

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

**Selectmen's Meeting**

**August 30, 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 7:07 P.M.

**II. PLEDGE OF ALLEGIANCE:**

**III. PUBLIC HEARING: Proposed Employee Classification & Absent Leave Time:** Joel opened the public hearing at 7:08 p.m. Carter explained that this consists of two proposed changes to the Town's Personnel Handbook. The first, redefines the classifications of employees. Full time is defined as forty hours with full benefits, with two positions, that although work less than the forty hours, are grandfathered. The term intermittent employees has been used, and now defined as working a schedule that is set on a periodic and irregular basis, and are often referred to as per-diem positions. Intermittent, part time and seasonal positions need to have a method for the Department Heads to use if needed, if they are required to work more hours for a specific period of time without being eligible for benefits. Carter further explained that the proposed Absent Leave Time follows the Police's Collective Bargaining Association's Absent Leave Time policy. Presently there are three categories, vacation, sick, and personal. What is proposed is that all of these hours will be in one category for the employee to use for vacation, personal, and sick time, that can be accrued and to be capped. Part time employees would have pro-rated Absent Leave Time. For present full time employees any hours in excess of 400 will be held in reserve to be used for excess/extended sick time. Today's employees will not lose the sick time they've built up as it will be held in reserve. For those who are under the 400 hours, there is a cap of 500 hours total. He explained that this is time off for time worked and the rate to earn Absent Leave Time will be comparable to the present rate. Paul Punturieri asked about how workers compensation would be utilized in this system. Joel replied that workers compensation is outside of the Town's sick time and would remain so with the proposed policy. Mr. Punturieri asked about the Town's requirement of a doctor's note and how that met the HIPPA requirements. Carter felt certain that the present policy and the proposed would continue to follow HIPPA requirements. In addition, Mr. Punturieri learned that the Family Leave Time also is outside of this policy. Joel asked if there were any questions or comments. 1) Employee Hope Kokas said that in her former employment they had what was called earned time following the same idea and it worked very well. Employees could be up front with their supervisor, requesting a day off and providing advance notice and planning. This rewarded employees for working hard and having good attendance. She added that they had essentially 5 weeks off a year, to be used as vacation, sick, etc., and in her experience she never took all of the 5 weeks off, as she couldn't do her job properly. Upon terminating her employment, she received 5 weeks of salaried time. 2) Jean Beadle agreed, as a former supervisor, this eliminated the early morning call from an employee with a faked illness, because they needed the day off outside of their vacation time. It allowed everyone to be honest and plan for needed time off. 3) Jim Nave expressed his concern, as an employee of the Town for 29 years, that he would lose the total amount of time off, which

includes many hours of accrued sick time. Carter acknowledged Mr. Nave’s concern, but reminded him that this high number of hours is due to his accrued sick time. Under the Absent Leave Policy, his accrued sick time won’t be lost, but held in reserve if he needs it for illness, and once that is used, he can draw from the employees’ Sick Bank. Jason Boucher of the Moultonborough Police Department explained that at first P.D. employees were concerned that they were losing time, but quickly understood that they could manage their time and were responsible for banking their time for illness. Betsey encouraged Mr. Nave and any other employees to come to the Selectmen if they find that the new policy isn’t working for them. As there were no further questions or comments, Russ Made the Motion to approve the Classification of Employees and the Employee Absent Leave Time Policy as described in Carter’s memo of August 2, 2012, and to begin September 1, 2012. Ed Seconded the Motion. The Motion carried Unanimously. Joel closed the Public Hearing. Betsey thanked Carter for all of his time putting these policies together.

**IV. REVIEW / APPROVAL MINUTES:** Jon Made the Motion to approve the Selectmen’s Minutes of August 16, and Work Session Minutes of August 23, 2012. Ed Seconded the Motion. The Motion carried Unanimously

**V. NEW RESIDENTS:** Jerome B. & Sydney K. O’Connor, Erin E. McGrail, Jesse Manita, Mark A. Biller, David M. & Patricia B. Howes, Donn D. Ostroth, Cathryn G. Turrentine, Theresa F. Ellwood, Debra E. & Stephen A. Dunn, Michael E. & Julie M. Edmunds, Noah B. Smith, Alia Osseiran, Margaret C. Hallgren, Valerie A. Hysten, Tao Wan.

**VI. CITIZEN INPUT:** 1) David Babson of Ossipee told the Selectmen that he is running for Carroll County Commissioner. As a State Representative he has attended many County Commissioner meetings and has found that the members aren’t working together. He acknowledged that Moultonborough pays 25% of the county’s budget. If elected he will work to bring about change in several areas. Mr. Babson spoke to Moultonborough and the other three Towns’ request for reduced county taxes as they don’t use the Carroll County Sheriff’s Dispatch, and he agreed that the present system is unfair. Joel said that he was frustrated when they discussed Moultonborough using the County’s Dispatch at night, and was told by the Sheriff’s Department that they couldn’t do it. Mr. Babson agreed that this was unfair as the Town is paying for the service, but the County’s Dispatch isn’t equipped to provide dispatch services. The Selectmen thanked him for coming before them. 2) Peter Jensen, Milfoil Committee Chair, told the Selectmen that the final herbicide treatment for 2012 will take place on September 6<sup>th</sup> in the Lee’s Mills area. 3) Hollis Austin asked about this week’s Hazardous Mitigation Plan Update meeting and if it had been canceled. Joel replied that it had but it appears no notice had been placed on the web calendar. Joel added that there will be a meeting on September 5<sup>th</sup> at 9 a.m. as planned.

**VII. NEW BUSINESS:**

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

DOCUMENT DATE	DOCUMENT	MAP/LOT#
8/30/12	Tax Abatement – LUCT	185-004
8/20/12	NH Electric Co-Op Pole & Petition Licenses	N/A
8/30/12	Letter to Rick & Sue Tower Re letter of 7/22/12	N/A

8/30/12	Letter to CCDC Re Old Dump Clean-Up	N/A
9/6/12	2012 Adopt a Spot Certificates of Recognition	N/A
N/A	Volunteer Gifts, \$325	N/A
8/30/12	Letter to Employee Re Leave Time	N/A
8/30/12	Letter to Employee Re Probationary Review	N/A
8/30/12	Payables Manifest & Signature File, \$772,377.78.	N/A

1. Russ read the Payroll/Payables Manifest and Signature File as listed above and Made the Motion to approve the Payroll/Payables Manifest & Signature File for August 30, 2012. Joel asked why the Town is being asked to sign the pole and petition licenses if they are located on state roads. Hope explained that there are fees that the Town Clerk collects for these. Carter said he'd get Joel the information. Ed Seconded. The Motion carried Unanimously.
2. Review for Approval: Disposal Agreement – Wolff: Betsey Made the Motion to approve the Disposal Agreement as listed and authorize the Chair to sign. Ed Seconded and the Motion carried Unanimously.
3. Review for Approval: ABC's FY2012 Q2 Inquiries & Staff Response: Jean Beadle, Chair of the ABC, told the Selectmen that she'd received staff's response to their questions for the second quarterly report. She added that all departments were under budget. Ms. Beadle complimented Heidi for anticipating what would be asked. Both will be posted on the ABC's web page.
4. Review for Approval: 2013-2014 NHMA's Legislative Policy Conf., Sept. 21, 2012: Russ asked Carter if he needed them to vote on each issue before them. Carter asked the Selectmen to review them and he will provide them with a spreadsheet to check off the items of importance and rank them. Betsey offered and the Selectmen agreed for her to represent the Town at the upcoming conference. Joel said he was particularly interested in the counting of absentee ballots and would like to see this changed. Carter said he would get the checklist to the Selectmen and asked them to respond by Tuesday for the next meeting of September 6<sup>th</sup>. Hollis Austin asked what the conference was about. Betsey replied that members of the NH Municipal Association will meet and will give MHMA a sense of direction on the issues they want the lobbyists to support.
5. Review for Approval: Fire E-3 Repairs Bid Award Recommendation: Joel reported that the Town received two bids, which were within \$130 of each other. Fire Chief David Bengtson recommends accepting the bid from Coastal Truck & Auto Body of Portsmouth to not exceed \$30,000, which covers 10% contingency. Betsey Made the Motion to accept the bid from Coastal Truck & Auto for the Repair to the E-3 Truck Frame to not exceed \$30,000 and authorize the Chair to sign the contract. Ed Seconded and the Motion carried Unanimously. Jon asked Carter to let Chief Bengtson know that he appreciated the background information that was provided in his memo.
6. Review for Approval: CIPC 2012-2018 Recommendations: Ed Made the Motion to accept the CIPC's report and to refer it to the September 27<sup>th</sup> Work Session. Jon Seconded. The Motion carried Unanimously.
7. Review for Approval: Selectmen's Response to CIPC's Questions: Russ Made the Motion to approve the letter as written to the CIPC. Betsey Seconded. The Motion carried Unanimously.
8. Review for Approval: Ossipee Park Road & CG Roxane Cooperation: Carter reported that the letter before them reflects the outcome from their Work Session on August 23<sup>rd</sup>. He added that Planner Bruce Woodruff and he agreed that a formal letter would help the process. The Selectmen approved by Consensus the letter as written.

9. Review for Approval: Town Moderator – Ballot Clerk Training: The Selectmen agreed to attend the September 10<sup>th</sup> training at 4:30 p.m. Betsey asked where it would be located and they agreed that it would be best at the Public Safety Building. Joel asked Carter to let the Town Clerk know of the training date, time, and place so she can notify the ballot clerks.
10. Review for Approval: Budget Amendment #3: Carter reported that the Plan NH Charette required that the Town match the \$5,000 grant. To date, the Town has raised through donations \$3,900 and more is coming in. The Office of Development Services (ODS) can't absorb the total amount and therefore they are requesting that \$1,000 be transferred from the Selectmen's Contingency account to ODS to cover the payment due. The Selectmen agreed that it should come from the Contingency account. Russ asked if the Town will receive any benefit from the Charette. Carter replied that it was too early to tell and they would have to wait to read the actual report. Ed Seconded the Motion. The Motion carried Unanimously.

#### **VIII. OLD BUSINESS:**

1. Former Landfill Registration: Carter reported that the Town's Engineer estimated \$13,000 for 20' monitoring wells. He added that it wasn't clear how deep they will actually need to drill, so he felt that \$15,000 was a more accurate figure. If the Selectmen want to go forward with this then a portion would be spent in 2012 and then a portion in 2013. Carter asked the Selectmen to note the states' response to the Engineer's inquiry that no other community has taken them up on their recommendation as presented in their letter to the Town. Jon again voiced his concern about leaving the old landfill site alone in its present state, but added that he wasn't comfortable making this decision for the taxpayers and liked Betsey's idea of taking the question to Town Meeting. Joel thought that more surface cleaning could be done. Carter agreed that the County Corrections Department could return to remove additional surface items, but cautioned that if too much was opened up, there may be no turning back. Russ recalled that when they originally did the Landfill Reclamation, which was a first throughout the state, that DES and the Town's Engineer both recommended leaving the old site alone. Betsey felt that environmentally there is a right way to do this, but she felt this was something the voters should decide. Russ felt that the voters will need to have a scope for the project to adequately depict what it might entail and cost, as it is likely contaminated. Ed agreed with Betsey and Jon, adding that this is on the shores of the river that flows to the lake. Joel asked and the Selectmen agreed by consensus to take the question to Town Meeting, and to continue to do some additional surface clean up. Carter asked for clarity as to the Board's desire and the Consensus was to refer this to the Budget folder and to draft a warrant article.

#### **IX. OTHER BUSINESS:**

1. Board Liaison Reports: Russ said that he and his spouse would like to attend the Steamboat dinner on September 15<sup>th</sup>. Jon said that he'd also like to attend. Jon reported that he and Carter met with DOT Commissioner Clement with the Pathway Committee to review the lower portion, where it was recently shimmed. He felt that the Committee members let the Commissioner know of their unhappiness with the recent road work. It was his understanding that the state will return to smooth it out and will re-stripe the fog lines. He added that Scott received the permit to repair the top of Moultonboro Neck.

Carter said that it was his understanding that the Town will mark the areas that they want fixed and the state will review this and report back if they can't comply. Betsey reported that she attended the reception for Ray Burton. Ed also attended and told the Selectmen the Counselor Burton told him how much he appreciates being able to use the Town's Meeting Room. Russ reported that the Planning Board had a request for a subdivision on Fox Hollow. Because of this the Planning Board is reviewing apportionment and a new impact fee ordinance, which the process will take about a year. Russ commented that he feels it is unfair to penalize one property owner when all abutters in the area will be able to use it.

2. Administrative Update: Carter reported that under Correspondence, he received a request to put all of the Time Warner program change letters on the Town's website. There was discussion about the TWC letters and how they don't always pertain to Moultonborough, if all correspondence should be posted on the web, and the need to create a web policy. Betsey felt if a policy was created then these kinds of requests could be judged based on the policy to see if it fits. Russ disagreed with the request and the need for a web policy. By consensus the need for a web policy will be referred to their next work session of September 27<sup>th</sup>.
3. ABC Minutes, July 17 & August 7, 2012: Acknowledged.
4. CIPC Minutes, July 19, July 26, August 9, August 13, 2012: Acknowledged.
5. RAB Minutes, August 13, 2012: Acknowledged.
6. Planning Board Minutes, August 22, 2012: Acknowledged.

**X. CORRESPONDENCE:**

1. Fred G. Clark, August 7, 2012, Cemetery Locations & Listing: Ed reported that Mr. Clark, a long time summer resident, sent him the letter. As a young man, Mr. Clark researched Camp Tecumseh and found an old cemetery located on what was known as the Poor Farm. This cemetery is in bad conditioned and pretty much forgotten. Mr. Clark would like to see it cleaned up and restored. Carter said that if the Selectmen wished to proceed, legal work would need to be done to see who owned the area. The Selectmen agreed to refer the question to the DPW Director and then to Town Counsel if needed.
2. Time Warner Cable, August 10, 2012, Possible Program Changes: Acknowledged.
3. Carl Quiram, Chair of NH Public Works Memorial: Joel reported that Gov. Lynch signed into law the creation of a memorial for DPW workers that died while on duty. Carter said that Scott Kinmond reported that the Town hasn't had any DPW workers die while on duty.

**XI. CITIZEN INPUT:** 1) Peter Jensen suggested to the Selectmen that TWC should be asked to post their program change letters on TWC's website. 2) Al Hoch said that before voting on the old landfill he would want to know if it is being monitored on the river or downstream. 3) Hollis Austin reminded all voters that they need to bring photo identification with them for the upcoming primary, although if they don't have one they will still be able to vote.

**XII. NON-PUBLIC SESSION:** Betsey Made the Motion for the Selectmen to go into Non-Public Session per RSA 91-A:3 II (a) and (e) and only to reconvene for the purposes of adjournment. Jon Seconded the Motion. A roll call was taken: Jon – Aye, Betsey – Aye, Russ – Aye, Ed – Aye and Joel – Aye. The Selectmen went into Non-Public Session at 9:01 p.m.

The Board exited Non-Public Session at 9:36 p.m. having voted by a vote of 2/3's or greater of the members present to seal 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.

- XIII. ADJOURNMENT:** Betsey Made the Motion to Adjourn. Ed Seconded the Motion. Motion Carried Unanimously.  
Joel adjourned the meeting at 9:37 p.m.

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Approved

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Date:  
Respectfully Submitted  
Hope K. Kokas, Administrative Assistant