

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

Selectmen's Meeting

March 7, 2013

MINUTES

Selectmen: Joel R. Mudgett, Edward J. Charest, Betsey L. Patten, Jonathan W. Tolman (arrived at 7:05 p.m.), 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. PUBLIC HEARING: RSA 31:95-b - Receipt & Expenditure of Gift, CG Roxanne: Joel opened the public hearing at 7:07 p.m. Carter explained that the Selectmen have authority to accept and expend grants/gifts, and if the amount exceeds \$5,000, then by RSA 31:95-b a public hearing must be held. CG Roxane has given the Town \$8,000 to pay for the feasibility study of a runaway truck ramp off of Ossipee Park Road. He added that item #9 under New Business will authorize the Chair to sign the change task order for the study with the Town's Engineer. Carter reported that the Town has received two emails regarding the public hearing. The first is from Michael Weeks, who supports accepting the \$8,000 from CG Roxane, but feels that they should also pay for any costs to construct a runaway truck ramp. The second is from Eric Taussig, who reviewed the history of accidents on the road, is of the opinion that the need is obvious, and wants the Town to build a runaway truck ramp. Carter reiterated that this is a feasibility study only. Joel opened the discussion to the public. 1) Ken Kasarjian asked if CG Roxane has made any kind of commitment to build a ramp. Joel replied that the funds are for a feasibility study only. 2) Peter Jensen asked, based on the accidents that have occurred, if there is any indication that a runaway truck ramp would have prevented the accidents. Joel replied that he didn't have this information and thought that the police reports would probably cover this. He added that in the last accident the truck driver wasn't properly licensed to be driving the truck. Carter said that this study has come about due to a citizen's suggestion and the Highway Safety Committee's recommendation. The Engineer will review all available information. Betsey expressed her appreciation to CG Roxane for offering to pay for the study. Russ Made the Motion to accept the \$8,000 gift under RSA 31:95-b from CG Roxane and to authorize the expenditure of the funds for a feasibility study of a runaway truck ramp off of Ossipee Park Road. Ed Seconded and the Motion carried Unanimously. Joel closed the public hearing at 7:09 p.m.

IV. REVIEW / APPROVAL MINUTES: Betsey Made the Motion to approve the Selectmen's Minutes of February 21, 2013 and February 28, 2013. Ed Seconded the Motion. The Motion carried as amended.

V. NEW RESIDENTS: Jeremy E. Heinrich, Harry T. Powers, Jr., David S. & Margo E. Reasner, Nick J. Davy, Susan A. Burton.

VI. CITIZEN INPUT: 1) Ken Kasarjian asked if the Selectmen have an analysis of people leaving Town. Joel replied that there is no such study as people don't have to report this information. 2) Hollis Austin reported that based on a newspaper article he read, Belknap County

Commissioners are upset as their county's budget has been cut. He hopes that Carroll County will review what happened in Belknap County.

VII. NEW BUSINESS:

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

DOCUMENT DATE	DOCUMENT	MAP/LO T#
2/15/13	2013 Religious Exemption, MUMC	052-011 & 075-002
2/18/13	2013 Religious Exemption, Missionary Baptist Church	135-028
3/7/13	Eagle Scout Proclamation, Ian McLean Bird	N/A
3/7/13	Veterans' Tax Credit, Disqualification	121-102
3/7/13	Yield Tax, \$1,500	141-011
3/7/13	Payroll Manifest & Signature File, 3/7/13 \$88,865.78	N/A

Joel reported that the Selectmen need to discuss the Veterans' Tax Credit disqualification, which is an unusual situation due to the veteran and his wife have been living out of state to care for their son who has a service connected injury. It has been recently learned that they have rented out their Moultonborough residence. Betsey expressed her opinion that due to renting out the Moultonborough property, it is no longer their residence, and it is an unfortunate situation. Jon and Ed both felt that the Tax Credit should not be disqualified as the intent is to come back to Town. Betsey read the RSA 72:28 that defines residential real estate as it pertains to Exemptions and Tax Credits, which states that the veteran must occupy the property. She said that she understands it is a difficult situation, but you can't treat one person differently. Carter reported their absence has been an ongoing situation of which staff has been aware, however due to recently learning that the veteran has leased their Moultonborough property to others, it changes the situation and results in it no longer being their residency. Ken Kasarjian, as a former Marine, asked the Selectmen to look at the spirit of the law. Russ said he is torn, as they are now renting out the property, which makes it not their primary residence. Betsey stated that as a State Representative she has dealt with Veterans' Tax Credit decisions, adding that if the Town goes against the RSA, the Town won't be in compliance. Jon said that he thought that Selectmen have discretion in this matter. Betsey Made the Motion to disqualify the Veterans' Tax Credit for the property known as Map 121 Lot 102. Joel Seconded the Motion. Joel and Betsey voted Aye. Jon, Ed and Russ voted Nay. The Motion failed. Jon Made the Motion to continue the Veterans' Tax Credit for Map 121 Lot 102 as long as the veteran takes occupancy of the property no later than April 1, 2014. Russ Seconded the Motion. Jon, Ed and Russ voted Aye. Joel and Betsey voted Nay. The Motion carried.

Betsey noted that the Signature File contains two religious exemptions, and this procedure is different than in past years. Carter explained that in an effort to streamline the Agenda, those exemptions that are standard, can easily be contained in the Signature File. The Selectmen agreed by Consensus. Joel read the Payables Manifest and Signature File, as listed above, excepting the Veterans' Tax Credit Disqualification previously acted on. Jon Made the Motion to approve the Payroll/Payables Manifest & Signature File for March 7, 2013. Ed Seconded. The Motion carried Unanimously.

2. Review for Approval: Community Garden Proposal w/Marie Samaha, ConCom Chair: Marie Samaha, Conservation Commission Chair spoke to the Selectmen and asked them for their approval. She reported that DPW Director Scott Kinmond and Ken Kasajarian brought the idea to the Commission. The Commission will oversee the project through a subcommittee headed by Ken Kasajarian, which will be tasked with the day to day operation. Mr. Kasajarian reported that he spoke with the members of the Lions Club to explain the project and they accepted it unanimously. Betsey asked if the Lions Club gave approval for the project to use their water. Mr. Kasajarian said that the well capacity is being analyzed and Tom Lacey has offered to provide the labor and analysis at no cost. Based on what is learned they will need to decide if they can use the existing well or if a cistern is needed. Betsey asked who would cover the cost of drilling a well. Russ asked who would cover the cost for the electricity to run the well pump. Mr. Kasajarian replied that this was not discussed. Russ asked and learned from Mr. Kasajarian that the subcommittee and the DPW Director would be responsible for setting out the garden plots. He thought that the cost of the electricity could be covered through the proceeds from the plot rentals. Russ asked who would pay for the first year of costs. Mr. Kasajarian said that they plan on applying for a NH Recreation grant to cover the expense. If they are not awarded a grant, the projected cost for the first year is \$1,200 and asked for the Town to cover it and the project would then pay the funds back. Betsey said she would like to first receive approval from the Lions Club for the electricity. Mr. Kasajarian reported that Tom Lacey will provide the labor at no cost to the Town, and projected the cost for parts at \$1,200. Carter reminded the Selectmen that a letter of approval from the Lions Club is needed, as they lease the property from the Town. He suggested that the Selectmen approve the concept, based on receiving a letter of agreement from the Lions Club, and approve to pay for costs to not exceed \$1,200. He added that the Lions Club may look at this as the cost of the electricity as their contribution to the program. Betsey asked about the rule of not allowing fertilizer to be used and suggested that the language be changed to reflect natural fertilizer can be used. Mr. Kasajarian said he would make that change. Betsey Made the Motion to approve the concept of the Community Garden as presented contingent upon the Lions Club's approval, the Town funding no more than \$1,200, and authorizing the Chair to sign the license agreement to use the land. Ed Seconded. Hollis Austin said that he hoped that there would not be any cost to the taxpayers and felt that this not a government responsibility. Peter Jensen said he thought that Mr. Kasajarian had said that they would pay the money back. Mr. Kasajarian agreed, adding that the funds from renting the garden plots would go into the general fund. The Motion carried Unanimously.
3. Review for Approval: Temporary Use Permit, Loon Preservation Committee: Betsey Made the Motion to approve the Temporary Use Permit for the Loon Preservation Committee to launch 30-60 kayaks at Lee's Mill Landing on July 12, 2013 (July 15th rain date). Jon Seconded and the Motion carried Unanimously.
4. Review for Approval: Launch Request, NHIAA, Lee's Mills & States Landing 5/9/13: Harry Blood, a member of the NHIAA High School Bass Fishing Committee told the Selectmen that this is the first time a bass championship has been offered to students under the guidelines of the Bass Nation. There will be 20 to 30 teams and each participating school will have a team consisting of 2 members. Mr. Blood explained that this is an alternate sports program for students. Betsey Made the Motion to approve the Launch Request from NHIAA, May 9, 2013, at Lee's Mills and States Landing and to waive the \$150 launch fee. Jon Seconded and the Motion carried Unanimously.

5. Review for Approval: Launch Requests (6), NH Bass Casters, States Landing: Betsey Made the Motion to approve the NH Bass Caster's 6 launch requests out of States Landing for April 21, May 1, June 19, August 10, September 28, and October 2, 2013, with the contingency that the Town of Moultonborough is named as holder of the Certificate of Liability. Ed Seconded and the Motion carried Unanimously.
6. Review for Approval: Heritage Commission Appointment, Mark Borrin: Ed Made the Motion to approve the appointment for Mark Borrin as member to the Heritage Commission for three years, term expiring March 31, 2016. Betsey Seconded. The Motion carried Unanimously.
7. Review for Approval: DOT/National, Responder Training Course: The Selectmen acknowledged DOT's request for all appropriate staff to take the Responder Training Course.
8. Review for Approval: Timber Bids, Highway Garage Road, MBLU 134-031: Carter reported that there was only one bid from Bovill Brothers for a gross amount of \$6,825.60. Russ Made the Motion to award the bid to Bovill Brothers for the gross amount of \$6,825.60 and authorize the Chair to sign the agreement. Betsey Seconded and the Motion carried Unanimously.
9. Review for Approval: Task Order w/Town Engineer Re: OPR Truck Ramp: Carter reminded the Selectmen that this is the same task order brought to them regarding the sign program, without any changes, \$8,000 to study the feasibility for a truck runaway ramp off of Ossipee Park Road. He added that if approved, the study will begin once the snow is gone. Betsey Made the Motion to approve the task order for \$8,000 to conduct the feasibility study for a truck runaway ramp off of Ossipee Park Road and authorize the Chair to sign. Ed Seconded. The Motion carried Unanimously.

VII. OLD BUSINESS: None.

VIII. OTHER BUSINESS:

1. Board Liaison Reports: Betsey reported that the Selectmen approved and signed the proclamation for Ian Bird for his being awarded the Eagle Scout badge which will be awarded this Saturday. She asked if any of the Selectmen would join her to present it. Jon said he would attend and Russ said he would try to be there.
2. Administrative Update: Carter reported that other than his weekly update, he didn't have anything else to add.
3. Heritage Commission Minutes, February 18, 2013: Acknowledged.
4. Zoning Board of Adjustment Minutes, February 20, 2013: Acknowledged.

IX. CORRESPONDENCE:

1. Time Warner Cable, Possible Program Changes, February 20, 2013: Joel reported that this was their usual letter.

X. CITIZEN INPUT: 1) Hollis Austin suggested that if anyone has a complaint with Time Warner that they post it on Twitter, which appears to be a social media that the cable companies pay attention to. 2) Peter Jensen, Chair of the Milfoil Committee, reported that he has received permission from the Town Moderator to hand out milfoil information fliers to exiting voters on Election Day. In addition, the committee met yesterday with staff from DES and four herbicide treatments are scheduled. 3) Hollis Austin suggested that the Milfoil Committee sell milfoil

cookbooks as a fund raiser. Russ suggested that the milfoil should go to the community garden to be used as fertilizer.

Joel asked if a Non-Public meeting was needed. Carter replied that a non-meeting was needed for a collective bargaining matter.

XI. NON-PUBLIC SESSION: None needed.

XII. ADJOURNMENT: Betsey Made the Motion to Adjourn. Ed Seconded the Motion.
Motion Carried Unanimously.
Joel adjourned the meeting at 8:16 p.m.

Approved

Date:
Respectfully Submitted
Hope K. Kokas, Administrative Assistant

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