

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

Selectmen's Meeting

March 6, 2014

MINUTES

Present: Selectmen: Joel R. Mudgett, Chairman; Jonathan W. Tolman, Edward J. Charest, 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 20, 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#
3/6/14	Abatement, Granted	135-010
3/6/14	Updated Elderly Exemption, Approved	139-015
3/6/14	Disposal Agreement	014-002
3/6/14	Disposal Agreement	104-008
3/6/14	Payables Manifest & Signature File \$84,730.22	N/A

Joel read the Payables Manifest & Signature File for March 6, 2014. Russ Made the Motion to approve the Payables Manifest & Signature File. Ed Seconded. The Motion carried Unanimously.

2. Representative Karel Crawford: Representative Crawford reported to the Selectmen that the county budget is not finalized, with committees still working, but she said that it is going up. Her committee deals with the Sheriff and Dispatch, both with budget increases due to items that are out of their control. Representative Crawford said that it was projected the amount to be raised through taxation would be approximately \$16 million. They will be voting on the budget at the end of this month. Joel asked if there was any more going on with county dispatch. Representative Crawford replied that the committee is ongoing, and the last she knew was that they were looking for better data from dispatch. She added that she talked with Merrimack County Dispatch and learned that they have a pay for service and a good formula that her committee wants to study. Merrimack County told her that when they put this formula into place, they didn't receive any negative feedback, as the towns felt it was equitable. Joel explained that this issue came about as Moultonborough and two other towns are taxed for services they don't use. Carter has taken the lead on this issue and gathered support from the other towns. Joel commented that even if Moultonborough wanted dispatch services, Carroll County isn't staffed or equipped to provide it. Ms. Crawford reported that the Sheriff's

Department has applied for a federal grant to purchase new console equipment. Joel asked her to report about New Business #7 on tonight's agenda. Representative Crawford reported that at Monday's Commissioners meeting she brought up the County Register of Deeds actions of placing a watermark on all deeds received by the Town which states "Town Copy Not For Resale". Representative Gene Chandler responded strongly, expressing upset over this, stating that it was offensive and makes the deed illegible. Ms. Crawford informed Ms. Aiton that Moultonborough received in 2013 revenues for copying deeds of approximately \$240 and asked how much revenue has her department lost because of this. Register Aiton said she didn't know. Representative Crawford pointed out to the Register that this is in violation of RSA 91-A, of which towns must comply with. Upon the Register asking for an explanation of the Right to Know Law, it appeared that she understood and said she would take this information back to her group for discussion. Joel agreed that RSA 91-A is a big issue. Russ reminded everyone that the Carroll County Register of Deeds is the only county in the state not online. He added that all the information that the Register of Deeds has is public information and anyone can go to the county and make a request for deeds or documents. Representative Crawford reported that the House passed HB1534 which is a committee to study fiscal disparities between public school systems. The minority was not in favor of the bill, as they feel it is the beginning of something else. She was not sure if the Senate will approve it. HB1195 is a committee to study the impact of real estate taxes on property owners and the economy. Another bill is to amend the eligibility of the Veterans' Tax Credits. She added that they had 320 bills left to go through. Jon asked if she was familiar with SB344, ending the support of cable franchises. Ms. Crawford said she was not, but suggested he contact Senator Bradley. Jon said it has something to do with changing the franchise agreement especially when the cable companies change hands. Joel asked about the gambling bill. Representative Crawford said she was not in favor and couldn't vote for it. She felt it wasn't for New Hampshire and was just asking for trouble. Russ asked what she thought would happen. She thought it would pass the House, but probably would be blocked by the Senate. Joel agreed, but added that seeing how other states have approved it, it would make sense for NH to also have this revenue source. Joel asked about SB354, the Agritourism bill, adding that the Town Planner is in favor as it will support existing farms. Ms. Crawford said she was in favor. Russ thought that the problem with the bill is the second part which lacks a definition. 1) Hollis Austin suggested to Representative Crawford that the names of those in favor of bills such as HB1534 be made public, as it just creates controversy and pits one town against another. He agreed with her on gambling and Agritourism. Representative Crawford added that she is also not in favor of legalizing marijuana. The Selectmen thanked Representative Crawford for attending their meeting and providing them with her updates on what is going on in Concord.

3. Review for Approval: Fire Department Apparatus Plan: Joel reported that Bud Heinrich had sent a lengthy email questioning the Fire Department's Apparatus Plan and specifics about equipment and vehicles proposed. Chief David Bengtson replied to Mr. Heinrich's email, providing detailed information and the department's rationale about the plan. The Chief said that despite back roads, the Town's equipment is able to maneuver. There are times that require they lay out hose and relay water to the site. The Chief did take offense to Mr. Heinrich's assertion that Moultonborough's Firefighters aren't "pros". Although they are not full time, they are well trained and professionals. Single axle vehicles have less impact on roads than dual axle. The Highway Agent is working

diligently on bringing private roads to the Town's standards and both departments work together with associations to improve them. Regarding Mr. Heinrich's question about the Town's use of mutual aid, which he thought was used only for large fires, Chief Bengtson and Deputy Chief Buckler told the Selectmen that rural towns all depend on mutual aid. As a member of the Lakes Region Mutual Aid, Moultonborough receives and gives support from and to its neighbors, as they are all in the same situation and work together. Deputy Buckler said that depending on the location, the closest company responds, adding there are no borders. Chief Bengtson said every town has the primary responsibility to cover their town first and then respond to mutual aid. Glen Davis of Lakes Region Fire Apparatus told the Selectmen that Mr. Heinrich's concern about trucks idling, based on today's technology, is no longer a problem. He added that stainless steel tankers haven't been used by the industry in years, with 99% having poly tanks. Regarding Mr. Heinrich's preference of 500 gallon per minute pumpers, Deputy Chief Buckler said this is a minimum standard. A multi-purpose pumper is needed that can provide enough water to put the fire out. The Woodshed's fire required over 300,000 gallons of water. Jon said he agreed that tankers should be multi-use and have the capacity to be used at a scene. Deputy Buckler said there are 2 engines at each station with a 2,500 gallon tanker. Moultonborough has over 75 square miles and going from the end of Long Island to Bald Peak is a 20 mile run. Chief Bengtson added that Mr. Heinrich's concern about the roads, in the Chief's experience they have never been unable to get to a fire. Joel thanked Chief Bengtson and Deputy Chief Buckler as Mr. Heinrich's email was long and detailed and they have answered it sufficiently. The Deputy said that a lot of this has to do with Moultonborough being a rural area and not urban. Chief Bengtson said that the older summer cottages are going away and are being replaced with 3,000 square feet homes, still on back roads. Ed said that he really appreciated the department's response, as he was able to understand the issues. Chief Bengtson said it was a collaborative effort with Glen Davis of Lakes Region Fire Apparatus. Carter said he will provide Mr. Heinrich with the department's response. Chris said that he had some reservations with the pumper, but now having seen one feels OK with it. He said that he wants to be sure that the plan in place can be adapted and reviewed. Carter said that every 5 to 6 years they will be revisiting the fleet for the ARC's. Chris said that fire departments have two concerns, dealing with fire/hazards and medical and he felt that the Town's department is geared towards the fire and not medical. He added that he still thinks the Town should have a vehicle of its own for medical. Chris told the Chiefs they did a good job making their case. Ed Made the Motion to adopt the Fire Department's apparatus plan as stated in the November 11th plan. Jon Seconded the Motion. 1) Hollis Austin asked how flammable materials are being used in building and who is using it. Jon replied that poly glue is used widely in beams, etc. and is used by all contractors. Chief Bengtson added that material used for furniture is primarily from highly flammable plastic. Mr. Austin asked how the word can be spread about the fire and environmental hazard. Joel said the market demands the use of the poly carbon materials and gave as an example that pressure treated lumber is not preferred, as a splinter from it could cause blood poisoning, therefore people turn to plastics and man-made materials. Joel added that nobody thinks their house is going to catch fire. Russ told Mr. Austin that this Board isn't the place to begin a grass roots effort. Mr. Austin asked and Chief Bengtson replied that he didn't have the percentage of building fires that are saved and lost on hand, but can get them going back to 2008. He added that what is important is how soon a fire is detected and the products used in the building. To

- really reduce fire hazards, residential sprinklers should be installed with a monitor reporting to the fire station. The Motion carried Unanimously.
4. Review for Approval: Delegation of Notice of Intent to Cut: Carter reported that in Gary Karp's memo, he is requesting the Assessor be delegated to approve/sign the Notice of Intent to Cut in an effort to improve the service and turn-around time to loggers and property owners. The PA-7 is the Town's recognition of the notice and that the necessary information has been supplied. Carter suggested and the Selectmen agreed that the Assessor could keep the Selectmen informed by including in his weekly report the PA-7's signed. The Selectmen agreed, but they want to see a copy of the PA-7 included in the Read file. Chris Made the Motion to authorize the Assessor to sign/approve the Notice of Intent to Cut (PA-7), reporting the same in his weekly update and supplying a copy for the Selectmen's viewing. Ed Seconded and the Motion carried Unanimously.
 5. Review for Approval: 2014 Religious Exemption, MUMC: Russ made the Motion to approve the Moultonborough United Methodist Church 2014 Religious Exemption. Ed Seconded. Chris abstained as he is a member of the church. The Motion carried Unanimously.
 6. Review for Approval: Community Garden Eligibility: Joel reported that this is a request to allow Sandwich residents' access to the Town's Community Garden. Chris said that he wouldn't want to see a Moultonborough resident be bumped from having a site because a person from Sandwich got in a year before. The Selectmen agreed that the third bullet should be removed and Sandwich residents will need to apply each year. Approved by Consensus.
 7. Review for Approval: Carroll County Register of Deeds, RSA 478:14 & RSA 91-A: Jon thought that the Town should continue selling copies of deeds as it has always done. Carter asked and the Selectmen agreed to put the Register on notice, requesting that the watermark be changed to "Unofficial Copy", adding that the Town will continue to comply with RSA 91-A. Agreed by Consensus.
 8. Review for Approval: M. Barton Request to Cease Plowing (partial) Harvard Camp Rd: Russ recalled from Ms. Barton's previous letters, she stated that the Town has maintained Harvard Camp Road, which has never been the case. Jon said he's plowed the road, which has always been in bad shape and the Town has never maintained it, just plowed. Jon said that he can see why other towns have done away with plowing private roads. Carter asked the Selectmen for confirmation that the Town will continue to plow private roads unless red-listed by the Highway Agent. The Selectmen agreed, plowing, but not maintaining and certainly never digging ditches. Joel said this is the first time the Town has ever received a request to stop maintaining a road (although it never did). Jon Made the Motion to deny the request from Ms. Barton to cease plowing Harvard Camp Road, when it is not red-listed. Joel added that the Town has never maintained Harvard Camp Road, other than plowing, and asked that a copy of Ms. Barton's letter be forwarded to Town Counsel for review and the record. Chris Seconded. The Motion carried Unanimously.
 9. Review for Approval: Request to Expend – Milfoil Trust Re: Lake Hosts: Joel explained that this a payroll grant application to compensate lake hosts. Carter added the grant is for \$3,300 and will go to the NH Lakes Association. The Town's match is \$6,777 from the Milfoil Trust Fund, which is also to go to the NH Lakes Association who will handle the payroll. Joel asked if they should wait to approve this until after Town Meeting. Carter replied that the funds are in the trust fund now. Ed Made the Motion to approve the Milfoil Lake Host payroll grant application as written and authorize the expenditure

of \$6,777.25 from the Milfoil Trust Fund. Chris Seconded and the Motion carried Unanimously.

10. Review for Approval: Playground Drive Soccer Field, Task Order #5, Amendment #3: Carter reported they are almost finished and are under budget, however the work for the extended construction period and the cistern is an additional \$7,000 and requires an amendment to the task order. Chris Made the Motion to approve the amendment #3 to Task order #5 as written and authorize the Chair to sign. Ed Seconded and the Motion carried Unanimously.
11. Review for Approval: States Landing Beach & Park Design, Phase II: Carter reported he has scheduled an informational meeting for March 24th, to provide information to the neighborhood and schedule the May work party. All 8 core samples were taken today, and they are under budget for this. Ed Made the Motion to approve the task order to not exceed \$4,990 from the Recreational Revolving Fund and authorize the Town Administrator to sign. Jon Seconded and the Motion carried Unanimously.
12. Jon reported that they have received correspondence from the towns of Tilton and Sanbornton regarding welfare. They are trying to get towns together to talk about the state requirement of providing housing to those who suddenly appear in town claiming residency. The scheduled meeting is March 26th and Rae Davis and Carter will attend.
13. Joel announced that the Selectmen are nominating Peter Jensen for the LRPC's Kim Ayer award for his service and commitment to the Town and Milfoil Committee.
14. Jon announced that Chief Wetherbee has been nominated to the state's Juvenile Parole Board, requiring that he attend twice a month. The Selectmen agreed that this was good for the Chief and also the Town of Moultonborough.

VI. OLD BUSINESS:

1. Restoration of Involuntarily Merged Lots, MBLU 098-082: Carter reported that the property owner responded saying they assumed the 2 lots with the building on it wouldn't be unmerged. Jon Made the Motion to approve the Restoration of the Involuntarily Merged Lots known as subdivision lots 179 and 178, resulting in three lots, and 176 and 177 are to remain as one lot due to the building being situated on both. The property owner is to be notified that the potential of a civil issue stemming from any deed language restricting lot(s) future use, and that there is no guarantee by this action that these now separate entities will meet permitting requirements for septic systems or other development criteria (such as setback requirements) that would allow their use as residential lots. Chris Seconded and the Motion carried Unanimously.
2. Bennett & McGuire Re: SB354-Agritourism: Joel asked the Selectmen how they would like to respond as this was previously addressed. Jon suggested and the Selectmen agreed that they acknowledge receipt of the letter and inform the authors that the Town's state Representative is following-up on the bill.

VII. OTHER BUSINESS:

1. Board & Staff Liaison and Update Reports: Chris reported that the Village Vision Committee met and officers were appointed.
2. Heritage Commission Minutes, February 12, 2014: Acknowledged.
3. Trustees of the Trust Funds Minutes, February 13, 2014: Acknowledged.
4. Zoning Board of Adjustment Minutes, February 19, 2014: Acknowledged.

5. CIPC Minutes, February 19, 2014: Acknowledged.
6. Milfoil Committee Minutes, February 19, 2014: Acknowledged.

VIII. CORRESPONDENCE:

1. Time Warner Cable, February 19, 2014: Joel reported this is their usual letter of possible program changes.
2. Lawrence J. Cornett, February 10, 2014, Veterans' Tax Credit: Joel reminded the Board that they reviewed this issue last year. The Veteran/property owner is not residing in Town and the property is being rented. The Selectmen understand and have compassion for this family, as they are caring for their son, a service member seriously injured in the Persian Gulf War, however they are not residing in Moultonborough. Last year they did not deny the Tax Credit, providing that the Veteran/property owners return, inhabit and reside in Moultonborough by April 15, 2014. Mr. Cornett's letter did not request anything from the Selectmen, therefore it is acknowledged.

IX. CITIZEN INPUT: 1) Hollis Austin asked and Russ replied that the sidewalk warrant article has a cost of \$590,000 for a portion Phase I. Russ thought the total cost was around \$4 million dollars. Carter corrected him by saying for 2014 the cost would be \$1.25 million, and each year it is put off there is an increase due to inflation. Mr. Austin said that people are confused about this and at the Village Vision Committee meeting it was stated \$3 million. Carter replied they must be adding the incremental amount for each year to come to that total, which is incorrect. 2) Scott Bartlett hoped this would be addressed at Town Meeting. 3) Kim Prause said this is a projected cost for the entire plan and it isn't a done deal. What is on the Town Warrant is just a small portion.

X. NON-PUBLIC SESSION:

Chris Made the Motion for the Selectmen to go into Non-Public Session per 91-A:3 II (c) reputation and (e) negotiations and only to reconvene for the purposes of adjournment. Ed seconded. A roll call was taken: Jon – Aye; Chris – Aye; Ed – Aye; Russ – Aye, Joel – Aye. The Selectmen went into Non-Public Session at 8:53 p.m.

The Board exited Non-Public Session at 10:12 p.m. having voted by a vote of 2/3 or greater of the members present to seal the minutes, as determined that divulgence of the information discussed likely would adversely affect the reputation of a person other than the member of the public body itself, and release of the information would render the proposed actions as ineffective.

XII. ADJOURNMENT: Ed Made the Motion to Adjourn. Russ Seconded.
Motion Carried Unanimously
Joel adjourned the meeting at 10:13 p.m.

Approved

Date
Respectfully Submitted
Hope K. Kokas