

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

Selectmen's Meeting

December 1, 2011

**MINUTES**

Selectmen: Joel R. Mudgett, Chair, Edward J. Charest, Vice Chair, 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 7:03 P.M.
- II. **PLEDGE OF ALLEGIANCE:**
- III. **REVIEW / APPROVAL MINUTES:** Betsey made the Motion to approve the Selectmen's meeting minutes of November 15, 17 & 18, 2011. Ed Seconded the Motion. The Motion carried Unanimously.
- IV. **NEW RESIDENTS:** Robert J. & Katherine H. Lewis, Dean R. Dolliver, Erin E. McGrail.
- V. **CITIZEN INPUT:** 1) Hollis Austin asked how much money is received from the WMF/Beach sticker and how it is distributed between the two departments. Carter responded that he doesn't have the exact amount, but will get it to him. Regarding how it is apportioned, this will come before the Selectmen at their next meeting to convert the amount going to the Recreation Revolving Fund to zero. Presently, Carter believed the split was approximately 50/50, but for 2012 100% will be going to the general fund. Mr. Austin asked why in the past the WMF, which has extensive facilities, received only 50% of the funds, and the Town beaches received 50%, which has minimal facilities. Joel clarified that 50% of the proceeds from the sale of the sticker had been going to the Recreation Revolving Fund which was established several years ago. This is being changed and Recreation will be using the present amount in the Revolving Fund. Mr. Austin then asked how much money went to the beach as it was a WMF/Beach sticker. Joel replied that in reality it wasn't a 50/50 situation and money went to the general fund. Mr. Austin asked and the Selectmen replied that the decision to bundle the WMF/Beach sticker into one was made years ago.
- VI. **NEW BUSINESS:**
  1. Personnel: Oath of Office, Patrol Officer Jonathan D. Kleiber: Acting Police Chief, Sgt. Peter Beede introduced Jonathan Kleiber, MPD's newest full time officer. He explained that Officer Kleiber is replacing James Quinlan. As background information, Officer Kleiber grew up in Massachusetts and went to school in Michigan. He is presently residing with his family in Milton, MA. Joel gave Officer Kleiber the Oath of Office. The Selectmen congratulated Officer Kleiber and welcomed him to Town.
  2. **Review for Approval: Acceptance of 2008 Tax Deeding:** Joel reported that the list is now down to six properties. Susette provided the Selectmen with copies of the tax deeds and a detailed list of her attempts to contact the property owners. Russ thanked Susette for making these efforts, which are above and beyond the call of duty. He was surprised that with the number of attempts to contact the owners, they did not respond. Susette said

that after the last meeting, she made a final attempt to contact the owners and still no response. She reported that only one property has a mortgage and they were notified and have not responded. Susette asked the Selectmen to accept the tax deeds and authorize her to record the deeds at Carroll County Register of Deeds. Carter asked for a vote to establish rent for three of the properties. Susette said that one is a primary residence and the other two are weekend/vacation properties. Carter asked if the Board wanted to evict. Joel felt that with the exception of the primary residence he didn't want the Town to become a landlord and Betsey agreed. Betsey asked, other than eviction what were the choices. Russ felt that based on the efforts made, and the history of the Town's willingness to work with taxpayers on payment plans, he couldn't understand why property owners wouldn't contact the Town to try and make arrangements to work something out. Russ Made the Motion to accept all of the tax deeds, map 128 lot 054, map 128 lot 075, map 072 lot 083, map 130 lot 040, map 202 lot 008, and map 121 lot 080, and authorize Susette to record the tax deeds. Betsey Seconded the Motion. The Motion carried Unanimously. Carter asked the Selectmen to consider if they want any of the people to continue to occupy any of the properties or to notify them that the Town has taken it and proceed with evictions according to the statutes. Susette said that she will send another courtesy letter informing the property owners that the Selectmen have accepted the tax deeds. Discussion occurred about previous tax deeding experiences. Betsey felt and the Selectmen agreed to not evict the one primary residence, and to evict properties, 2, 3, 4, 5 and 6 as listed. Betsey Made the Motion to authorize Carter to issue the appropriate notice to the former owners of properties 2, 3, 4, 5 and 6 as listed by the Tax Collector, and begin the eviction process. Russ Seconded the Motion. The Motion carried Unanimously. Ed asked if the Town has to pay association dues for the two properties located in Suissevale. Susette reported that in the past Suissevale and Balmoral have not charged the Town. Carter asked the Selectmen how they want to proceed with property #1 which is a primary residence. To redeem the property the former owner must pay 15% of the value plus taxes and fees. Russ Made the Motion to offer to rent property #1 to the former owner, allowing him to stay there, and if not accepted by January 1, 2012 then evict, and give Carter the authority to proceed with eviction in accordance with statute. Carter suggested and Russ agreed that a market rent of \$900 is appropriate. Betsey Seconded the Motion. Joel agreed that they should make this offer to try to set up a rent for this property owner, but doesn't want the Town to become a landlord, but it may. The Motion carried Unanimously. Carter said he will keep the Selectmen updated.

3. Review for Approval: 2012 Citizen Petition – VNA-Hospice of South Carroll County: Joel asked that this be placed in the budget file.
4. Review for Approval: FY 2012 Health & Dental Insurance: Carter reported the rate for the coming year has increased 16%. Since 2005 each year has seen, on average, an 8.6% increase. Last year this was discussed as an increase was expected, but it did not materialize. Carter recommended that the Selectmen renew the present contract, but add alongside it the Matthew Thornton Blue plan. He explained that the current plan is a two tiered plan and allows self-referral; however a vast majority of employees use it as an HMO. Matthew Thornton requires PCP referral and if all employees were enrolled would be a \$100,000 savings to the Town. He is not recommending any changes in the prescription or dental plan. He further explained that he is not proposing changing totally, but adding Matthew Thornton alongside of it. Carter suggested, as an incentive, the Town pay employees the first year's savings of \$750 for individuals, \$1,500 per two person plan and \$2,000 per family plan. If employees choose the Matthew Thornton

Blue, they can't return to Two Tier BCBS. Carter reported that Matthew Thornton Blue has lower increases than the present two tiered BCBS plan. Also, all new employees from date of hire (police union will be dealt with at another time) must enroll in the Matthew Thornton Blue plan and will not have a choice. In time, based on budget factors BCBS two tier would disappear. At time of enrollment all employees will get a choice and will acknowledge if they switch they can't come back. Employees can also opt out, receiving that incentive and later if needed they can choose either plan based on life changes. Betsey asked and Carter confirmed that they can come back and choose their original plan, as the Town has realized the savings. Joel added they must prove that they have insurance and they can't come back in until the next open enrollment, unless they experience a life change which allows them to return. Carter said staff had a lengthy briefing this afternoon with at least 60% in attendance. Russ asked and Carter said he could show the savings on a table. Carter explained that the costs of both insurance plans are still going up, but there will be a decrease if they go with Matthew Thornton. Russ asked how this affects COBRA participants and learned from Carter that they will have to make a choice (those under 65), but will not receive the incentive if they choose Matthew Thornton. Joel felt this is the right direction and supports the change. Betsey thanked Carter and Heidi for working on this program, which is balanced for taxpayers and employees. Joel asked if the audience had any questions with none being asked. Betsey Made the Motion to offer Matthew Thornton Blue 10 or Tier Two BCBS, keeping the prescription plan the same, offering the cash incentive to those who switch to Matthew Thornton Blue, payable in 2012, and effective January 1, 2012 all new employees must enroll in Matthew Thornton Blue and the current opt out program will remain in effect. Ed Seconded. The Motion carried Unanimously. Russ asked and Carter explained that the present plan is already budgeted for. Carter asked for authority to sign the contract for LGC. Betsey Made the Motion authorizing Carter to sign the LGC contract and Jim Seconded. The Motion carried Unanimously.

**VII. OLD BUSINESS:** 1) Russ answered Steve Maguire's question from the previous meeting regarding the foreclosed building and partially dismantled garage on Whittier Highway, telling him that the CEO has contacted the bank and requested that it be cleaned up. Russ asked Carter if he had contacted Center Harbor to schedule a joint meeting. Carter replied that it has been scheduled for Wednesday, January 18, 2012, 6:30 p.m. at the Center Harbor town hall. He has asked staff to provide Selectmen with any ideas or concerns they may have for the meeting.

**VIII. OTHER BUSINESS:**

1. Legislative Update: Betsey reported that they were in session Wednesday. The Governor's vetoes for the Right to Work bill and the Parents Opt Out bill were sustained. In addition the Governor's language for the constitutional amendment was voted on the affirmative, however to change CACR-12 was not approved, which killed it. Left is the language that the House has sent to the Senate and there is an agreement with House leadership and a goal to have a constitutional amendment for the 2012 election. Betsey said she was disappointed with the outcome for the Right to Work bill.
2. Board Liaison Reports: 1) Russ reported that during the ABC meeting they reviewed the school budget. The chair had previously reviewed it and had made some suggestions which led to a good discussion. 2) Ed reported that he was unable to attend the Planning Board meeting. Peter Jensen reported that they worked on the policy recommendation from the Roads Subcommittee which will be sent to the Selectmen for the next meeting.

Peter Jensen represented the Town by attending a local workshop to explore ways to build affordable housing.

3. Administrative Update: Carter reported that they have heard from the towns of Wolfeboro and Conway, expressing their interest in the next steps regarding the Carroll County Dispatch. He suggested that at least one Selectman from each town and their administrator/manager attend a meeting to solidify their position and then propose to write a letter to the Carroll County Commissioners, asking for an opportunity to address them about this subject. He asked the Board to designate one member to sit in on the meeting. Three towns pay 50% of the dispatch services which supports other towns. Betsey, as the chair of the Carroll County Delegation, said she asked Carter to send a letter to the towns and copy to the delegation. She feels it isn't appropriate that she be designated and won't sit in at the county and would request the Vice Chair to sit in. Betsey told the Selectmen that the county's budget will be approved by March 31<sup>st</sup>. She's received negative feedback from fellow delegation members for signing the letter as a Selectman. Carter said his hope is to go before the county commissioners in January and then the delegation early in the budget cycle, to develop a formula for low cost services for those communities that wish to purchase dispatch services that would impact the 2013 budget. Joel agreed that 2012 was too soon and would be a hardship for smaller towns. Russ expressed his support and felt the same way about Lakes Region Mutual Aid. Carter hoped that it would be wrapped up by October 2012. Joel offered to represent the Town at these meetings. Carter updated the Selectmen that the police chief's position has been advertised today. He asked the Selectmen if they had names for the search committee, or if the previous members were willing, to utilize their services. Betsey felt and the Selectmen agreed that the members from the first committee did a good job. Carter said that the previous search committee was made up of three members of law enforcement outside of Carroll County, one town manager/administrator and one community member at large. He added that the previous members are willing to be on this search committee and they are Auburn Police Chief Edward Picard, Belknap County Sheriff Craig Wiggin, Merrimack Sheriff Scott Hilliard, Peterborough Town Administrator Pam Brenner and citizen at large Peter Welley (also a psychologist). Betsey made the Motion to appoint the same members to the police chief search committee and add Jim Gray as the Selectmen's representative to sit in. Russ Seconded the Motion. The Motion carried Unanimously. Betsey asked if any decision had been made for Carroll County Transit. Carter replied that he'd like to lend Town Fellow, Mike Branley, to the CCT for 200 hours, to not exceed \$3,000 and CCT will pay for a portion. Russ asked Carter for an assurance that the fellowship does not turn into a new position. Carter confirmed this and stated that he will not ask for another extension. Russ asked how much CCT will reimburse and Carter replied that at this time he wasn't sure as it depends on how much time they will use. Russ Made the Motion to extend the Town Fellowship to not exceed \$3,000 (200 hours +/-), which is to be the last extension, and to lend Mike Branley's services to CCT. Betsey Seconded the Motion. The Motion carried.
4. Zoning Board of Adjustment Minutes, November 16, 2011: Acknowledged.
5. Milfoil Committee Minutes, November 16, 2011: Acknowledged.

## **IX. CORRESPONDENCE:**

1. Time Warner Cable, November 15, 2011: Joel reported that this is their usual letter of possible program changes. Joel was asked by Scott Bartlett if the Town has made any progress regarding the Boston channel black outs. Carter confirmed that Tuftonboro has

asked Moultonborough and the Selectmen agreed to participate in petitioning the FCC to do a market survey. Russ said that the petition is a start and these changes are made based on the county. Steve Maguire asked about the contract and the new increase, and if there is a limit to fee increases. Carter replied that it is not part of the contract and due to federal deregulation, prices can't be controlled.

2. Town of Wolfeboro, November 21, 2011, Carroll County Dispatch Services: Joel acknowledged their letter as previously noted.

**X. CITIZEN INPUT:** 1) Steve Maguire, based on Carter's comment about the police union, asked if there is a union. Carter replied that the Public Employer Relations Board issued the order months ago. Joel said that the Town is appealing part of this. Carter said the Public Employer Relations Board has certified this union and ordered the Selectmen to negotiate with them. The Town has appealed whether or not some of the positions should be included in the union and this is before the NH Supreme Court and it is unclear when the hearing will be scheduled. Carter further explained that they filed sufficient petition cards and a vote isn't required and they have been certified. There are two ways to have a union: One is sufficient petition cards, or through the vote process – they had sufficient petition cards. The Town can recognize a union with fewer than 10 members if it wishes. If there are more than ten, then the Town has no say. The Town can vote on a union cost item package only, but not the particulars. Jean Beadle said it is the same as the teachers' contract. Carter said the amount voted on would be the amount that is above the usual amount. Mr. Maguire asked how many members are in the union. The Selectmen and Carter agreed that per state law, they must be careful what they say and this question is in litigation. 2) Hollis Austin asked about the legislative update, asking for an explanation of the two sustained vetoes and the resulting affect. Betsey explained that if the Right to Work bill in NH had passed it would allow a person to apply for a job in a unionized shop without joining the union. Without passing and presently, if there is a union, you must join. Betsey said she supported the Right to Work bill, but they were unable to overturn the veto. The education opt out bill would allow parents to opt out of their children receiving instruction on what they perceive as objectionable matter. The Governor vetoed it and they were unable to override it. Mr. Austin asked if Betsey was surprised and she replied she was disappointed. 3) Peter Jensen asked why the Selectmen can't discuss the police department structure. Joel stated the Town is in negotiations and in court and must be careful. Betsey said that the RSA states no discussion until an agreement is made. 4) Mr. Austin felt that the two bills were backed by unions and by progressives. He then asked when do all of the changes to the Time Warner contract void it out. Joel felt that he was sure their legal experts knew what they were doing. Mr. Austin then asked how many staff positions are vacant and if any of these were to be eliminated. Carter stated there are 3 positions vacant, 1 full time and two part time. Joel added that the positions have been looked at and they found they were not able to eliminate any. Mr. Austin felt that the country is still in recession and asked the Selectmen to consider eliminating vacant positions.

**XI. NON-PUBLIC SESSION:** Joel called for a Non-Public Session per RSA 91-A:3 II (c). A roll call was taken: Jim – Aye; Betsey – Aye; Ed – Aye; Russ – Aye; Joel – Aye. The Selectmen went into Non-Public Session at 8:35 p.m.

The Board exited Non-Public Session at 9:12 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. Russ Seconded the Motion. Motion Carried Unanimously.  
Joel adjourned the meeting at 9:13 p.m.

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Approved

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Date  
Respectfully Submitted  
Hope K. Kokas, Administrative Assistant

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