

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

Selectmen's Meeting

July 19, 2012

**MINUTES**

Selectmen: Joel R. Mudgett, Edward J. Charest, Betsey L. Patten, Jonathan W. Tolman, 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 / APPROVAL MINUTES:** Betsey Made the Motion to approve the Selectmen's meeting minutes of July 5, 2012 and July 12, 2012 Payroll/Payables, Manifest and Work Session Minutes as written. Russ Seconded the Motion. The Motion carried Unanimously.
- IV. NEW RESIDENTS:** Diane J. Kelley, Jeffrey C. Garber, Robert J. Connolly, Pamela A. & Daniel L. Jackson, Stephen M. & Patricia M. Lescarbeau, Jeffrey W. & Meghan L. Wilmont, Edward A. Ambrose, Muriel J. Adleman, Stephanie L. Gibson.
- V. CITIZEN INPUT:** 1) Joanne Farnham commented that the Highway Department has done an excellent job on Ossipee Mountain Road. Joel said he appreciated her telling the Selectmen this and thought the job was almost done.
- VI. NEW BUSINESS:**
1. Review for Approval: Payroll/Payables Manifest & Signature File:

<b>DOCUMENT DATE</b>	<b>DOCUMENT</b>	<b>MAP/LOT#</b>
4/1/12	Lee's Mill Dock Lease Agreement – Hoch	119-028 & 029
4/1/12	Lee's Mill Dock Lease Agreement – Dearborn	130-070
6/27/12	NH Electric Co-Op. – Pole Agreement, Buckingham Terrace	N/A
7/12/12	MFRD Reimbursement Request – DOS Grants Man. Unit	N/A
7/19/12	Middle Neck Cemetery Deed, Johnson	N/A
7/19/12	MFRD Reimbursement Request – DOS Grants Man. Unit	N/A
7/19/12	Payables Manifest, \$1,261,663.13	N/A

Joel read the Payroll/Payables Manifest and Signature File as listed. Betsey Made the Motion to authorize the Chair to sign the NH Electric Co-Op. Pole Agreement, and the two MFRD Reimbursement Requests. Joel stated his concern that for future budgets the Fire Department's grant reimbursements need a separate account, if not the funds go into the general fund. This is money that the department has budgeted. Carter said that departments can always seek funds from the contingency account to be transferred back to the department (Fire Department in this case). He added that in his previous

experience with other towns, department heads need to seek approval for grants. Betsey agreed that they need to have a policy for grants. Russ felt it was OK to put the reimbursement funds into the Contingency account. Carter asked and the Selectmen agreed that they want to look at this for the 2013 budget process. Betsey Made the Motion to approve the Payroll/Payables Manifest & Signature File for July 19, 2012. Ed Seconded and the Motion carried Unanimously.

2. Review for Approval: Acceptance of Resignation, Officer Jonathan Kleiber: The Selectmen accepted Officer Kleiber's resignation, adding that he is leaving for personal reasons and not going to another town. Carter asked and the Selectmen approved by consensus of the draft letter to be sent out. Chief Wetherbee told Carter that before recruiting for new staff, he wants to review the process. Jon added that he also talked with the Chief who confirmed that he doesn't feel an immediate need to fill these positions.
3. Review for Approval: Disposal Agreement (1), Nelson: Betsey Made the Motion to approve the Disposal Agreement for Keith and Karin Nelson (Roundabout LLC) to receive milfoil for composting and authorize the Chair to sign the agreement. Russ Seconded and the Motion carried Unanimously.
4. Review for Approval: Primex 2012 Premium Holiday: Joel said that this is due to a surplus Primex has declared. Carter reported that the Secretary of State is recommending that the rebate be treated as a credit; however, he is concerned that this drop in the budget (.4%) for 2013 will be confusing when it goes back up in 2014. Carter felt the cleanest way is to receive the payment this year. Primex has said that they are agreeable to this, but they need a letter from the Selectmen to go to the Secretary of State stating that this is what the Town wants. Carter said he and Heidi recommend this approach. The Selectmen agreed by Consensus to ask for payment versus a credit. Carter added that there is one other accounting method to handle this, but it is less preferred.
5. Review for Approval: Time Warner Cable and The Public Interest: Carter reported that we've received numerous inquiries about losing WMUR on Time Warner Cable (TWC) and most have understood that it is a matter of market economics. WMUR is seeking more money as advertising has dropped off due to the poor economy and added venues for advertising. He has reached out to the Town Managers' Forum to see if any other towns with TWC want to work together and have received responses from six other towns. Carter just received a draft letter from Peter Joseph, Manager of Lincoln, and upon the Selectmen's review, asked if they would be in favor of signing. Russ commented that any effort is better than doing nothing, adding that TWC is not providing the service. Joel expressed his concern that people are not receiving weather alerts and it is a good time to encourage people to sign up for CodeRed. Carter said that this letter was a first step and we need to wait and see what happens next. He added that the Town's people expect the Town to speak on their behalf. Russ Made the Motion to approve of the draft letter and authorize the Chair to sign it. Jon Seconded. Steve Maguire asked and learned that the proposed letter will say that the towns acknowledge that TWC and WMUR/Hearst are both to blame and that most of central New Hampshire, subscribers of TWC have lost NH news, emergency warnings, and this is especially critical for those without internet. Mr. Maguire expressed his frustration that nothing has been done until now, adding that they've lost two ABC channels. Discussion occurred about FCC federal regulations and the Town's franchise agreement. Carter said that the Town's agreement does not include any schedule of stations, but just allows the cable company (Pegasus, Adelphia, and now TWC) access in the Town's right of way, and the density agreement of 15 homes per linear mile. He added that he would put the franchise

agreement on the Town's website for people to view. Concern was expressed that when the franchise agreement expired, will the Town be "stuck" with TWC. Carter didn't feel that any other company would entertain picking up this agreement, especially with the need to replace equipment, as the population density isn't there. Mr. Maguire felt that the situation was similar to the AT&T/Verizon conversion and thought another cable company could use TWC's equipment. Joel said that it is time to join up with other towns to try to resolve the problem. Ed commented that it is a question of supply and demand and felt that TWC has a monopoly. The Motion carried Unanimously.

6. Review for Approval: 2012 Charitable Exemption – Huggins Hospital: Russ commented that on page 10 of Huggins Hospital's IRS 990 states that they paid a Medicaid provider tax of approximately \$2,000,000, while they are forced to provide Medicaid. The Selectmen agreed that this was a contradiction. Russ Made the Motion to approve the 2012 Charitable Exemption for Huggins Hospital. Ed Seconded. The Motion carried Unanimously.
7. Review for Approval: Library Board of Trustees – Selectmen's Meeting of 10/9/08: Joel explained that the Library Trustees are referring to a motion made by Betsey during the meeting of October 9, 2008, as there had been an issue of people campaigning inside the Waste Management Facility grounds, which interfered and was a safety issue. Betsey said that while candidates do come to Town Hall to speak, they haven't been allowed to place posters on Town property. They can do this in the Town's right of ways. Betsey felt that they need to have a policy that is clear on this. Phyllis Prouty, Chair of the Library Board of Trustees said that they've been dealing with this issue for the past month and asked how the Selectmen define campaigning. She likes Carter's idea of there being one policy for all Town buildings, including the Library and asked that a member of the Library Trustees or the Library Director be involved in the policy process. Cheryl Kahn, Secretary of the Library Board of Trustees agreed that there should be one policy for all Town buildings. Betsey said she doesn't want to discourage politicians from coming to Moultonborough, but one policy will help. Hollis Austin asked the Selectmen their definition of campaigning. The Selectmen agreed that they don't have a definition, and reminded Mr. Austin that the motion that was made in 2008 was to keep campaigning out of the work place. Mr. Austin suggested that the first step would be to define campaigning. Nancy Wright asked that if there is a committee, that they seek a citizen at large to be on it.
8. Review: Moultonborough Community Charrette, July 20-21: Cristina Ashjian, Chair of the Heritage Commission reminded everyone of the Charrette that is to start on Friday, and invited the public to attend the sessions on Friday and Saturday. She encouraged the Selectmen to come to one or the other sessions, and thought that Saturday evening will be very interesting to hear the results. She thanked Meredith Village Savings Bank as the lead sponsor, Buckey's Tavern, and Jo-Jo's Store for providing food, and all of those who have donated in-kind. Jon asked if the word was out to department heads to attend. Carter said that he will pass it on.
9. Review for Approval: Recreation Department's Request, Campfire August 2, 2012: Betsey thought that Chief Bengtson's idea of issuing a Non-Property Owner Fire Permit Authorization to the Recreation Department was a good idea. Betsey Made the Motion to approve of the Non-Property Owner Fire Permit Authorization to the Recreation Department to expire the end of 2012. Ed Seconded the Motion. The Motion carried Unanimously.

**VII. OLD BUSINESS:**

1. Conservation Commission, Alternate Appointment: Carter reported that Town Counsel has given his opinion based on the RSA that two Planning Board members cannot sit on the Conservation Commission. Betsey Made the Motion to notify the Planning Board of the decision and to include a copy of the statute. Russ seconded and the Motion carried Unanimously.
2. Software RFP (Awaiting 7/26 Work Session): Tabled.

#### **VIII. OTHER BUSINESS:**

1. Board Liaison Reports: Ed thanked Cristina Ashjian and Jon for all of their hard work for the Charrette. Betsey reported that the ABC met and Carter reviewed the Revolving Fund with the Committee. They will be meeting with the Trustees of the Trust Fund in August. Jon reported that the CIPC met this morning and they have ranked the project requests and will draft their report for the public hearing of July 31<sup>st</sup>, 7 p.m. Carter reported that they met with the Carroll County Commissioners regarding dispatch, adding that he felt they were more open to the idea of not looking for the three towns to use the county's dispatch. The Commissioners asked how much each town wanted as a rebate and Carter replied that they first need to know how many calls were for others versus the county, and the baseline budget for just the county services, and then the balance. Carter added that Gilford is having the same issue with Belknap County Dispatch. There is another meeting next month and they will look at the county dispatch budget and what it would look like without the three towns. Joel was happy that they were more open-minded. It is understandable that this change would need to be phased in. Jon asked Carter about the joint Milfoil Committee and if this was something that needed to be talked about. Carter replied not at this time.
2. Administrative Update: Carter said that other than the weekly update, he didn't have anything else to add.
3. Milfoil Committee Minutes, June 29, 2012: Acknowledged.
4. Trustees of the Trust Funds Minutes, July 11, 2012: Acknowledged.

#### **IX. CORRESPONDENCE:**

1. Evelyn Brown, June 29, 2012, 202 States Landing Road: Joel reported that Ms. Brown has concerns of the condition of her neighbor's property. Jon said he'd talked with Don Cahoon and the owner of 202 States Landing Road is not in violation, but it is a matter of aesthetics. The Selectmen agreed to ask Don to send a letter to the property owner.
2. Time Warner Cable, July 1, 2012, Possible Program Changes: Acknowledged.
3. George A. Davison, Jr., June 28, 2012, Bean Cemetery: Russ asked why don't the "owners" of the vacant cemetery lot(s) just sell it to the interested party. Joel replied that it is the Town's policy that unused cemetery lots can only be sold back to the Town. The Selectmen agreed that Mr. Davison and his family need to provide proof of ownership of the empty lots. As the sale of these cemetery lots took place in the early 1900's, there are no records available to verify their ownership and how much was paid for the lots. Joel asked what would happen if the Town refuses to buy back the lots. The Selectmen agreed to authorize Carter to write a letter, stating that they will consider their request for the Town to buy back the lots if they can provide sufficient evidence of ownership.
4. Betsey asked Carter to let the Hird family know of the availability to receive emergency notice through the Town's CodeRed program.

**X. CITIZEN INPUT:** 1) Nancy Wright commented that she received a CodeRed phone call the other night, and found no one was on the other end. She added that if she doesn't pick up the phone, a message will be left. Carter asked Ms. Wright to forward him her concerns and he will get answers from Chief Bengtson. He added that when something like this happens, to please notify someone (Town Administrator or Fire Chief) as soon as possible in order to resolve any issues in a timely manner. 2) Joanne Farnham said that CodeRed is a good system and she had problems at first, but checked with the Chief and since then it has worked well. 3) Hollis Austin asked the Selectmen to again consider staff reductions through attrition. Joel replied that upon a vacancy the department head must justify the need for the position. 4) Joanne Farnham said she'd like to volunteer to be on the committee for making the policy about campaigning on Town property. Carter replied that he would like the Selectmen to examine the question of a committee at the upcoming work session.

**XI. NON-PUBLIC SESSION:** None needed.

**XII. ADJOURNMENT:** Russ Made the Motion to Adjourn. Betsey Seconded the Motion. Motion Carried Unanimously.  
Joel adjourned the meeting at 8:40 p.m.

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Approved

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Date  
Respectfully Submitted  
Hope K. Kokas, Administrative Assistant