

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

Selectmen's Meeting

September 20, 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:** Ed Made the Motion to approve the Selectmen's Minutes of September 6 and September 13, 2012. Betsey Seconded the Motion. The Motion carried Unanimously
- IV. NEW RESIDENTS:** Mary T. & Robert G. Schwager, John M. Rodgers, Lauren S. Bell.
- V. CITIZEN INPUT:** 1) Peter Jensen, Chair of the Milfoil Committee asked the Selectmen if the committee could work an additional 5 days with the funds already appropriated to treat the Red Hill River, which is a source to the lake. The Selectmen approved by Consensus. 2) Al Hoche told the Selectmen that he's noticed silt coming from the Half Way Brook by Lee's Mills flowing into the lake. Carter said he'd refer it to the Development Services Office and it is likely that it will be a matter for the Conservation Commission. 3) Hollis Austin told the Selectmen that he attended the 40th annual Steamboat Rally, which had 50 boats participating, and was another huge success. He felt that the community owes the Rally organization, and in particular Dave Thompson and his family gratitude for bringing and organizing this event in Moultonborough. Russ reported that he and Jon attended the annual Steamboat Rally dinner and was presented with a plaque recognizing the Town's support from the Steamboat Rally members. He agreed that they were a good group of people, who take care of the Lee's Mills facility. Seven cords of wood were burned by the steamboats and was supplied by the Thompsons. People from all over the country participate, also internationally, and Moultonborough hosts the largest steamboat event in the country. The Selectmen on behalf of the Town accepted the plaque and it will be displayed at the Town Hall. 4) Peter Jensen added that there was also a replica of an early steam truck in attendance.
- VI. NEW BUSINESS:**
1. Review for Approval: Payables & Payroll Manifest & Signature File:

DOCUMENT DATE	DOCUMENT	MAP/LOT#
9/19/12	NH DRA MS-1 Report 2012	N/A
9/11/12	Veterans' Tax Credit Application – Lyon, Approved	201-034
9/14/12	Tax Deed Waivers	044-014, 048-009, 140-001-003, 140-011-006, 140-011-007, 140-011-008, 140-011-009, 140-011-010,

		140-011-011, 140-011-013, 146-004-000-047, 175-012-003, 175-012-004, 175-012-006, 253-003-001, 253-003-002, 253-003-003, 253-003-004, 253-003-005, 253-017-000-BG0-001, 255-009-000-BS0-004
9/14/12	Veterans' Tax Credit Application – Anderson, Denied	137-005
9/12/12	Notice of Intent to Cut Wood or Timber, Hamek Assoc.	029-001
9/13/12	Notice of Intent to Cut Wood or Timber, Randall	052-019
9/20/12	Employee Probationary Status	N/A
9/20/12	Payables \$531,393.68	N/A
9/20/12	Payroll Manifest & Signature File, \$92244.83	N/A

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 September 20, 2012. Ed Seconded. The Motion carried Unanimously.

2. Review for Approval: Susette Remson, Tax Payment Agreement, MBLU 049-004: Carter spoke on behalf of Susette and reported that after she had sent out her notices, this property owner called and asked to have a payment plan and agreement. Susette is requesting that the Selectmen approve the payment plan and deed waiver which states that if the property owner defaults, then the Tax Collector can proceed with tax deeding. Jon Made the Motion to approve the payment agreement and tax deed waiver for the owner of Map 049 Lot 004, and authorize the chair to sign the payment agreement. Ed Seconded and the Motion carried Unanimously.
3. Review for Approval: Disposal Agreement, Lamprey: Betsey Made the Motion to approve the Disposal Agreement for Scott Lamprey of RJLT, LLC, for property located on 15 Holland Street and authorize the Chair to sign. Russ Seconded. The Motion carried Unanimously.
4. Review for Approval: Request to Restore, MBLU 092-032: Joel explained that the law changed regarding towns being able to involuntarily merge substandard lots and this is an application to restore and un-merge the lots. The Town Planner in his memo reported that the Technical Review Committee reviewed the request to restore the three original lots and following the RSA criteria, recommends restoring, and stating that there is a potential civil issue stemming from the deed language. Betsey Made the Motion to approve the request to restore Map 092 Lot 032 to the original three lots as stated in the Planners memo dated September 12, 2012. Jon Seconded and the Motion carried Unanimously. Carter pointed out that when a property owner submits an application to restore involuntarily merged lots that the owner must acknowledge that approval does not guarantee, if the request is approved, that these now separate lots will meet permitting requirements for septic systems or other development criteria that would allow their use as residential lots, and also likely tax increases.
5. Review for Approval: Request to Restore, MBLU 282-024: Betsey Made the Motion to approve the request to restore Map 282 Lot 024 to its original two lots as stated in the Planner's memo of September 12, 2012. Ed Seconded. The Motion carried Unanimously.
6. Review for Approval: Request to Restore, MBLU 092-023: Betsey Made the Motion to approve the request to restore Map 092 Lot 023 as recommended in the Planner's memo dated September 12, 2012, to four out of the six lots, which is due to construction, and the use together of lots 403 and 404 as a residential lot. The owner Brian Coe stated that the house has been torn down and only a shed remains. Jon questioned why all of the six

lots weren't being un-merged as the house is no longer there; in addition he feels that any involuntarily merged lot should be un-merged as he never agreed with that process in the first place. Mr. Coe told the Selectmen that the house has been torn down and he is planning on building another house where the previous one was situated (lots 403 and 404). Carter told the Selectmen that they had three choices: 1) Unmerge all of the lots, 2) Follow staff's recommendation and the owner can appeal, or 3) Table for the next work session and have the Planner attend to answer their questions. Russ asked the property owner and learned that a building permit has not been issued as of yet. Mr. Coe told the Selectmen that he was fine with having a total of five lots. Joel commented that the biggest worry is where leach fields and systems are located. Jon agreed that this is why staff made their recommendation to only merge four out of the six lots. Carter reminded the Selectmen of the property owner's acknowledgement when submitting an application to un-merge, if approved, of the likely tax increase, no guarantee of septic approval, etc. Ed Seconded and the Motion carried Unanimously.

7. Review for Approval: Driveway Permit Amendment, MBLU 021-014: Joel reported that in Scott Kinmond's memo to the Selectmen, he asked that they amend the previously approved Driveway Permit, as after the fact, he learned that the driveway does not meet the subdivision regulations and of which the exit down slope can't exceed 6% and must be back 50 feet from the driveway. The Selectmen agreed that the driveway ordinance needs to be amended to include this. Betsey Made the Motion to amend the Driveway Permit granted to Anthony and Destiny Clifford, Map 021 Lot 014, 284 Ossipee Mountain Road to be in compliance with the zoning ordinance and as stated in the Highway Agent's memo dated September 12, 2012. Ed Seconded and the Motion carried Unanimously.
8. Review for Approval: Meredith Town Line Perambulation: Russ commented that the Meredith/Moultonborough town line should be easy to perambulate. Carter asked the Selectmen how they would like to proceed. Jon volunteered to walk the line with a Meredith Selectmen, which was approved by Consensus. Carter said he would advise the Meredith Town Manager. Joel said he may join them.
9. Review for Approval: Legislative Policy Conference, 9/21/12: Joel explained that the NH Municipal Government Service, as lobbyists for municipalities has requested that each town identify an opinion on each of the proposed questions. As Betsey is the Town's representative she needs to know how to vote. In Carter's memo dated September 19th, on questions where there wasn't a majority opinion, he asked the Selectmen to reconsider. As listed in the memo, Page 5 Item 15, after discussion the Selectmen were all in favor. Page 6 Item 19, all were in favor except Russ. Page 6 Item 23, all were in favor except Betsey. Page 7 Item 29 all were in favor. Page 11 Item 12 all were in favor. Joel asked to go back to Page 11 Item 9; all were not in favor except Betsey. Page 12, items 13, 14, and 16 all were in favor. Page 13 Item 20, all were not in favor. Page 13 Item 21 all were in favor. Page 13 Item 22; the Selectmen were unsure how to vote, as they felt they needed more information. Betsey offered and the Selectmen agreed to let her decide once she's received more information. Page 13 Item 23, all were in favor. Page 16 Item 9, all were in favor.

VIII. OLD BUSINESS: None.

IX. OTHER BUSINESS:

1. Board Liaison Reports: 1) Jon brought up the lack of a fireworks ordinance. After speaking with Chief Wetherbee, he learned that this falls under the noise ordinance and there isn't any recourse for repeat offenders. Carter will refer the question to Chief Wetherbee for his suggestions for a future work session. Betsey suggested also referring it to the Town Planner as he may have some good ideas. 2) Joel asked that the driveway ordinance be referred to the Highway Agent for recommendations. 3) Russ asked Carter for an update regarding Vadar. Carter reported that he has talked with Vision and learned that their tax collector program could be ready by the summer of 2013 or in 2014. He added that we may have to consider seeking a new appropriation in 2013, as time is running out to encumber the money in 2012. Carter felt that progress was made with Vadar, and they may let us terminate without the withdrawal penalty. There has been no change in the cost to make the changes Susette is requesting and the time table to do this could be six months. Susette, with the recommendations of Peter Jensen and also Carter, created a letter and hand delivered it to vendors at the recent Tax Collectors' Conference held this week. He hopes for telephone conference calls by October 15th. Susette did learn that Avitar has six clients that use Vision Appraisal. Russ asked if Vadar was now not a consideration. Carter replied that at this time there are too many variables to count them out.
2. Administrative Update: Other than his Weekly Update, Carter did not have anything else to add.
3. Visiting Nurse Service Professional Advisory Minutes, September 4, 2012: Acknowledged.
4. ABC Minutes, September 4, 2012: Acknowledged.
5. Planning Board Minutes, September 12, 2012: Acknowledged.

X. CORRESPONDENCE:

1. Jane Rice, September 5, 2012, Re Poor Farm Cemetery: Russ said he talked with the Highway Agent who told him he had his crew go to the cemetery and take inventory to see what was there. Carter added that he felt this would require deed research.

- XI. CITIZEN INPUT:** 1) Hollis Austin asked why item #9 under New Business was not listed on the agenda and for an explanation of what this was all about. Joel replied that two out of the five Selectmen were unable to respond via email and therefore Carter did not receive a majority of votes for Betsey to represent the Town at tomorrow's Legislative Conference. Russ explained that LGC is asking what legislation the Town wants them to support. Ed added that this is done annually. Betsey further explained that in the spring LGC asks towns what they feel are the issues that need legislative action for the upcoming year. LGC then compiles the responses and then asks each town to decide if they are in favor. Mr. Austin then asked if they were asked to consider anything on smart meters or surveillance. The Selectmen replied that neither was on the list for consideration. 2) Joel reported that he read the proclamation for the Moultonborough Paralyzed Veteran's Day, which was held at Camp Robindale.

- 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 only to reconvene for the purposes of adjournment. Ed 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 8:33 p.m.

There being no further Non-Public business, Ed Moved and Betsey Seconded to exit Non-Public Session at 8:55 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 a) divulgence of the information discussed likely would affect adversely the reputation of any person other than a member of the public body itself and b) would render the proposed action ineffective, until – in the opinion of a majority of the members – the aforesaid circumstances no longer apply. On a roll call vote: Jon-Aye, Betsey – Aye; Russ – Aye; Ed – Aye; Joel – Aye. The Selectmen entered Public Session at 8:55 p.m.

- XIII. ADJOURNMENT:** Ed Made the Motion to Adjourn. Russ Seconded the Motion. Motion Carried Unanimously.
Joel adjourned the meeting at 8:56 p.m.

Approved

Date:
Respectfully Submitted
Hope K. Kokas, Administrative Assistant