

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

Selectmen's Meeting

February 20, 2014

MINUTES

Present: Selectmen: Joel R. Mudgett, Chairman; Jonathan W. Tolman, Edward J. Charest (absent with prior notice), Christopher P. Shipp, Russell C. Wakefield; Carter Terenzini, Town Administrator; and Hope K. Kokas, Administrative Assistant.

I. CALL TO ORDER: Joel called the meeting to Order at 7:05 P.M.

II. PLEDGE OF ALLEGIANCE:

III. REVIEW / APPROVAL MINUTES: Russ Made the Motion to approve the minutes of February 6, 2014 as written. Chris Seconded. The Motion carried Unanimously.

IV. CITIZEN INPUT: None.

V. NEW BUSINESS:

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

DATE	DOCUMENT	MAP/LOT#
2/20/14	Personnel Matter	N/A
2/20/14	Cemetery Deed, Shannon Cemetery	Lot #275
2/20/14	Elderly Exemption, Granted	098-091
2/20/14	Notice of Intent to Cut	086-002, 086-002-001, 086-002-002, 086-002-003 & 086-002-004
2/20/14	Notice of Intent to Cut	279-001
2/11/14	2014 Highway Safety Grant	N/A
2/20/14	Abatement, Granted	148-016
2/20/14	Veterans' Tax Credit, Approved	167-020
2/20/14	Payables Manifest & Signature File (2014) \$85,007.51	N/A

Joel read the Payables Manifest & Signature File for February 20, 2014. Russ Made the Motion to approve the Payables Manifest & Signature File. Chris Seconded. Joel reported that the personnel matter was an extension of the Town Administrator's contract for another year. The Motion carried Unanimously.

2. Review for Approval: Restoration of Involuntarily Merged Lots MBLU 098-082: Carter stated that in Bruce Woodruff's memo to the Selectmen dated February 10, 2014, the owner of Map 098 Lot 082 is requesting that what is considered now as one lot due to an involuntary merger in 1987, be returned to the original four parcels known as subdivision lot numbers 176, 177, 178 and 179. Lots 176 and 177 have a house built on both or just over the boundary of one of the lots, which is considered a voluntary merger of those two lots. Therefore, the question is to unmerge two of the lots. It is the recommendation of the Technical Review Committee to unmerge lots 178 and 179. Joel commented that

from reviewing the Town assessment map it does appear that the house looks like it is on the boundary line or has at least a corner running through it. Carter agreed. Jon said that you can't always depend on the assessment maps, they aren't always reliable. He asked if the property owner is agreeable to this. Carter said that the state statute defines that these two lots were voluntarily merged by building the house on/or over the boundary line. Jon said he wants to know if the owner is OK with this before approving. Carter said they would reach out to the property owners to ask this question. Russ commented that if the two lots with the building were unmerged, they would then need to come back to the Zoning Board for a variance as they don't meet the set-backs. It was agreed to table the question until the property owner is heard from.

3. Review for Approval: KVP Task Order, Dredging Study, Rec. Rev. Funds: Joel reported that the plan is to dredge at States Landing Beach to identify the quality of the surface in the swimming area before spending a lot of money. Carter said that the total cost including engineering is to not exceed \$6,000. Russ Made the Motion to approve the task order for the dredging study at the States Landing Beach, with a reminder that the cost of the dredging is not to exceed \$4,000, to be expended from the Recreation Revolving Fund, and authorizing the Chair to sign the contract. Chris Seconded and the Motion carried Unanimously.
4. Review for Approval: KVP Task Order, Castle Shores Rd/States Landing Re-Alignment: Joel reported that this task order is for the design phase to realign the two roads. Russ asked if this was from the SRA fund. Carter replied yes, for an amount to not exceed \$11,200. Russ Made the Motion to approve the task order to not exceed \$11,200, authorizing the Chair to sign. Chris Seconded. The Motion carried Unanimously. Jon asked and Carter confirmed that this was the conceptual stage and next would be to have a neighborhood meeting. Carter added that he hoped to have this ready for the Selectmen by May.
5. Review for Approval: KVP Task Order, 2014 Road Program: Carter told the Selectmen that they could approve the design work now in order to get a start on the project or wait until Town Meeting. The cost is not to exceed \$49,900 and would initially be from the SAR account, with the balance from the FY 2013 road program account. Highway Agent Scott Kinmond said that the task order is not a commitment and if the 2014 Road Program is not approved at Town Meeting, then they could ask that the task order be revised and amended. Jon Made the Motion to approve the 2014 Road Program design task order to not exceed \$49,900, and authorize the Chair to sign the contract. Russ Seconded and the Motion carried Unanimously.
6. Review for Approval: KVP Task Order, Transfer Station Groundwater Man. Permit: Carter reported that this was for the reclaim area only as the permit expires this year and needs to be renewed. They will be requesting to reduce the monitoring frequency. Joel asked if they would include the old dump site with this. Carter said it was considered, but it was decided to see what happens with that testing and it may not be needed. Russ Made the Motion to approve the Transfer Station Groundwater Management Permit task order to not exceed \$1,500 and authorize the Chair to sign the contract. Jon Seconded and the Motion carried Unanimously.
7. Review for Approval: Discontinuance of Sanding Driveways: Joel reported that this has been a work session topic. He agrees that this should be discontinued after this winter, and if necessary for emergency response it could be considered. Jon felt that the Town shouldn't be on private property and it opens the Town to all kinds of liability. Joel Made the Motion to discontinue sanding driveways of private property owners to take

- effect at the end of this winter and provide notification to those who are presently receiving this service. Chris Seconded. The Motion carried Unanimously.
8. Review for Approval: Policy - Winter Sand: Joel said that this had also been discussed during their work sessions. He reported that the Selectmen had received correspondence from Bill Gassman asking that the limit of sand be increased, as he brings his trailer to the sand bin for his personal use and also to sand his neighbor's drive. Jon said he was concerned about using 5 gallon buckets as a measurement. Scott Kinmond told the Selectmen that Highway has seen a big increase in sand removal. The purpose for the sand bin that is located outside of the gate is for residents only and not for commercial use. Jon agreed, adding that this will give the Highway Agent a tool to discontinue inappropriate use. Carter said that the sign could say "...an equivalent of 6 – 5 gallon buckets per visit". 1) Cristina Ashjian asked what is mixed in with the sand. Scott replied that it depends on the weather, but it could have salt in it. With cold temperatures it is necessary to add salt otherwise it freezes and can't be shoveled. 2) Hollis Austin thought that people should be notified that the sand has been mixed with salt for environmental purposes. Russ Made the Motion to limit the amount of sand to be removed by residents to 6 – 5 gallon buckets or the equivalent per visit and no commercial use. Chris Seconded and the Motion carried Unanimously.
 9. Review for Approval: FY 2013 GASB-45 Valuation Report: Carter reported that although the Town does not pay for retirees' health insurance, it is required that the rates be blended with present employees' health insurance costs. This "implicit" subsidy creates a liability and GASB-45 requires us to report it annually on its balance sheet. It is not required to actually fund these amounts and the Town has chosen not to do so. Carter asked the Selectmen to forward any questions they may have to him.
 10. Review for Approval: Heritage Commission Appointments (3): Heritage Commission Chair, Cristina Ashjian's memo requests that Norm Larson and Bruce Worthen be reappointed as members to the Heritage Commission for another three year term. In addition, as Ed Charest, now acting as the Selectmen's representative, but is not running for re-election, be appointed as an Alternate for a three year term. Russ Made the Motion to appoint Norman Larson and Bruce Worthen as Members and appoint Ed Charest as an Alternate to the Heritage Commission, for three year terms each. Chris Seconded. The Motion carried Unanimously.
 11. Review for Approval: Village Vision Sub-Committee Appointments (3): Carter reminded the Board that they are to appoint one Selectmen and two alternates to the committee. To date they have received five names of volunteers that are interested: Joanne Coppinger, Don Muscavitz, Jim Zelek, Richard Brown and Rev. Paul O'Neil. Both Richard Brown and Rev. O'Neil have time constraints. Russ Made the Motion to appoint Chris as the Selectmen's representative, as this is something he really wants to do. Joel Seconded. Chris abstained from the vote. The Motion carried. Russ said that he contacted Don Muscavitz and he is willing to participate. Russ Made the Motion to appoint Don Muscavitz and Jim Zelek as Alternates. Jon Seconded and the Motion carried Unanimously. Carter said that he will forward the remaining names to the Planning Board for their consideration.

VI. OLD BUSINESS: None.

VII. OTHER BUSINESS:

1. Board & Staff Liaison and Update Reports: 1) Jon reported that the CIPC met yesterday and discussed the warrant articles for the Sidewalk and the Pathway. They recommend the Pathway article, but not the Sidewalk article. 2) Carter confirmed with Joel and Chris that they will be on vacation next week and Ed had said he might be available, but he wasn't sure. Based on this, Carter asked and the Selectmen agreed to cancel next week's work session. He will be working with staff for a work plan for the year.
2. Trustees of the Trust Funds Minutes, January 16, 2014: Acknowledged.
3. Planning Board Minutes, February 12, 2014: Acknowledged.

VIII. CORRESPONDENCE:

1. Bill Gassman, January 27, 2014, Re Public Sand Bin Policy: Acknowledged.
2. Time Warner Cable, January 31 & February 5, 2014: Joel reported this was their usual letter of possible program changes.
3. Stephen & Spencer Bennett & Linda McGuire, Re SB354, January 10, 2014: Carter reported that he referred this to Bruce Woodruff, who submitted a memo after the packets were made and distributed. He asked and the Selectmen agreed to table this for the next meeting.
4. Eric Taussig Re MBLU 044-017, ROW, Route 109 & Old Route 109: Mr. Taussig told the Board that he was there as the Wallaces' representative in the Rock Pile litigation. His purpose was to ask the Selectmen to consider allowing some kind of buffering (fence, planting, etc.) on the Town's right of way to shield the Wallace family from the traffic and lights that will be shining in their window. He added that he made this request to Attorney Minkow who said that there is to be no buffering on the Town's right of way. Based on Attorney Minkow's response, Mr. Taussig said that he asked him if he could approach the Selectmen on this question and was told to go ahead. Joel said that the Town's attorney has denied this request. He added that the Selectmen are not informed about the right of way, and it could be referred back to Town Counsel and the Highway Agent. Russ said that this was premature as it is still in court. Jon said that there should be no discussion, as it is still in litigation. Mr. Taussig said he asked Attorney Minkow and he said it was OK to go before the Selectmen. He added that his purpose was to save everyone money in further litigation. Joel said that this was the end of the discussion. Carter asked that it be referred back to Town Counsel. Russ agreed with Joel. Chris thought it would be good to work it out, but for right now they can't discuss it. Carter said he will report back to the Selectmen with the recommendation of Town Counsel, the Highway Agent and Town Planner.

- IX. CITIZEN INPUT:** 1) Hollis Austin asked about SB354 and learned that the bill is before the senate and proposes to allow farms, orchards, etc., to operate outside of their usual business. Joel thought it was a back door to avoid zoning.

- X. NON-PUBLIC SESSION:** Not needed.

- XI. **ADJOURNMENT:** Russ Made the Motion to Adjourn. Chris Seconded.
Motion Carried Unanimously
Joel adjourned the meeting at 8:00 p.m.

Approved

Date
Respectfully Submitted
Hope K. Kokas

Draft