

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

Selectmen & ABC Work Session, 8:30 AM

January 17, 2014

MINUTES

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

ABC: Jean Beadle, Chair, Alan Ballard, Christopher P. Shipp (Selectmen's Representative), Kathy Garry (absent with prior notice), Barbara Sheppard (absent with prior notice).

1. Joel called the meeting to Order at 8:30 a.m.
2. Jean Beadle, Chair of the ABC, delivered the report of the Committee on the 2014 budget. She said the Selectmen had done a "Great Job" as this was the sixth year in a row with a flat or nominal budget. The ABC reports that it supports the phasing out of the Police Department's canine program, as it isn't considered to be cost effective. They support the expansion of broadband technology. Jean thought that the Selectmen need to consider the willingness of the Town to continue paying for a robust health insurance plan with such low employee contribution rates. The Committee recommends hiring a combined Human Resource professional and department for the School and Town. The Town entities combined have almost 400 employees and the ABC knows of no entities which would try to manage such resources without a dedicated professional. She spoke to their recommendation to begin succession planning for the senior professionals it anticipates will leave the organization in the future and consideration to approach the Town Meeting to convert certain elected positions to appointed. The ABC's biggest concern is the number of capital projects on the horizon and the need to come together for a larger vision before putting individual pieces in place. She also presented a baseline amount the ABC thought that the Recreation Revolving Fund (RRF) should be drawn down to and maintained. Joel said that he was impressed that the RRF budget is staying even and/or dipping, into the balance which is a good start to reduce what we were spending in tax funds. Chris commented that the Town has great employees and it would be nice to see if we can find ways to provide them with trainings and education and prepare them to move up. Russ commented that he feels the ABC goes beyond their scope and some of these things are policy. Jean replied, that all numbers are driven by policy and the ABC's charter was changed early on to allow for these as the comments were appreciated at the time. Russ said people see this report and think the Selectmen have to do it. Chris said he shares a similar concern as Russ. Jean stated that the ABC has never dictated anything and these are merely suggestions. Alan Ballard said policy ties into it all and you have to look at the policy as it does impact the numbers. He thought the one comment the ABC members all agreed on was to get some focus on the capital projects. Jon said that he hears the concerns over the policy input, but wants all of the information he can get. He noted that at the end of the day, the Selectmen set the policy. Joel said that the ABC is advisory in nature, and the Selectmen can proceed as they deem best. Chris complimented Jean and Alan on the amount of work they put in and spoke to the need to fill the openings on the ABC.

3. 2014 Town Warrant:

Article 2: This is the Sidewalk Report. The Town Administrator said that the Selectmen needed to settle the wording of the article, its position on the report and what would be distributed for handouts. Russ said that he was OK with the word “receive”. Chris said that they need to be responsive to the wording of Article 27 of last year, “...presenting...for consideration...” He continued that while the petitioners may be happy with this wording it is because they have now added their citizens’ petition to the warrant. Jon said he was fine with the wording because it is almost a moot point especially once you add the petition warrant article which is asking for money that the Town Meeting will “consider”. The Consensus was the wording was acceptable. With respect to the actual report, the Board had no additions and their position was simply that there was a process and it was carried out. With respect to what to distribute, the Executive Summary was acceptable.

Article 7: This is the purchase of the Adele Taylor property. It had been reworded as requested to identify the actual purchase cost as opposed to legal, remediation of asbestos, holding and the like. Jon asked if you could put a “cooling off” clause into it deferring construction for a period of time. Carter said you could, but you need to recognize that one Town Meeting cannot bind another. It could be changed just one year by operation of the next Town Meeting. Also, there is a “cooling off” in that any building would require an appropriate by the Town Meeting. The Consensus was to leave the article as worded.

Article 10: This covered a rewording of the Dry Hydrant Fund which allows for “... the installation...” of dry hydrants and to allow for “...the installation and repair of dry and pressurized hydrants and cisterns.” The Town Administrator spoke to the distinction between “pressurized” and “dry” hydrants and that the Selectmen, by policy, would need to distinguish between ordinary maintenance and the level at which an item became a “repair”. The Consensus was to accept the wording as proposed.

Article 13: This is the proposed funding of the site study recommended by the Blue Ribbon Commission (BRC) on Community Services and Facilities. Russ and Chris spoke to a concern they were being limited by that wording. The Town Administrator spoke to the fact that the BRC limited their options. Discussion occurred about the BRC’s process and how they had worked through their analysis which, in the end was to recommend this means of proceeding.

The meeting was recessed at 9:55 to 10:05 a.m.

Chris said, that from a business standpoint, it is most cost effective not to have two buildings. Jon said from a business model he understood, but we went to Town Meeting last year and that the article took the wording of the proposed site study directly from the BRC report. Noting a final scope of work would have to be authorized by the Selectmen before the study could proceed, the Consensus was to proceed with the wording as proposed.

Article 16: This had been amended to reflect the proposed uses of the money. This was acceptable as presented.

Article 17 is to be reversed with Article 18.

Articles 19, 20 & 21: Each citizens' petition/article all concern fireworks and the noise ordinance. An opinion of Town Counsel was discussed in which he said that despite any questions or conflicts, the Selectmen had an obligation to place the article upon the warrant. He went onto say that he saw no conflicts with state law, but that they all conflict with each other. If Article 18 passes, he would expect 19 and 20 to fail. If they pass, he thinks that 18 moots their effectiveness. Assuming that 18 fails, the voters would hopefully choose one or the other, not both. Should they choose both – and in fact of advice they conflict we would think they would not – we can deal with it from the floor.

Article 25: Joel suggested that we add Scott Kinmond's estimable of the Capital and Operations and Maintenance costs to the Executive Summary. It was so agreed.

The Pre-1981 Landfill: DES had finished its review of the water tests. One well showed an exceedance of manganese and the Town had been asked to take another round of samples (excepting the VOC parameters). After discussion of the benefits of a spring vs. fall sampling, it had been decided by the Town Engineer, Scott Kinmond and he had settled upon the fall being the best from the perspective of comparing the same sampling periods and the cost effectiveness of doing it at the same time as the main Transfer Station samplings. Carter described the worse that might happen as a requirement for a Groundwater Management Permit (GMP) requiring annual sampling. The hope would be to amend the current GMP so we were operating under one permit for reporting purposes. All were satisfied with the approach.

Article 5: This was a proposed Code of Conduct (Ethics) Ordinance. The warrant article itself will have the headings only while the full ordinance would be included in the Annual Report. In the review, minor changes were noted that needed to be made in the definitions and more time for "Distribution and Education". These will be made and redistributed for final approval, but the warrant may proceed to be submitted as there are no changes in the heading. The Town Administrator will also look at how some towns might be addressing complaints with respect to the Selectmen itself.

Village Question: The Town Administrator described how he and the Town Planner had met with Planning Board member Paul Punturieri to come up with an approach to resolving the open question of whether or not the Town saw an issue within the current state of the Village, and what if anything, it wanted to do to address it. The original proposal was discussed by the Planning Board and they saw it as their responsibility. The TA described an alternative proposal which would make the Planning Board the lead, yet keep the Selectmen actively involved in a collaborative method making sure they had representation on it and perhaps even appoint a few of the members (the alternates). The TA said that as a result of this conversation he was asked to check back in with the Selectmen to see where they stood on the matter. Joel said he was less concerned with who was in charge, but that the process happened. He added that the debate has been going on for a long time, but we aren't getting anywhere, and it has to start moving forward. Chris said as long as whatever they come up with does not tie the hands of the Selectmen, especially if the Board didn't have any input in the process, as ultimately the Selectmen ends up being responsible for it. Russ said that he totally agreed with Chris. Carter said he understood Chris' concern, but at some point it becomes important for the community to begin to bind itself to some visions and decisions, in order to guide our allocation of resources (personnel and capital dollars). Joel said it is important that someone move the decisions forward referencing the proposed lane narrowing and sidewalks, as but two examples of pieces moving forward on their own without an overall plan. Russ believed that it belongs with the

Planning Board and that they have acknowledged it needed to be done. Jon said that one reason they see petitions pop-up is due to the lack of a plan (citing sidewalks which have been discussed for many years as an example) and he agreed that the venue for this is the Planning Board. Chris wanted to make sure that the Selectmen had some say and some involvement in the vision as leaders of the community. The Town Administrator asked if he could say that the Consensus of the Board of Selectmen is that this matter be addressed to try and move it toward resolution, and to express their concern that they not be bound without being able to have had some input and be part of the process. He further asked if he might also say that there is, no pride of ownership or authorship, and let the Planning Board take the lead, but that the Selectmen would like to be involved in a manner that keeps the Board a part of an active collaboration, in order to be part of the process. Jon said he thinks that is what the taxpayers would expect. Joel noted that money to be spent ends up in front of the Selectmen, so the Board needs to be part of the process. The Consensus was that this was a fair statement.

4. Adjournment: There being no further business the Chair adjourned at 12:00 p.m.

Approved

Respectfully Submitted

Date

Carter Terenzini, Town Administrator