

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

Selectmen's Meeting

March 8, 2012

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 7:05 P.M.
- II. PLEDGE OF ALLEGIANCE:**
- III. REVIEW / APPROVAL MINUTES:** Betsey made the Motion to approve the Selectmen's meeting minutes of February 16, 2012 & February 23, 2012. Ed Seconded the Motion. The Motion carried Unanimously.
- IV. NEW RESIDENTS:** Edmund Paro, Stephen J. Walthall, Joshua L. Rivera, Tori A. Freeman, Justin A. Vappi.

Joel stated that they have just learned of a problem with the Fire Department's Rescue Truck #1 which has a split frame. Chief David Bengtson reported to the Selectmen that Rescue #1 just went through its semi-annual inspection and it was found that the rear frame rails were split. The State Police Motor Vehicle inspector said the vehicle had to be taken off the road. The Chief said that they have taken interim measures and most of the equipment, including the Jaws of Life, has been moved to old Engine #1 and onto other vehicles. They are unable to re-locate all of the equipment, some of which is sitting on the floor, requiring staff to decide before going out what they might need. He said that a rescue truck is like a huge tool box and within the equipment is mounted and secured to keep it from getting loose. Chief Bengtson outlined the options for the Selectmen: 1. Fix Rescue #1 at a cost of approximately \$50,000, this is a quick solution (2 months), relatively inexpensive, but questionable to make that kind of investment on a 25 year old vehicle. 2. Buy a used vehicle for approximately \$90,000, again a fast short-term solution, probably looking at buying at 15 year old vehicle with an unknown repair history, probably won't meet all of the Fire Department's needs, having to stay with the 2016 CIP rotation, and eliminates the bidding process. 3. Purchase a demo vehicle, probably 1-3 years old for \$240,000-\$260,000, which would probably be generic and would need to be customized with mounts, adding another \$20,000, eliminates the bid process, and likely a negative reaction with the voters at Town Meeting. 4. Buy a new purpose built vehicle at a cost of approximately \$425,000, this is a lengthy process with going through the bid process, looking at delivery hopefully by December of 2012, continued operational problems for the short term, and staying on the CIP rotation (ahead by 2 years), and again a likely and justifiable negative reaction with the voters at Town Meeting. Chief Bengtson reminded the Selectmen that Engine #3 is due to be taken out of service this year for repairs, to reinforce its frame at a projected cost of \$50,000. The Chief cited RSA 32:6 which allows an existing article to be amended at Town Meeting, or upon a court hearing, request a special Town Meeting which can be difficult to get and will add time to the process. The Chief added that it is important that they stick to the Capital Improvement Plan, as Engine #3 was due to be replaced in 2007, then bumped to 2009, and still not replaced. He felt it was clear that 25 years is too long due to the life expectancy operating in

this area. Chief Bengtson recommended to the Selectmen that they purchase a new purpose built vehicle, on a fast track, hoping for delivery by December 2012, with a 5 year lease, at the 2016 schedule, leasing \$100,000 per year, using the \$90,000 slotted in the 2013 Capital Improvement Plan. If the Selectmen reject this option, then buy a used vehicle at \$100,000 and stay on the Capital Improvement Plan. Joel asked the audience if they had any questions. 1) Nancy Wright asked if this has been reviewed by the CIPC. Chief Bengtson replied that it has not. Carter said that the replacement of Rescue #1 is already in the CIP plan and the CIPC Chair has been informed. Joel said that he has spoken with the members of the CIPC and they will meet. He added that the State of NH requires that unless Rescue #1 is rebuilt, it must stay off the road. 2) Steve Maguire asked when Engine #3 is due for its semi-annual inspection. Chief Bengtson replied that this vehicle is not in the same poor condition and is being inspected Friday. Rescue #1 had passed inspection in September and when he asked the State how this happened, he learned that they see it all the time due to the constant weight that's kept on the vehicle. 3) Jon Anderson asked if they chose to fix it, would the \$50,000 increase the value. The Chief said it would, but the resale for a 1987 vehicle is around \$5,000 to \$15,000. Joel added that the Rescue #1 has an aluminum body with stress cracks now and once they start to make repairs they are likely to find more problems. Engine #3 was given another year by the state before replacing the rail with a \$50,000 estimated cost, as it is in better condition. 4) Steve Maguire asked how much it will cost to set up a new vehicle. Chief Bengtson said that the estimated cost of \$425,000 includes the set up. 5) Jerry Hopkins asked if they would consider leasing the new vehicle. The Chief replied that he recommends a 5-7 year lease, at 3% interest. Ed asked if they waited to buy a new vehicle what was the projected increase and learned that the next change in omission standards is due in 2015. Carter projected a 3.5% increase per year. 6) Jerry Hopkins asked and learned that trust funds can't be used for a lease. Carter said that there is \$144,000 in the Fire Reserve and can't be used. 7) Hollis Austin asked if any other vehicles were in the same condition. The Chief replied that they have 4 vehicles with similar body/frame type and age. The Internationals and Freightliners have this problem. Mr. Austin asked what can be done to slow down the rust. Chief Bengtson said that they have taken steps on Engine #3 with a process to remove the rust and then spray undercoating which seems to be working. 8) Steve Maguire asked and learned from Carter that the state will not allow trust funds to be used for leased payments. Russ said that he can't see spending money on a short term fix. Joel felt that when buying a used vehicle there are unknown variables. Russ added that if they buy a used vehicle, they will probably be in the same category with the International and Freightliners with the same problems. Ed and Betsey agreed, and favored leasing. Jim agreed, asking if there is a lease with an option to buy and Chief Bengtson said that this is available. Joel asked how long would it take to get to get a committee together to develop the specs, cautioning the Chief that they need to be dedicated to getting this done quickly. Chief Bengtson replied that there is a meeting tonight to do this and should have names on Friday. Betsey said that they need to have answers and an outline to present at Town Meeting. Chief Bengtson said he will get a basic quote. Joel asked the Chief if he thought he could have this ready to go out for bids by April 1st. Chief Bengtson said he will make it happen and offered to speak with anyone about this issue.

- V. **CITIZEN INPUT:** 1) Nancy Wright asked how this amendment will be made at Town Meeting and will the CIPC have an opportunity to meet on it. Joel replied that the CIPC will meet before Town Meeting. Ms. Wright asked if there was any hope to buy a newer used vehicle without the same style. Russ said the question was to spend \$90,000 on a used vehicle with no warranty or buy new. Joel added that he questioned why any town would choose to sell a vehicle that is serviceable. Betsey said that the voters at Town Meeting will make the decision to buy new or used and the Selectmen can only give their recommendation. She agreed that they need to get the Capital Improvement Plan to 20 years replacement versus 25 years. 2) Jon Anderson asked about purchasing a demo. Joel replied that he looked on line at a demo for \$250,000, which was

3 years old, but it was a stripped vehicle, 35 feet long which isn't practical in Moultonborough, not a truck the Fire Department wants, and to install the equipment adds a cost of \$20-\$40,000. 3) Hollis Austin suggested that in order to make this purchase, the Selectmen should cut something in the budget to offset this expense. He further suggested that for the next vehicle they check the thickness of the metal used. Mr. Austin then asked why the only Town road not posted is Ossipee Park Road, which he thought, should be to protect the Town's investment. Joel reminded Mr. Austin that CG Roxane paid 2/3 of the cost to repair the road. Carter added that the road was constructed to sustain commercial traffic and the law prohibits shutting down the road which would result in a loss of income from CG Roxane, and could result in a lawsuit.

VI. NEW BUSINESS:

1. Review for Approval: Milfoil Committee 2012 Diver Harvesting: Carter spoke on behalf of Chair Peter Jensen who was unable to attend the meeting, requesting \$150,000 for the 2012 diver harvesting, however they can't be sure exactly how much until a survey is done after ice out. They project approximately 125 days, using the vendors solicited by NH Lakes. If herbicide treatment is needed then they will need to lower the \$150,000. Betsey Made the Motion to approve \$150,000 for the 2012 Milfoil Diver Harvesting. Jim Seconded the Motion. The Motion carried Unanimously.
2. Review for Approval: Disposal Agreement, Thompson: Ed Made the Motion to approve the Disposal Agreement for Brian Thompson of 33 Blake Road. Betsey Seconded the Motion. The Motion carried Unanimously.
3. Review for Approval: NH Liquor Commission, 60 Whittier Highway #1: Carter asked and Hope replied that she hasn't heard from the Police Department regarding Pats Seafood & Pizzeria application for a liquor license. Carter said that they have a week to comment. Betsey Made the Motion to write a letter stating they have no objections based on the Police Department's recommendation. Jim Seconded the Motion. The Motion carried Unanimously.
4. Review for Approval: Conservation Commission Appointment, Peter Jensen: The Conservation Commission has requested that the Selectmen re-appoint Peter Jensen as a member for another three year term ending in June 30, 2015. Ed Made the Motion to appoint Peter Jensen as a member to the Conservation Commission. Betsey Seconded the Motion. The Motion carried Unanimously.
5. Review for Approval: MPIC Appointment, Joanne Coppinger: Carter informed the Selectmen that this appointment isn't necessary, as Ms. Coppinger is appointed by the Planning Board.
6. Review for Approval: Launch Request, Tri-County Bassmasters, Lee's Mills: Betsey Made the Motion to approve the Launch Request for Tri-County Bassmasters for July 28 and 29, 2012, Lee's Mills, and for NH Bass Hunters for September 9, 2012 at States Landing. Ed Seconded the Motion. The Motion carried Unanimously.
7. Review for Approval: Launch Request, NH Bass Hunters, States Landing: Addressed.
8. Review for Approval: Heritage Commission Appointments, Cristina Ashjian & Jean Beadle: Ed Made the Motion to appointment Cristina Ashjian and Jean Beadle as members to the Heritage Commission for a three year term. Betsey Seconded the Motion. The Motion carried Unanimously. Cristina Ashjian reported that they are working on revitalizing the historic village center and are applying for a community charrette grant, which is a two day process with planning professionals participating; using the community building based approach. The Heritage Commission is asking for a letter of support from the Selectmen as part of the grant application, which is due by mid

March with an early April notification. It is required that they raise contributions from private sources. Ed added that Meredith, Alton, Ashland, and Belmont have received the grant. Russ asked if this will be restrictive like in Sandwich and learned from Ms. Ashjian that all stakeholders will be involved, including business owners, Town officials, and residential property owners in the area (from Blake Road to the corner of Holland Street). Ed Made the Motion to write a letter of support for the grant for funding a community design charrette. Betsey Seconded the Motion. The Motion carried Unanimously.

VII. OLD BUSINESS: None.

VIII. OTHER BUSINESS:

1. Legislative Update: Betsey reported that they met for the last two days. A lot of the bills coming before them have been killed. They will meet next week for three days.
2. Board Liaison Reports: Ed reported that the Planning Board has finalized their work plan for the year.
3. Administrative Update: Carter asked the Selectmen to review the handouts for Town Meeting and to let him know in the next two days if any changes are needed. He added that he will create something for MFD's Rescue #1 and the Selectmen thought this item should stand alone.
4. Milfoil Committee Minutes, February 15, 2012: Acknowledged.
5. Planning Board Minutes, February 22, 2012: Acknowledged.

IX. CORRESPONDENCE:

1. Time Warner Cable, February 14, 2012: Joel reported that this is their standard letter of possible program changes.

- X. CITIZEN INPUT:** 1) Cristina Ashjian reported that the Heritage Commission has worked on the Downtown Revitalization, RSA 79-E which was adopted, but they haven't applied due to changes in Town staff. They are now applying and she provided the Selectmen with copies of the draft application which has been reviewed by the state and the Town Planner and Assessor. 2) Hollis Austin asked how the Selectmen determine the order of articles on the Town Warrant. Carter said that ballot questions are first and then he has followed Town precedent. Town Moderator Jerry Hopkins said the order can be changed at Town Meeting through a motion. Carter said ballot articles first, then bond, collective bargaining, and citizen petitions in the order that they are received. He added that some must be paired such as the May Town Meeting and the Fiscal Year. Mr. Austin then asked how the MFD's rescue vehicle will be handled. Carter replied that it can't come from a new article, but from an existing one, and a motion has to be made from the floor. Russ cited RSA 32-10. 3) Nancy Wright asked Mr. Hopkins if there was any way to get a sense of a vote prior to taking the vote regarding articles 23 and 24. Mr. Hopkins said that there was not, but a motion could be made to reconsider. 4) Hollis Austin asked if the Selectmen feel that a Charter government will increase voter participation. Joel said that he is against the Charter Commission, as he feels it will be very hard to get nine people elected for the Commission. Russ agreed, but he voted in favor to allow the discussion and because of the past SB2 petitions, and to get the facts out. He added that he thinks the end result will be to stay the same. Jim said that he likes the Town Meeting form of government but voted for the Charter Commission to allow the discussion. Betsey said she feels a Charter Commission

will help people to learn about the options and if change is wanted, then it will be with a full Town discussion. Ed felt that the Charter Commission will allow people to discuss the various forms of government. Mr. Austin said he was concerned and wants greater voter participation. Mr. Hopkins said he attended the Charter Commission presentation, and while he agrees with Russ, Joel, and Jim, after listening to one of the speakers saw some possibility. Betsey thanked the Selectmen for voting in favor of the Charter Commission to be on the warrant to allow a Town discussion if that's what people want. Mr. Hopkins asked if there were any changes being made to SB2 in the Legislature. Betsey replied that last year changes were made to the deliberative session and changes have been made yearly. They have yet to look at it this year.

Carter asked the Selectmen for a sense of direction regarding the Fire Rescue vehicle, as he just learned that the members of the Fire Department have the committee members needed to develop the specs. Russ Made the Motion to recommend option 4, leasing a new purpose built truck from the operating budget article. Betsey Seconded the Motion. The Motion carried Unanimously.

- XI. NON-PUBLIC SESSION:** Betsey Made the Motion for the Selectmen to go into Non-Public Session per 91-A:3 II (a) and only to reconvene for the purposes of adjournment. Jim Gray announced that he would be recusing himself from the matter and would not be remaining for the discussion. A Roll Call was taken: Betsey – Aye; Ed – Aye; Russ – Aye, Joel – Aye. The Selectmen went into Non-Public Session at 8:50 p.m.

The Board exited Non-Public Session at 9:42 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 9:43 p.m.

Approved

Date
Respectfully Submitted
Hope K. Kokas, Administrative Assistant