

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

Selectmen's Work Session

January 24, 2013

**MINUTES**

Selectmen: Joel R. Mudgett, Edward J. Charest, Jonathan W. Tolman, Russell C. Wakefield; Carter Terenzini, Town Administrator.

Absent: Betsey L. Patten (w/prior notification)

**I. CALL TO ORDER:** Joel called the meeting to Order at 4:00 P.M.

**II. PLEDGE OF ALLEGIANCE:**

**III. REVIEW / PAYABLES/PAYROLL SIGNATURE FILE:**

<b>DATE</b>	<b>DOCUMENT</b>	<b>MAP/LOT#</b>
1/24/13	Personnel Matter	N/A
1/25/13	Abatement, Denied 2012 Assessed Value	051-004
1/24/13	Abatement, Approved 2012 Assessed Value	170-002-000-005-000
1/31/13	Abatement, Approved 2012 Assessed Value	175-006
1/24/13	Cemetery Deed, #321 Middle Neck Cemetery, 2 Grave Lot	N/A
1/24/13	Payables Manifest & Signature File, \$89,308.92	N/A

Joel read the Payroll/Payables Manifest and Signature File as listed above. Russ Made the Motion to approve the Payroll/Payables Manifest & Signature File for January 24, 2013. Ed Seconded. The Motion carried Unanimously.

**IV. WORK SESSION ITEMS:**

- 1.) Discussion with the Chair of Planning and ZBA & Town Counsel Re: Litigation Costs: This item was to follow-up on a conversation over the TA's recommendation that we look for ways to reduce our litigation costs particularly in the Land Use area. Town Counsel Peter Minkow reviewed his advice from the Budget Workshops, recommending that the Town not retain the tapes of the meetings. He said that very few towns keep the tapes any longer, but instead tape over them once the meeting minutes are approved. He felt this was a batter practice. It would save the need to create a transcript and the amount of staff time required to review those transcripts. He did acknowledge that this means the review of the minutes needs to be thorough so that they are "solid at adoption". Joel asked if we did a video of the meetings do we have the same issue (as with audio tapes). Peter thought we could provide the video in lieu of a transcript if that were the case. Joel asked Tom Howard, Planning Board Chair, to weigh in. He believed that we should keep the tapes and go to digital recordings, doing transcripts from that. He felt that otherwise the minutes have to be "a whole lot better" than what we do now. ZBA Chair Bob Stephens asked Town Counsel if his job becomes more difficult if we were to rely only on the minutes and not do transcripts. Peter felt that the problem goes away if

you have good minutes and added that he thinks we have an obligation to make the minutes as good as we can anyways. He said that the lack of a transcript does not make his job harder. He said it actually makes his job harder with a transcript as the appellant is looking through the transcript line by line for any “chink” in our position (which just drives costs up further). Bob said he appreciates the cost issue and felt that doing the minutes correctly, plus having a solid notice of decision would seem to meet his Board’s needs. Ed asked how much this costs and Peter advised it is \$60/hour to prepare the transcript, plus the Planner and Staff’s time to review. Town Planner Bruce Woodruff advised that this “can take days”. Bruce said that the Town more than meets the statute on what the minutes need to contain and advised that expanding them would require added staff time. Jon felt we should move to digital recordings, as did Ed, and to video the meetings. Joel said it sounded like we need to hold this part of the discussion for more investigation and the consensus was to do so.

With that part completed the question moved to the actual defense of the case and whose attorney has to “carry the weight”; the Town or the applicant. Joel said he wanted to keep it as it is (with the Town carrying the defense) as he did not believe it was fair to require the applicant to defend themselves if they complied with everything we asked of them. Peter said that as a matter of practice it varies on a case by case basis. He does try for the active involvement by the applicant and then makes a judgment of how much he can depend on them. Jon agreed with the basic process Peter laid out and is all for encouraging them to participate, but he does not want to see people have to be at risk after having complied with our requirements. Russ felt that the Town adopted the zoning and it is up to the Town to defend it.

- 2.) Update of Draft on Web Site Policy: The Town Administrator reported that he had met with Russ Wakefield and reviewed the material from the LGC conference in finalizing the latest draft. However, in the meantime, he had been approached by CGI Communications of Rochester about them preparing several promotional videos on the Town. The issue became that if the Selectmen were interested in this we needed to change the hard prohibition on our involvement with commercial enterprises. These videos would be at no cost to the Town and supported by commercial sponsorship. Russ thought there had to be a hook of some sort for us to get this for free and was advised that it was solely the placement of the videos on our web page. CGI guaranteed us at least three video clips even if no-one came forward as a sponsor. We also had to define any unsuitable sponsors before CGI began its marketing campaign. Jon asked what the cost of a sponsorship was and Carter said he would find that out. Russ said he did not want it to appear that we are endorsing businesses. Carter suggested we pursue a disclaimer of some sort such as a graphic pop-up advising people they were going to an independent site to a single one liner on the web page that we are not endorsing the service or product. After a brief discussion the consensus was to move forward with the issue(s) of sponsorship pricing and a disclaimer of some sort to be answered at the time of final presentation.
- 3.) DPW Service Request Form: The TA gave a presentation of a web based ability of people to advise the DPW of service needs (i.e., missing signs, clogged culverts, and the like) now in development by the staff. Joel asked the staff to address a tag line about responding in 48 hours, and was concerned that might mislead those who submitted a

request late on a Friday or before a holiday. The consensus was to move forward. The TA asked for any other comments by early next week.

- 4.) Update on the Media Broadcast of BoS/SAU Meetings: Ed gave an overview of the findings so far. Russ asked about having a single fixed camera on the wall and was advised that the effort appeared to be headed in the direction of portables on tripods for their flexibility. Carter also pointed out that panning the large group might not convey well on the small screen and that it still left sound controls to be handled by staff. Joel asked how much storage space we had on our web site and learned that the videos were actually hosted on the provider's servers. People jump to that provider from a link on our web page. Joel asked about our efforts to identify someone who would do this (inclusive of equipment) as a service and learned of the several possibilities that had been pursued and did not pan out. It appeared we would need to hire part-time staff. Ed advised that with the research in hand Mark Borrin, School Board Chair, will talk with in-house school personnel to see what, if any, resources the school can bring to bear on the effort. They are to meet again in about two weeks.
- 5.) Community Garden: Carter gave an overview of an evolving proposal to establish community gardens at the Lions Club. He said the only negative was that if the time ever came when the land is needed for something else there might be push back from the people that use it. Carter thought there would be a sense of obligation to find another location to continue the service should that happen. Ed said that Plymouth has a similar program and that people know when they get involved they might not get the space again. However, overall, he feels it is working well. Russ recalled a prior effort which he felt failed for lack of a water supply. Carter said the plan included developing one and he had asked the folks working on it to obtain an understanding of this from the Lions Club as their electricity powers the pump. Joel was concerned about draining the well by people leaving the water running and then going away for a bit. Carter said he would ask the proponents to look at some form of control such as spring loaded hose bibs which must be held open by hand or timers of some sort to address this concern. He said the Conservation Commission was looking for finalization on 02/04 and then a presentation to the Selectmen on 02/21. The Consensus was one of general approval.
- 6.) Dedication for Annual Report: After a brief discussion the consensus was to dedicate the report to Gloria Plaisted, one of the founding members of the Fire Auxiliary.

IV. **ADJOURNMENT:** Jon Made the Motion to Adjourn. Ed Seconded the Motion.  
Motion Carried Unanimously.  
Joel adjourned the meeting at 5:41 p.m.

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Approved

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Date