

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

Selectmen's Meeting

November 15, 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 7:02 P.M.

II. PLEDGE OF ALLEGIANCE:

III. REVIEW / APPROVAL MINUTES: Betsey Made the Motion to approve the Selectmen's Minutes of November 1, 2012 and Work Session Minutes of November 8, 2012. Ed Seconded the Motion. Jon said that he was asked about the November 1st minutes concerning the proposed public hearing to rename Ossipee Park Road and Carter's statement that they had received a request from the public to rename the road. Jon questioned if in fact the letter received was asking for better signage or to change the name of the road. After discussion, the minutes were approved as written.

IV. NEW RESIDENTS: Mark A. & Tammy M. Smart, Adrianna LoBianco, Lisa M. & Robert A. Lapuck, Connor L. LaPlant, David G. MacDonald, III, Edward P. Lazdowski.

V. CITIZEN INPUT: None.

VI. NEW BUSINESS:

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

DOCUMENT DATE	DOCUMENT	MAP/LOT#
11/15/12	VNS NH DHHS Annual Certificate	N/A
11/15/12	Veterans' Tax Credit	120-003
11/15/12	Payroll Manifest & Signature File, \$88,504.89	N/A

Joel read the Payroll/Payables Manifest and Signature File as listed above adding that the Chair needs to be authorized to sign the NH DHHS annual certificate for the Visiting Nurse Service. Russ Made the Motion to approve the Payroll/Payables Manifest & Signature File for November 15, 2012 and authorize the Chair to sign the NH DHHS Certificate. Ed Seconded. The Motion carried Unanimously.

2. Review for Approval: Tax Payment Agreement, MBLU 099-010: Tax Collector Susette Remson told the Selectmen that the owner of this property has requested a payment agreement and their letter is included in her memo dated November 5, 2012. She reminded the Selectmen that the payment plan states that the taxpayer must stay current with current taxes and make payments toward the liens. Joel and the Selectmen agreed

that they'd rather work it out through a payment plan than having to tax deed property. Susette reminded the Selectmen that the RSA states this is cannot be for the owner's benefit, but for the Town's. Betsey Made the Motion to approve the deed waiver for Map 099 Lot 010 and to accept the payment plan for the owner of this parcel, authorizing the Chair to sign the payment agreement as described in Susette's memo dated November 5, 2012. Ed Seconded and the Motion carried Unanimously.

3. Review for Approval: 2013-2016 Tax Bill Printing & Mailing Agreement: Susette told the Selectmen that the present bill printing contract will expire April 13, 2013. She contacted the printer and asked if they could hold the 2010 price through 2016 which they agreed to do. Betsey Made the Motion to approve the bill printing and mailing agreement with GEM through April 13, 2016 and authorize the Chair to sign. Russ Seconded. The Motion carried Unanimously.
4. Review for Approval: Cons. Com. & LRPC's 319 Water Quality Grant Application Re Shannon Brook Watershed: Carter reported that a year ago, a grant application was submitted as a cooperative effort by the Conservation Commission and Lakes Region Planning Commission with a much larger scope to study the entire Moultonborough Inlet and it was not funded. The feedback received from DES and the EPA recommended a smaller scope as the funding was limited, that the grant should have implementation steps versus just research, and that there needs to be more participation and commitment from the community. Carter said that Dari Sassan of LRPC and Marie Samaha, Chair of the Conservation Commission have worked together for a new grant application based on the recommendations they received. The cost of the whole project is \$100,000, with a \$50,000 match from the state, \$2,500 from the Conservation Commission, \$5,000 from the Town, and \$34,000 as a volunteer/in kind match. Ed and Betsey said they supported the project. Russ asked if the Town would be required to actually implement the steps and if there are any additional requirements. Carter said that the Town's obligation was to fund \$5,000. Hollis Austin asked where the funding to the state came from and learned from Dari Sassan of LRPC that the funds initiate from federal EPA funds, but are managed by the state. Mr. Austin asked if there are any federal strings attached. Carter replied that the Town must develop and implement action steps. Peter Jensen asked who would approve the final results of the project's action steps. Mr. Sassan replied that NH DES will make the determination and there would be no federal jurisdiction. He added that the purpose is to create a plan to protect the Town's resource. Russ said he was more comfortable with the grant application after receiving this information. Carter said that the project will give the Town a sense of what is going on in the watershed, identifying sources such as septic and phosphorous, etc. He added that the Waukevan study found that less than 10% was from septic systems. The choices are that the Town can do this alone, do nothing, or work with LRPC. He reminded the Selectmen that there will be a lot of competition for not a lot of money. Mr. Austin asked who will receive the bulk of the funding. Mr. Sassan replied that LRPC, the Winnepesaukee Watershed Association, and subcontractors will be funded. Paul Punturieri asked if the grant application could be put on the web to allow the public to study it. Carter replied that the grant filing deadline is next Wednesday. Nancy Wright asked if this study was for States Landing. Joel replied that the study would help identify what is going on and what is causing the problem at States Landing. Russ asked Mr. Sassan how he came up with the \$34,000 in the volunteer/in kind match. Mr. Sassan replied that a lot of the work that will be done by LRPC, Town staff, Lake Winnepesaukee Watershed Association, UNH, etc. makes up the in-kind match, along with volunteers doing some of the leg work. Jon asked and learned that 319 EPA funds can be researched on the web. Ed Made the Motion to

- authorize the LRPC to submit the grant application, with a \$2,500 contribution from the Conservation Commission and a \$5,000 match from the Town. Betsey Seconded the Motion. The Motion carried Unanimously.
5. Review for Approval: CIPC Appointments, Joshua Bartlett & Barbara Rando: Jon reported that Josh Bartlett, now an Alternate, has been seated as a member since Barbara Rando had resigned. Ms. Rando had resigned as she was unable to attend all of the meetings, but would like to be an Alternate. Betsey Made the Motion to appoint Joshua Bartlett to the CIPC as a member and Barbara Rando as an alternate, with both terms to expire March 31, 2014. Jon Seconded and the Motion was Unanimous.
 6. Review for Approval: 2013 Proposed Holiday Schedule: Joel reported that this schedule would give the WMF facility staff three 3 day closures as the holidays fall mid-week. They will also be given three floater holidays (totaling 17 hours). Betsey Made the Motion to approve the 2013 Holiday Schedule as written. Ed Seconded. Carter suggested that the floater holidays must be taken no later than 60 days after the end of the fiscal year. Betsey amended her Motion to include Carter's suggestion and Ed Seconded. The Motion carried Unanimously.
 7. Review for Approval: Setting of Tax Rate: Betsey asked Carter to explain why he is proposing a fund balance higher than what was approved. Carter responded that he first looked at any emergency situations that might come up and found none. He then looked at any one time expense the Town might have, and then if this number would be able to be sustainable. Carter reminded the Selectmen that the donor town issue is still before them. He added that more could be applied, but asked if it could be sustained. With an overlay of \$330,000, the 2013 tax rate would be \$8.59, and a 3.17% increase. Carter reminded the Selectmen that the Town is again in the position of not being able to pay the county bill on time. Russ and Carter discussed the fund balance and sustainability. Carter said that although the target was 10.5%, he was concerned if the application of fund balance was sustainable. Betsey said that the Selectmen agreed not to go below 10.5% and if there are funds above that then look at emergency situations or onetime expenses. Carter confirmed this and explained the process through GASB. Jon said that the approved target is 10.5% and now Carter is proposing that the Town keep 12.9%, and he would rather give the money back to the taxpayers. Jon asked and Carter replied that the increase in the Town portion of the tax rate is mainly based on the purchase of the new MFRD Rescue 1 fire truck, and without it there would only be a .06 increase. Jon would rather that any funds available above the 10.5% go to the CIPC versus holding the fund balance. Betsey confirmed that GASB is trying to get towns to plan and look at having sustainable tax rates/fund balances. Betsey asked what was needed for a tax rate of \$8.56. Carter thought approximately \$430,000 as an offset. Jon Made the Motion to approve the 2013 tax rate at \$8.56 applying fund balance of approximately \$430,000 and authorize the Town Administrator to achieve this tax rate. Ed Seconded the Motion. The Motion carried Unanimously. Susette said that based on DRA's confirmation, the bills will go out at the end of November and will be due either January 2nd or 3rd of 2013. For those that write off their real estate taxes, she said the payment must be postmarked and paid before December 31st. Carter asked the Selectmen to remember that when approving Carroll County's bill to be sure to not include a due date in the motion as the Town may not be able to meet it. The Selectmen agreed that the lateness of the Town's tax bill is due in part to the county not submitting their paperwork to the state on time.
 8. Review for Approval: Disposal Agreement, Shipp: Joel asked about the expiration date of the Disposal Agreement of 1/8/12. Hope responded that she spoke with Mr. Shipp pointing this out to him and he said he would be in during this past week to make the

change, but did not. She suggested crossing out the expiration date and leaving it blank which would result that the agreement would expire in one year, or November 15, 2013. Betsey Made the Motion to approve the Disposal Agreement to expire in 12 months and to authorize the Chair to sign it. Ed Seconded. The Motion carried Unanimously.

VIII. OLD BUSINESS:

1. Budget Amendment #4 – Engine 4 Pump Repairs: Joel reported that the Town has received two bids from Lakes Region Fire Apparatus, Inc. of Tamworth for \$9,781.80 and from New England Fire Equipment and Apparatus Corp. (NEFE), of North Haven, CT in the amount of \$7,970.38, with a difference of \$1,800. Russ said that he wasn't concerned that the lowest bidder was four hours away. Carter said that the agreement requires that the Town deliver and pick up the vehicle. Joel added that that would be approximately 16 hours of travel and staff time. He said that NEFE's bid was to replace the water pump, while Lakes Region would rebuild it and will replace only the parts needed. Joel thought the cost could be less (or more if something else gets broken). He added that Chief Bengtson is concerned about sending Engine 4 out of state and his preference would be to work with Lakes Region, as they are a known entity. Russ Made the Motion to approve the bid from Lakes Region Fire Apparatus, Inc. to repair Engine 4 for \$9,781.80 and to accept all of the parameters in their proposal and authorize the Chair to sign any change orders not to exceed 15%. Betsey Seconded and the Motion carried Unanimously. Betsey Made the Motion to approve the Budget Amendment #4, \$9,000 from Contingency to the Fire Department and the balance payable from the Fire Department's budget, and if this isn't possible then from the Selectmen's contingency. Ed Seconded and the Motion carried Unanimously.
2. Russ reported that he investigated the anonymous letter of improper wetland landfill in the Fox Hollow area, and also the Moose Track and Gilman Point areas and was unable to find any evidence. He added he did not go on any private property. Marie Samaha, Chair of the Conservation Commission, said that she too got the anonymous letter and called the property owner that was named and received authorization to enter his property. She said she found some sand and was told it was used for a bike path, and there were logs by his dock. Ms. Samaha said she would reply to the author of the letter of what she found.
3. Russ asked Carter about this week's update and his comment that the Natural Heritage Bureau is being resistive to the Town's mitigation plan in connection with the soccer field. Russ felt that something needs to be done to overcome these obstacles. Carter said he will provide the Selectmen with more information regarding the species of the endangered vegetation in the proposed area during tomorrow's work session.

IX. OTHER BUSINESS:

1. Board Liaison Reports: 1) Russ reported that the Planning Board went through all of the Zoning Ordinance and will have six warrant articles with mostly changes in wording or adding definitions. 2) Jon said that the CIPC met today, having six Boy Scouts in attendance. They have set a tentative schedule for the next year. He added that Bruce created notebooks for each member which will streamline things for them. 3) Joel reported that the Selectmen, department heads, and board members attended the LGC Conference. Russ said he attended an interesting session on the FairPoint lawsuit. He

commented that the lawsuit is over the right of way for the utility poles and it is a good thing Moultonborough is not named in the suit.

2. Administrative Update: Carter reported that after the budget meeting, the proposed Town Warrant will be built with the Planning Board's warrant articles and will then be placed on the Town's website. Jon asked and Carter said he would post when the departments were scheduled to appear for the budget meetings. He added that other than his weekly update, he had nothing further to add.
3. ABC Minutes, October 16, 2012: Acknowledged.
4. Planning Board Minutes, October 31, 2012: Acknowledged.
5. Trustees of the Trust Funds Minutes, November 5, 2012: Acknowledged.

X. CORRESPONDENCE:

1. Time Warner Cable, November 9, 2012, Possible Program Changes: Joel commented that now TWC is charging for cable boxes.

XI. CITIZEN INPUT: 1) Peter Jensen told the Selectmen that Sheridan Roads looks great and thanked the Selectmen.

XII. NON-PUBLIC SESSION: Betsey Made the Motion for the Selectmen to go into Non-Public Session per 91-A:3 II (d) to consider the acquisition, sale or lease of real or personal property and to reconvene for the purposes of adjournment. Ed seconded. A Roll call was taken: Jon – Aye; Betsey – Aye; Ed – Aye; Russ – Aye, Joel – Aye. The Selectmen went into Non-Public Session at 8:50 pm.

The Board exited Non-Public Session at 9:03 p.m. having voted by a vote of 2/3 or greater of the members present to seal the minutes, as divulgence of the information discussed likely would post the action as being ineffective, 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 9:04 p.m.

Approved

Date:

Respectfully Submitted

Hope K. Kokas, Administrative Assistant