

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

Selectmen's Meeting

June 21, 2012

MINUTES

Selectmen: Joel R. Mudgett, Edward J. Charest, Betsey L. Patten, Jonathan W. Tolman, Russell C. Wakefield; 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 / APPROVAL MINUTES:** Betsey Made the Motion to approve the Selectmen's meeting minutes of June 7, 2012 and June 14, 2012. Russ Seconded the Motion. Regarding the question from the June 14th meeting, the Police school bus detail is funded through a grant and is paid at the overtime rate, as this grant requires that the hours be beyond the regular hours. Ed abstained as he was not at the June 14th meeting. The Motion carried.
- IV. **NEW RESIDENTS:** Louis W. & Anna S. Chan, Maura A. & Kevin J. Keyes, Stephen R. Sreter, Mazahir Imran, Andrew J. Sheffer.
- V. **CITIZEN INPUT:** 1) Peter Jensen, Milfoil Committee Chair, reported that a property owner on Gansy Lane is objecting to the upcoming herbicide milfoil treatment, as his water source is from the lake, and was unable to locate any milfoil by his property. Mr. Jensen told the property owner that the Committee members will go to this area and look again and invited him to attend, which he declined. Upon visiting the area, the Committee found heavy infestation within the 1,200 foot area. Joel stated that the Town does have a policy regarding objections. Mr. Jensen added that the property owner told him that he did not remember receiving the first letter or read the notice in the newspaper, and therefore did not have a hearing. He responded after receiving the certified letter that went out to property owners notifying them that their area would be treated. The time to object was after receiving the first letter, and once the second certified letter went out, it was too late to appeal. Joel said that the state decides that the area should be treated and issues the permit, and then it is up to the Town to decide. Based on the policy, the Town will supply drinking and cooking water if requested by the property owner if their water source is from the lake or if their well is within 50' of the lake. Betsey Made the Motion to approve the herbicide treatment in the Gansy Lane area and the Town will notify the objecting property owner and will supply drinking water for the prescribed time. Ed Seconded the Motion. The Motion carried Unanimously. Hollis Austin asked why a certified letter is needed. Mr. Jensen replied that it is the state's process and the certified letter is sent by the contractor. The first letter is sent out three months before the proposed treatment and then the certified letter is sent out two weeks before the treatment, notifying property owners to not swim/bathe, etc. in the affected area for 24 hours. The objection period is stated in the first letter and also in the public notice. Mr. Austin asked if the second certified letter is a warning. Mr. Jensen said that it was notification that the area will be treated. Replying to Mr. Austin's question, Mr. Jensen said that there is no evidence of humans or animals being harmed by the herbicide treatment. Joel said he was surprised that the first letter that goes out wasn't certified. Betsey said she will look at the Administrative Rules regarding Milfoil Treatment permitting. The Motion carried Unanimously.

Mr. Jensen asked the Selectmen how to notify the objecting property owner. The Selectmen agreed that Mr. Jensen should communicate to the property owner as soon as possible the Board's decision to treat, informing him that the Town will follow this up with a formal letter. Betsey asked that Mr. Jensen include the offer to supply drinking/cooking water. Mr. Jensen reported that the Town qualifies for a \$50,000 grant for 2012. He added that they "lost" \$16,500 for 2011, as the state says they never received the Town's grant application. Mr. Jensen asked if the grant funds could be set up in a special trust account to offset the 2013 expense. Joel thought that there might be a problem with this and they will find out how to handle the funds and whether it has to go into the general fund vs. a trust account. Betsey asked Mr. Jensen what he meant by "lost" and learned that before the 2012 Town Meeting they realized that they hadn't received the \$16,500. When they followed up on this with the state, they were told they didn't receive the application. The total received from the grant should've been \$65,000 and now only \$50,000 will be received.

VI. NEW BUSINESS:

1. Review for Approval: Payroll/Payables Manifest & Signature File:

DOCUMENT DATE	DOCUMENT	MAP/LOT#
6/21/12	Abatement, Lees/Downing – Denied	075-080, 075-020-001 & 075-020-002
4/17/12	Application for Current Use, Chocorua Forestlands, LLC	402-002
6/21/12	Abatement, Vintage Trust – Denied	257-001
6/21/12	Payables Manifest \$1,031,171.31	N/A

Joel read the Payroll/Payables Manifest and Signature File as listed. Russ Made the Motion to approve the Payroll/Payables Manifest and Signature File for the week of June 21, 2012. Jon Seconded the Motion. Jon asked why there continues to be a balance due on the Lakes Region Computer account. The Motion carried Unanimously.

2. Review for Approval: Conservation Commission Appointment, Herb Farnham: Joel reported that in Chair Marie Samaha's letter, in addition to Herb Farnham, she requested that Peter Jensen be approved as a member for another three years. Peter Jensen was approved for another three year term on March 8, 2012. Ed Made the Motion to appoint Herb Farnham as a member to the Conservation Commission for another three year term, expiring March 31, 2012. Russ Seconded the Motion. Betsey asked and Hope replied that all committee terms will end on March 31st as previously approved. The Motion carried Unanimously.
3. Review for Approval: 2012 Educational Exemption, Bank of America/Loon Preservation Committee: Betsey Made the Motion to approve the 2012 Educational Exemption for the Bank of America/Loon Preservation Committee. Ed Seconded and the Motion carried Unanimously.
4. Review for Approval: 2012 Charitable Exemption, Geneva Point Center: Betsey Made the Motion to approve the 2012 Charitable Exemption for the Geneva Point Center. Russ Seconded and the Motion carried Unanimously. Hope informed the Selectmen that Huggins Hospital's A-12 and Financials are still outstanding.

5. Review for Approval: Draft – Demolition Permit Application & Proposed Fees: Joel suggested and the Selectmen agreed by Consensus to review this at their upcoming Work Session of June 28th.
6. Review for Approval: Disposal Agreements (2), Kona Inc. & Perkins: Betsey Made the Motion to approve the two Disposal Agreements for property owners Kona, Inc., 50 Jacobs Road, and for John F. Perkins, 15 Red Hill Road, as described on each agreement. Ed Seconded the Motion. The Motion carried Unanimously.

VII. OLD BUSINESS:

1. Betsey said as she's not filing for another term in the House, and was happy to report that Karel Crawford has filed, she would be willing to switch Selectmen liaison representation with Ed for the Advisory Board Committee and he could sit as the Board's alternate to the Capital Improvement Plan Committee, sitting in for Joel. The Selectmen agreed by Consensus.

VIII. OTHER BUSINESS:

1. Board Liaison Reports: Ed reminded the Selectmen of the upcoming Heritage Commission's Community Charrette, and their hope that the Selectmen will be involved along with department heads, as they create a plan for the village district. Jon said that the public will be invited to attend the Charrette, June 20th and 21st. Ed added that he and his wife Bev will be working on a bean supper for those who participate, to be held at the Lions Club. Russ was asked by Phyllis Prouty, Chair of the Board of Library Trustees, if the Selectmen would approve of their seeking legal advice from Town Counsel regarding political electioneering being held at the Library, which is against the Library's policy. Russ said he was opposed to the Town incurring legal fees on this question. Peter Jensen asked if this was different than the Town's Candidates' night. The Board agreed it was as it was just for Town elections. Joel felt that if the Library's policy prohibits electioneering, then that's the way it is. Jon thought that their policy came about to prohibit any candidate from setting up phone banks, etc. He felt that the Tea Party, during their recent meeting at the Library, which is a public room, didn't do this. He agreed with Joel that if it is the Library's policy, then that's the way it is. Jon added that the Board of Library Trustees will be meeting on July 12th to review their policy. Betsey reminded everyone that the Library reminds them often that they are completely autonomous from the Board of Selectmen, and agreed to not approve them seeking legal advice under the Town's budget. Russ said that he didn't think the Library has a legal line item. Nancy Wright, speaking on behalf of the Tea Party, said that candidate Ovide Lamontagne came to speak and answered questions, and this was educational. Ed Commented that Rick Heath's letter to the editor was out of line and inflammatory. The Selectmen agreed that it was the Board of Library Trustees' policy and were against spending Town funds for legal fees. Hollis Austin suggested that people watch the video online and then judge if this was electioneering. He asked the Selectmen how the Board of Library Trustees' interpret electioneering. Joel stated that it wasn't for the Selectmen to comment on their interpretation. Jean Beadle said that if the Library wanted to, that they could pay for legal counsel through donated funds.
2. Administrative Update: Other than the weekly update, there wasn't anything else to add.
3. Zoning Board of Adjustment Minutes, June 6, 2012: Acknowledged.
4. Planning Board Minutes, June 13, 2012: Acknowledged.

IX. CORRESPONDENCE:

1. Time Warner Cable, June 5, 2012, Possible Program Changes: Joel said this was their usual letter and offered it to anyone who was interested.

X. CITIZEN INPUT: 1) Hollis Austin, referring to the Residency Form, asked if there is a list of people who leave Town. Ed suggested that he check with the Supervisor's of the Checklist as they have to purge their list. Russ added that the Town Clerk's office receives the Residency Form. Often people move to New Hampshire, come from out of state, live here for a year or two and find out that they need to earn more money and then leave. Another group had been completing the Residency Form so that they could benefit by registering their cars here, without actually residing in New Hampshire. The state is cracking down on this. Peter Jensen asked and learned that young people, who turn eighteen and have resided in Town with their parents, are counted as new residents.

XI. NON-PUBLIC SESSION: Ed Made the Motion for the Selectmen to go into Non-Public Session per 91-A:3 II (a) and (c) and only to reconvene for the purposes of adjournment. Betsey seconded. A Roll call was taken: Jon – Aye; Betsey – Aye; Ed – Aye; Russ – Aye, Joel – Aye. The Selectmen went into Non-Public Session at 7:50 p.m.

The Board exited Non-Public Session at 9:24 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 9:25 p.m.

Approved

Date
Respectfully Submitted
Hope K. Kokas, Administrative Assistant