

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

Selectmen's Meeting

February 16, 2012

MINUTES

Selectmen: Joel R. Mudgett, Chair, Edward J. Charest, Vice Chair, James F. Gray (absent with prior notice), 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 7:05 P.M.
- II. **PLEDGE OF ALLEGIANCE:**
- III. **REVIEW / APPROVAL MINUTES:** Betsey made the Motion to approve the Selectmen's meeting minutes of February 2, 2012 and February 7, 2012. Ed Seconded the Motion. The Motion carried Unanimously.
- IV. **NEW RESIDENTS:** Thomas G. & Susanne A. Donnelly, Janet T. Lambert, Timothy J. & Amanda C. Bergquist, Joel B. & Michelle L. Brown, Jaimal Fecteau, Donald J. & Jean E. Oldham, Daniel R. Cutter, Paul S. Vaillancourt, Enka S. Whitcomb, Josh B. Taylor.
- V. **CITIZEN INPUT:** 1) Hollis Austin asked the Selectmen when they first began taking a public vote on warrant articles. Betsey replied that the state's RSA gives the Selectmen the option to do this and she believed that the law was enacted at least ten years ago. She added that she will get the RSA number for Mr. Austin. Joel replied and Ed agreed that they didn't actually know the date, but this has been the practice as long as they've been Selectmen.
- VI. **NEW BUSINESS:**
 1. **Mike Scala, U.S. Senator Kelly Ayotte's Special Assistant:** Joel introduced Mr. Scala and thanked him for attending their meeting. Mr. Scala told the Selectmen that Senator Ayotte opened the Berlin office this past November, which covers Carroll, Coos and Grafton Counties. His purpose for attending their meeting is to make himself available to citizens and to provide Senator Ayotte with feedback on important issues and concerns. Russ asked about the recent attempt to appeal "Obama Care". Mr. Scala explained that it was an attempt to dismantle it piece by piece, but it failed. Hollis Austin asked what Senator Ayotte is doing to lower the national deficit and learned that this is a top priority for the Senator. She is on a sub-committee of the Budget Committee and has sponsored bills with Senator John McCain to get a budget passed. Mr. Scala stated that Senator Ayotte is a fiscal conservative and fighting to lower the country's debt. Betsey asked how people could get updates from the Senator's office and was directed to www.ayotte.senate.gov to subscribe to receive her newsletter. Mr. Austin asked and Mr. Scala agreed to provide him with a list of the senators that are working with Senator Ayotte on this issue. The Selectmen thanked him for attending their meeting.
 2. **Review for Approval: 2012 Lee's Mills Steamboat Rally:** Joel asked Carter about last year's issue of excluding dogs from Lee's Mills during the Steamboat Rally. Carter replied that they required the Steamboat Association to publish a notice in the newspaper

at least two weeks before the event notifying the public that during the Steamboat Rally dogs were not allowed at the Lee's Mills launch area, except for service dogs. The Selectmen agreed that they were in favor of approving their request with the same contingency of publishing the dog exclusion notice in the newspaper. Betsey Made the Motion to approve Lee's Mills Steamboat Association's request as outlined in their letter with the contingency that they publish a notice in the newspaper of restricting admittance of dogs to the area, with the exception of service dogs for the twelve day period. Russ Seconded the Motion. The Motion carried Unanimously.

3. Review for Approval: DPW's Request to Negotiate Acquisition for "Hammer Head" Turn Around, Hanson Drive: DPW Director/Highway Agent Scott Kinmond reported that this problem on Hanson Drive has existed since the Krainewood subdivision was approved. There isn't an area on Hanson Drive where the Town's plows can safely turn around. Scott requested that he and Town Planner, Bruce Woodruff be allowed to contact the owner of the property (173-036) to negotiate an easement or land acquisition in order to develop a 50'x50' hammer head for an appropriate turn around. Russ Made the Motion to authorize the Highway Agent and the Town Planner as detailed in the memo dated February 9, 2012, to contact the property owner of Map 173 Lot 036 to negotiate an easement to allow a 50'x50' hammer head on Hanson Drive. Betsey Seconded the Motion. The Motion carried Unanimously.
4. Review for Approval: Girls Scouts' Request to Sell GS Cookies at WMF: Lydia Eaton, representing the Moultonborough Girl Scouts, told the Selectmen that their goal is to teach the scouts that they need to earn their own way for trips and outings, and selling Girl Scout cookies is one way of earning their way. Moultonborough's rural nature makes it difficult for scouts to go door to door to sell cookies. Ms. Eaton said that she learned from the Meredith Scout Leader, they have been selling cookies at the Meredith Transfer Station where they earn the majority of their cookie money. She asked to be allowed to have her older scouts (ages 11-15) sell cookies at the WMF and would be positioned past the compost area, by the pull off, for two weekends. Joel suggested that Ms. Eaton work out the details with the WMF Supervisor Scott Greenwood and as long as he's OK with it, then the Selectmen approve. Betsey Made the Motion to allow the Moultonborough Girl Scouts to sell cookies at the WMF, providing that the WMF Supervisor approves, two weekends, date to be determined. Ed Seconded the Motion. The Motion carried Unanimously. Ms. Eaton informed the Selectmen that she's sought approval from the Town Moderator to also sell cookies at the elections and at Town Meeting.
5. Review for Approval: Carla Taylor, Recreation Advisory Board Member Appointment: Joel reported that in Celeste Burns' letter, the RAB is requesting that Carla Taylor be re-appointed as a member for another three year term. Betsey Made the Motion to appoint Carla Taylor as a member of the Recreation Advisory Board. Ed Seconded the Motion. The Motion carried Unanimously.
6. Review for Approval: DPW Policy Manual: Joel reported that the Selectmen have reviewed the policy manual for the Department of Public Works. Russ said that he had a few minor edits that he'd like made, but other than that he thought it was a good document. Betsey Made the Motion to approve the DPW Policy Manual with the needed edits effective February 16, 2012. Ed Seconded the Motion. The Motion carried Unanimously. Joel asked Scott about the new federal law for drivers of commercial vehicles that disallows use of cell phones and will result in a large fine. Scott replied that he was aware of it but hasn't received a copy of it as of yet. During a recent meeting of the NH Public Works Association Board, it was discussed, and the question of whether

municipal employees are exempt was brought up. He added that the employee's driver's license is at risk. Joel added that he thought also the employer could be fined. In order to keep Town employee's safe, the DPW Policy does not allow cell phone use while operating Town vehicles. Scott added that he's spoken to a commercial truck dealership about this and the new technology will allow hands free operation of cell phones.

7. Review for Approval: Release of Claims, 84 Gov. Wentworth Highway: Carter reported that there has been a \$500 increase to cover legal and document fees. They have since learned that the property owner actually owns the land in question, as the Town has an easement only, and will be selling that easement back to the property owner. Betsey Made the Motion to approve the Release of Claims for 84 Governor Wentworth Highway, contingent upon the vote taken at Town Meeting, and authorize the Chair to sign the document. Ed Seconded the Motion. The Motion carried Unanimously.
8. Russ reported that he observed the interviews for the Recreation Assistant Director and Program Coordinator positions. He was very impressed with the candidates and the scoring process. There have been 50 applicants for the 2 positions. He thought it would be ready next week for the Selectmen.

VII. OLD BUSINESS: None.

VIII. OTHER BUSINESS:

1. Board Liaison Reports: Betsey asked if the CIPC meeting for February 23rd will conflict with the Selectmen's Work Session at 11:45 a.m. Carter replied this Work Session is for the sole purpose of conducting interviews and will be held in the meeting room. Ed reported that the Planning Board met and worked on a boundary lot adjustment and their first attempt at setting priorities for the year. Russ reported that the final budget hearing was held for the school. He thought that the 1.68% increase was very good, considering the rising costs. Joel reported that he signed the letter with the two other towns regarding the fees being charged for the Carroll County Dispatch service.
2. Administrative Update: Carter reported that the press release for the Charter Commission Informational Session, which is scheduled for Tuesday February 28th, at 7 p.m. in the meeting room and will go out tomorrow. There will be a four person panel made up of Peter Joseph, Town Manager of Lincoln, Attorneys Cordell Johnston and David Connell of the Local Government Center, and David Scanlan, NH Deputy Secretary of State. Mr. Scanlan's office is one of the state agencies that reviews proposed charters to confirm their legality. Anyone who cannot attend the informational session may submit their questions to Carter by telephone, mail, fax or email by the end of the business day of the 28th and he will submit any questions received. The presentation will take approximately half an hour, with an hour for people to ask questions. Carter added that the frequently asked questions brochure will be posted on the web and pamphlets will be circulated. Joel suggested checking with Mike Lancor to see if the auditorium is available just in case there is a large attendance.
3. Russ wanted everyone to know about the 2012 NH Water & Watershed Conference to be held on Friday March 23, 2012, 8 am-4 pm to be held at Plymouth State University.
4. Trustees of the Trust Funds Minutes, January 31, 2012: Acknowledged. Betsey asked Carter what was being referred to in the minutes about difficulties with the year end reporting and his not attending the meeting. Carter replied that was the day he went home sick and forgot about the meeting. He added that the issue is the timing for requests to withdraw from the funds are made at the very end of the year so the money

continues to earn interest. Shortly after the Trustees are asked for their yearly report for the Town Report. Carter said he would be sure to meet with them to discuss it.

5. Milfoil Committee Minutes, February 1, 2012: Acknowledged.
6. Zoning Board of Adjustment Minutes, February: Acknowledged.
7. Planning Board Minutes, February 8, 2012: Acknowledged.

IX. CORRESPONDENCE:

1. Time Warner Cable, February 2, 2012: Joel reported that the Town will receive for 2012 the franchise fee from Time Warner in the amount of \$30,533. The franchise fee is held in a fund to help offset costs to allow cable to be installed in Town. Joel suggested and the Selectmen agreed that this spring they should start to use the money for this purpose.

- X. CITIZEN INPUT:** 1) Nancy Wright asked the Selectmen when the Town will begin to video tape their meetings. Joel suspected that there will be cost involved in order to do this. Ed said that he's working with School Board Chair, Mark Borrin on this. 2) Hollis Austin asked whose budget was paying the expense for the charter commission. Carter replied that it is coming from general administration. Mr. Austin then asked if there have been any reliability issues with Time Warner and their cable service. Ed said that it is more than just cable, as telephone, internet, and cable are all connected with many variables. 3) Don Muscavitz reported that his neighborhood had problems with all services and Time Warner has worked on it, and it appears it has been resolved. 4) Mike Scala asked how many people in Town can't get cable. Russ said that a big problem has been that people don't want to receive Maine channels, but want the Boston channels. Mr. Scala said that he's talked with the FCC many times and this is a real problem up north where they receive either Vermont or Maine channels. Carter said that there is approximately 65% coverage in Town. 4) In reply to Hollis Austin's question about the RSA for Selectmen to vote on warrant questions, Betsey reported that it is RSA 32:5, part of the Municipal Budget law, under Budget Preparation, put into effect in 1993, and several changes were made and then again, RSA 32:5 V-a, back in 2009.

- XI. NON-PUBLIC SESSION:** Betsey Made the Motion for the Selectmen to go into Non-Public Session per 91-A:3 II (a). A Roll call was taken: Betsey – Aye; Ed – Aye; Russ – Aye, Joel – Aye. The Selectmen went into Non-Public Session at 8:03 p.m.

The Board exited Non-Public Session at 8:40 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:** Ed Made the Motion to Adjourn. Betsey Seconded the Motion. Motion Carried Unanimously.
Joel adjourned the meeting at 8:41 p.m.

Approved

Date
Respectfully Submitted
Hope K. Kokas, Administrative Assistant