that if it were mandatory then he would encourage funding. Presently there is no way to isolate funds to offset the liability. Betsey asked and Carter replied that the earnings projections came from the Trustees of the Trust funds results and not the Town's cash flow earning rate. Joel felt and the Selectmen agreed that the only action they would take now is to make the post 65 assumption (i.e., all those go on an independently rated Medi-gap type plan). Carter felt that GASB 45 is 3 to 5 years from actually being addressed by many communities in the state, but because last year this was a point on the Town's audit, it was decided to be addressed. He added that until the pension is solvent and the economy improves and the legislature allows for dedicated trust funds, towns won't fund it nor should we. Russ questioned the payroll growth projections and the practice of step raises, which he felt employees automatically expect. Joel commented that step raises are not guaranteed, although 90% of employees receive it. Russ would like to see department heads requesting raises for their staff. Carter replied he looked at the COLA and steps (2-2.5% COLA and steps). If you were substituting it with merit pay he would have to research this to figure out the new range. Betsey added that there is an issue of merit pay which can be subjective based on personalities. The Selectmen agreed to stay with the present assumptions as outlined in Carter's memo, the post 65 staying on the "active" plans, and to wait another year before deciding on funding it. Carter cautioned that if a problem comes up in the future he may have to come back to the benefit platform and contribution structure policy now in place.

3. Review for Approval: Fire Boat Bid Review & Recommendation: Carter reported that this was widely advertised in local newspapers, Town bulletin boards, mailed to vendors, Craig's List, LGC, and the Winnepesaukee.com, and the Town's website. There was only one bid received from Viking Welding and Fabrication, LLC of Kensington, NH which was \$83,000 higher than budgeted. Carter felt a major factor was the performance bond requirement, which was insurance for the Town if the vendor did not perform. Chief Bengtson in his memo gave three options: 1) Put it out to bid again without the performance bond requirement; 2) Accept the bid from Viking Welding and Fabrication contingent on negotiating an acceptable pump and find additional funds within the town's budget; 3) Using section XI of the Town's Policy #23, Competitive Bidding, allowing the Selectmen to negotiate proposals for goods and services. The Chief and Carter recommend putting it out to bid again without the performance bond requirement. After a discussion of the risks, Russ Made the Motion to reject the bid from Viking Welding and Fabrication, LLC of Hudson, NH and authorize the Town Administrator and Fire Chief to re-bid without a performance bond requirement. Ed Seconded the Motion. The Motion carried Unanimously.
4. Review for Approval: Swim Platform Bids & Recommendation: Carter reported that this was advertised the same as the fire boat. Two bids were received with the lowest bid of \$10,900 from FWM, Inc. of Hudson NH, with a delivery date of 7 days and no trade in allowance for the old float. Production Trailer & Dock of Meredith bid \$11,414.22, with a \$500 trade in and delivery within 30 days. It is recommended to accept the bid from FWM, Inc. due to the delivery date and warranty and to not trade in the present float, retaining it for future sales. Joel suggested checking with Scott Kinmond to see if they can use it for jobs like the one done at Lee's Mills. Betsey Made the Motion to accept the

- bid from FWM, Inc. of Hudson, NH for \$10,900 and authorize Carter to sign the contract. Jim Seconded the Motion. The Motion carried Unanimously.
5. Review for Approval: 2011 Surplus Sale & Recommendation: Carter reported that it is not recommended to accept bid #1 as they received a favorable trade in price from the state's vendor. There were no bids for items 2, 3, 5, 9, 10, 11, 12, 13, and 14. For items 4, 6, 7, and 8, it is recommended that the Selectmen accept these bids as outlined. Russ Made the Motion to reject bid #1, accept the bids for items 4, 6, 7, and 8, and for items 5 through 14 to donate the items to other municipalities or scrap them, and to authorize the Town Administrator to sign the agreements. Jim Seconded the Motion. The Motion carried Unanimously.
  6. Review for Approval: VADAR 2011 Contract: Carter reported that this is the annual contract for the accounting/financial and tax billing software. Both Heidi and Susette have given their approval. Betsey Made the Motion to accept the VADAR 2011 contract and to authorize the Town Administrator to sign it on behalf of the Selectmen. Ed Seconded the Motion. The Motion carried Unanimously.
  7. Review for Approval: Religious Exemption – Moultonborough United Methodist Church: Betsey made the Motion to approve the 2011 Religious Exemption for the Moultonborough United Methodist Church. Ed Seconded the Motion. The Motion carried Unanimously.
  8. Review for Approval: Disposal Agreement – Gulla: Betsey made the Motion to approve the Disposal Agreement for Joseph and Sharon Gulla. Ed Seconded the Motion. The Motion carried Unanimously.
  9. Review for Approval: Summer 2011 Newsletter: Carter reported that they received more requests than space allowed. Betsey Made the Motion to approve the Summer 2011 Newsletter as written. Ed Seconded the Motion. The Motion carried Unanimously.
  10. Review for Approval: NH Lakes Invoice – Lake Host Program: Carter reminded the Selectmen that they are the agents to expend the trust fund. In addition there is an error in the bill and the actual amount due is \$6,355.58. The amount of \$10,490 included the NH Lakes share of the bill and the Town's credit. Betsey Made the Motion to approve the payment of \$6,355.58 for the Lake Host Program from the Milfoil Trust Fund. Ed Seconded the Motion. The Motion carried Unanimously.
  11. Review for Approval: NH DOT Adjusted April BGA Payment Revised: Carter reported there is an increase based upon the current unsettled state of the surcharge and the two month reduction of .05¢ in the state gas tax. Carter said that he and Scott would rather not use these funds now and use it later if needed. Betsey said that the surcharge will be gone in 2011. The consensus was to accept the staff recommendations.
  12. Review for Approval: Policy #14, Sale of Cemetery Lots & Cemetery Rules: Carter reported that the policy before them is the same except for minor edits of typos, etc. The revised policy allows two headstones on one lot, as long as the second one is the smaller of the total dimensions allowed for new stones. Betsey made the Motion to accept the revised Policy #14, Cemetery Lots & Cemetery Rules. Jim Seconded the Motion. Joel asked if there was any public comment. Kathy Nilson asked how this policy would be enforced, which now has more rules, when before the few rules were not enforced. Russ stated that the revised policy will affect those presently owned lots without headstones on them and will give the Sexton more control. Ms. Nilson reported that infractions of the previous policy continue. Carter said that enforcement is a challenge. Betsey added that a letter has gone out to correct the existing problem at Shannon Cemetery. Russ said the old policy was hard to enforce and the revised policy addresses these problems. Ed said that people need to report violations to the Sexton. The Motion carried Unanimously.

Betsey suggested that the Selectmen look at the issue of memorials being placed at the scene of accidents and the length of time that it stays there.

13. Review for Approval: Policy #30, Objectors to Herbicide Treatment of Milfoil: Carter reported that there have been no changes and if the state gives a permit to treat, then the Town will treat. Betsey pointed out that there appears to be a numbering issue on the policy. Hope said that she would make the correction. Betsey Made the Motion to accept Policy #30, Objectors to Herbicide Treatment of Milfoil. Russ Seconded the Motion. The Motion carried Unanimously.

## **VII. OLD BUSINESS:**

1. Review for Approval: Request for Vendor's License – Home Town Treats: Betsey said that although the Town does not have a policy on vendor's licenses, she feels it is needed, and the present policy is to prohibit vendors from selling on Town property and to notify the Police Department of their activities. Carter reported that at the last meeting, the Selectmen affirmed to prohibit vendors from Town property and he was requested to check with Alton, Gilford and Wolfeboro as to Home Town Treats' activities. All three towns require a license. Carter asked if the Selectmen want an ordinance in order to do a background check. Joel felt that it is needed to do a background check and to specifically identify what can be done and where, and to not hurt Town businesses with outside vendors. Carter reminded them that this must be an ordinance in order to enforce it and not a policy. He will notify Home Town Treats that soliciting on Town property is not allowed and that per the present policy, they must register with the Police Department. Carter added that it will take time to write the ordinance and probably won't be ready until next season. He asked that item #2 NH & FBI Criminal History Record Checks be removed from the Agenda. Approved by Consensus.
2. Review for Approval: NH & FBI Criminal History Record Checks RSA 103-a & 103-b: To be removed from the Agenda.

## **VIII. OTHER BUSINESS:**

1. Legislative Update: Betsey reported that the bill passed by 11 votes allowing car dealers to register new vehicles. A pilot program will be developed in Manchester to start. There is a bill to prohibit fire marshals and planning boards from requiring sprinkler systems for new one and two family residences. The bill was passed to reduce the state's gas tax portion by .05¢ for the months of May and June and it is expected the Governor will sign it. It is expected that the Governor will veto the Right to Work bill. Photo ID's will be required to vote and in absence of, a provincial vote will be given, allowing them to return in three days. There will be three elections prior to this taking affect. Property owners will be allowed to petition for a tax spending cap. Extra funds have been allocated to increase managed care to keep people in their homes. The court system has reduced their costs in order to stay open and not have furlough days. The gambling win tax has been eliminated. Betsey said that the constitutional amendment for the SWEPT is in the Senate and it is expected to pass. There is a lot of work to be done by the time the Legislature closes on July 1<sup>st</sup>.
2. Planning Board Update: Ed reported that while he was unable to attend the meeting due to illness, there was a minor site plan review done.
3. Administration Update: Carter reported that other than his weekly update, he wanted to bring to the Selectmen's attention two items. Moultonborough has been selected as one

of three towns to receive an award of the NH Municipal Managers Association and Local Government Center's fellowship for 2011. A graduate student from UNH's Masters of Public Administration program will come on board. Carter will be part of the interview team on May 20<sup>th</sup>. The student selected will then attend the annual Managers' Conference in June and then begin working with us shortly after. One Selectman is required to serve on the sounding board and this person can be identified once they meet with the School Board next week. In addition, in the Letters Written file there is a letter to a former property owner regarding a Lee's Mills dock lease. It has been Carter's understanding that once ownership changes and the lease holder no longer has an interest in their Moultonborough property, then the lease interest is to be extinguished. Carter asked for confirmation and the Selectmen agreed that if the lease holder no longer has an interest in the Moultonborough property then the lease is to be extinguished. He reported that several requests have been made asking for the trust documents in order to identify any interest of the original lease holder in the property and to date they have not complied.

4. Blue Ribbon Commission Minutes April 5, 7 & 21, 2011: Acknowledged.
5. Milfoil Committee Minutes, April 19, 2011: Acknowledged.
6. Zoning Board of Adjustment Minutes, April 20, 2011: Acknowledged.
7. Planning Board Minutes, April 27, 2011: Acknowledged.

**IX. CORRESPONDENCE:**

1. Time Warner Cable, April 22, 2011, Possible Program Changes: Joel reported that this is the standard letter announcing possible programming changes.

**X. CITIZEN INPUT:** 1) Nancy Wright asked if the Town has followed up with Time Warner regarding the cable work required to allow broadcasting to the PEG channel directly. Joel replied that this is not a priority for the Selectmen. Ed said he would follow-up on this. 2) Hollis Austin asked Betsey to comment on HB 474, the Right to Work bill. Betsey said that this bill will prohibit requiring employees to join a union and pay dues in order to keep their job. If passed NH will be the only Right to Work state in New England. It is hoped that companies will see NH as being favorable when relocating. She added that she wasn't sure if this was veto proof, as the Governor is against it. Mr. Austin stated that the bill is beneficial to employees which reinstates their rights and is a negative impact on the economy. He suggested that voters contact Representative Knox who is against the bill.

**XI. NON-PUBLIC SESSION:** Betsey Made the Motion to go into Non-Public Session per RSA 91-A:3 II (a). Ed Seconded the Motion. A roll call was taken: Jim – Aye; Betsey – Aye; Ed – Aye; Russ – Aye; Joel – Aye. The Selectmen went into Non-Public Session at 8:37 p.m.

The Board exited Non-Public Session at 8:50 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 reputation of any person other than a member of the public body itself, until - in the opinion of a majority of the members - the aforesaid circumstances no longer apply.

- XII. **ADJOURNMENT:** Betsey Made the Motion to Adjourn. Ed Seconded the Motion.  
Motion Carried Unanimously.  
Joel adjourned the meeting at 8:51 p.m.

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Approved

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Date  
Respectfully Submitted  
Hope K. Kokas, Administrative Assistant

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