

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

Selectmen's Meeting

April 3, 2014

MINUTES

Present: Selectmen: Jonathan W. Tolman, Chair, Joel R. Mudgett, Paul T. Punturieri, Christopher P. Shipp, Russell C. Wakefield; Carter Terenzini, Town Administrator; and Hope K. Kokas, Administrative Assistant.

- I. **CALL TO ORDER:** Jon called the meeting to Order at 7:03 P.M.
- II. **PLEDGE OF ALLEGIANCE:**
- III. **REVIEW / APPROVAL MINUTES:** Joel Made the Motion to approve the March 20, 2014 minutes and public and non-public session minutes of March 27, 2014 as written. Chris Seconded the Motion. Jon asked to amend the March 20th minutes, page 3, New Business, #1, striking March 6, 2014 and correct it to March 20, 2014. The Motion carried as amended Unanimously.
- IV. **CITIZEN INPUT:** 1) Josh Bartlett addressed the Selectmen as a senior member of the Planning Board and also as a citizen. He asked the Selectmen if Russ' actions at the last Planning Board meeting, where he made disparaging remarks about fellow Planning Board members, was he speaking as a Selectman or as an individual. Jon replied as the Selectmen's representative at various committees he will state that it is his opinion unless he has been asked by the SelectBoard to convey the Board's message or opinion. Paul agreed, but felt that one's actions also represents the Selectman as a Board. Russ stated that he spoke as an individual and it was his opinion to reflect his wish to seat a chairman and not the Board of Selectmen's opinion. Mr. Bartlett said that Russ spoke with three of the Planning Board members, and this was in conflict of the public meeting law. Russ explained that as there are three new members to the Planning Board, he wanted to know if the others were willing to be the chairman. Mr. Bartlett said that this was done at Town Meeting. Jon thought that discussing a potential chairman was different than making a decision. He added that individual Selectmen reach out to one another on issues. Chris thought one shouldn't then follow-up and gather votes from others. Paul said he didn't think it was a conflict of the Right to Know law. Russ stated he was looking for a sense from the other Planning Board members. Paul thought that there is a perception of a vendetta. Mr. Bartlett said that per the video, Russ is seen talking to three members. 2) Diane Bartlett said that from watching the video it was her impression, that Russ spoke with three people stating that her husband, Josh Bartlett didn't have the personality to chair the Planning Board. She questioned Russ' ability to judge anyone's character. Mrs. Bartlett asked Russ to step down from the Planning Board. Russ said that this was not a personal attack. He did speak to three people because the Planning Board is important to him. Presently there are three vacancies on the Planning Board and now with inexperienced members. 3) Mr. Bartlett suggested to the Selectmen that they seek legal counsel on this issue. 4) Joanne Farnham said that she wanted to nominate Mr. Bartlett for chair, and asked him beforehand if he was willing. Jon said that this is a Planning Board issue and their reorganization. Jon asked and the Selectmen agreed that on the special meeting scheduled for April 10th, which was designated to go into Non-Public to review evaluations, to have one agenda item for a public work session to discuss procedure and

representation of the Board of Selectmen. Jon added that as a public work session for the Board, he would not open it to public input. They need to time to discuss this. Joel agreed, adding that they can make more time for the evaluations if needed. 5) Nancy Wright asked if the Planning Board will reorganize on Wednesday night. Jon said that was up to them. 6) Hollis Austin asked the Selectmen if the turnover on the Planning Board was a result of the hearing of the two Planning Board members. Jon replied that it is a matter of timing and members retired who had served for many years. In addition, Paul was elected as a Selectman which created a vacancy, along with Peter Jensen's passing. 6) Al Hume thought that the turnover was due to the public hearing, adding that he hoped the Selectmen would take the time to get it right.

V. NEW BUSINESS:

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

DATE	DOCUMENT	MAP/LOT#
4/3/14	Application for Parade Permit, Memorial Day Parade	N/A
4/3/14	Application for Parade Permit, July 4 th Parade	N/A
4/3/14	Administrative Abatement #1-2014	213-017-000-CG0-093
4/3/14	Administrative Abatement #2-2014	213-017-000-CG0-049
4/3/14	Administrative Abatement #248	213-017-000-CG0-093
4/3/14	Administrative Abatement #249	213-017-000-CG0-049
4/3/14	Town Dock Lease, Slip #1-B	131-012
4/3/14	Town Dock Lease, Slip #5-A	130-068
4/3/14	Town Dock Lease, Slip #2-B	119-023
4/3/14	Abatement Granted	187-009
4/3/14	Certification of Yield Taxes Assessed	095-001-001
4/3/14	Current Use Application	086-002-005
4/3/14	Current Use Application	084-001
4/3/14	Veterans' Tax Credit – Approved 2014	194-044
4/3/14	(2) Veterans' Tax Credits – Approved 2014	249-019
4/3/14	Elderly Exemption – Approved 2014	137-017
4/3/14	Elderly Exemption – Updated 2014	094-021
4/3/14	Payables Manifest & Signature File \$94,421.97	N/A

Jon read the Payables Manifest & Signature File for April 3, 2014. Joel Made the Motion to approve the Payables Manifest & Signature File. Chris Seconded. The Motion carried Unanimously.

2. Review for Approval: 2014 Request for New Charitable Exemption – Carbonfund.Org:
Jon reported that this organization has requested that their application be withdrawn.
3. Review for Approval: Budget Amendment #1, 2014 Employee COLA: Jon reported that the cost of living adjustments for 2014 was approved at Town Meeting and budgeted. Joel Made the Motion to approve Budget Amendment #1 as written and authorize the chair to sign. Chris Seconded and the Motion carried Unanimously.
4. Review for Approval: Request to Support HB 1570 Re: A Paint Stewardship Program:
Jon asked Carter to explain HB 1570. Carter reported that this is an attempt to create a

paint stewardship program to eliminate latex and oil paint from community's Household Hazardous Waste Day (HHWD) budget. Latex paint is not recyclable and not accepted during HHWD. To dispose of it, one must dry it out with kitty litter or paper and then put it in the trash. This program would also eliminate oil paint from the HHWD budget. This would be an added cost to paint that the consumer will pay to create this program, but one way or the other the consumer pays for it. Carter recommends supporting the bill. Jon added that hardware/paint dealers would be designed to become the collection point, with an added cost to the purchase of paint, \$0.35 for a can over a 1½ pint and under 1 gallon, \$0.75 for a 1 gallon can, and \$1.60 for cans above on gallon to cover costs. The bill would require that at least 90% of the population have a permanent collection point within a 15 mile radius of their residence. Russ thought that the cost per can will go up to cover the collection point cost and he is not in support of this bill. Carter reported that this is being done in seven states, including Vermont, Maine and Rhode Island. He thought that perhaps the Town could store the paint and then transport it to a collection point. Chris thought it was a worthy goal, but thought there were easier ways to accomplish this. Russ thought that again, this takes away the responsibility from the individual to handle this properly, which he is against. Carter said that the personal responsibility has already been passed off to the taxpayer and it isn't free now. Chris asked if in the past HHW days, the Town has ever gone over what was budgeted. Carter said that he didn't have those numbers today, but would get it to the Selectmen. 1) Hollis Austin asked and learned that creating this paint stewardship program would not discontinue present practices for latex paint. He also learned that this bill is only concerned with architectural paint, and artists will not be effected. Jon added that it would be for all paint, latex and oil based. Mr. Austin thought that this was a big government solution. He asked and learned that the bill was sponsored by Rep. Burns, Rep. Ratzki, Rep. Turcotte, Rep. Gottling, and Rep. Sad. Mr. Austin thought there was a more effective way with dealing with environmental hazards. 2) Josh Bartlett asked how it would be enforced and it appears that it would create another bureaucracy. Jon replied that enforcement would be through DES. Joel spoke in favor, stating that major paint distributors know how many gallons they sell in NH and the cost will be through the purchase price. One can pay for it as they buy it or pay for it through HHWD or a super fund. The Northeast Resource Recovery Association estimates that it will save communities money in budgeting for HHWD. Chris thought that the cost reflected paid for the collection point and not the paint company's cost. Paul Made the Motion to support HB 1570 and Joel Seconded. The Motion carried 3-2 (Chris and Russ No).

5. Review for Approval: Request for Sunrise Easter Service, Long Island Beach: Sandra Ringelstein told the Selectmen that the Moultonborough United Methodist Church would like to hold an Easter sunrise service with a campfire at Long Island Beach, April 20th, 5:45 a.m. She reached out to Fire Chief Bengtson who gave his approval pending the Selectmen's approval. Joel Made the Motion to approve the MUMC's request to hold an Easter sunrise service, April 20, 2014, 5:45 a.m., with the provision that they insure that the campfire is totally out and cleaned up at the end of the service. Chris Seconded and the Motion carried Unanimously.
6. Review for Approval: Authorization to Purchase 6 Wheel Dump Truck: Jon reported that DPW Director Scott Kinmond is requesting to purchase the Ford F550 4x4, 6 wheel dump truck from the state vendor, Grappone Ford in Concord for \$40,152, as approved. Joel asked about the \$4,000 trade in. Carter said that the stated cost doesn't include the trade in and they won't know until after the surplus bid action, which he thought would

take place in about a month, and there will be ample time within the contract to purchase the F550. Paul asked if the 2003 dump truck could be repaired and put back into service. Carter replied that it needs a new transmission, has been taken off the road, and the cost to repair it would be too high. Joel Made the Motion to approve the purchase from Grappone Ford 2015 Ford F550 4x4 for \$40,152 and authorize the Town Administrator to sign the contract. Chris Seconded and the Motion Carried Unanimously.

7. Review for Approval: Authorization to Apply for Town Fellow Grant: Carter reported that this is the same program by which Michael Branley did his fellowship in 2011, resulting in the Trust Fund Analysis and the less popular study on combining the SAU Athletic Department and Recreation Department. Last year Larry Berg did his capstone project working on the code of ethics. This new grant application proposes that the major projects would focus on the volunteer handbook, along with the Village Vision Committee assisting the Town Planner, and minor projects on Human Services Housing Inspection Program and data collection. The cost is approximately \$2,500 and runs approximately 400 hours (20 hours per week). Paul Made the Motion to authorize the Chair to sign the Town Fellow Grant application. Russ Seconded. The Motion carried Unanimously. Jon asked if the Town was awarded the grant, when it would start. Carter replied mid-May or early to mid-June.
8. Review for Approval: NH Paint Care Legislation – HB 1570: Jon reported that this was previously discussed and an inadvertent duplication.

VI. OLD BUSINESS: 1) Joel, referring to a recent seminar he took, asked Carter about working on indemnification. Carter said that if Joel can get the paperwork to him he will get it started.

VII. OTHER BUSINESS:

1. Board & Staff Liaison and Update Reports: 1) Paul reported that the CIPC met this morning. The Committee needs to have seats reappointed and are waiting on the Planning Board's reorganization and will request appointments for the next meeting. The Committee is once again asking to have their vote included on the Town Warrant. Carter said that the state law only allows the Selectmen, Planning and Budget Committees to include their vote on the warrant. He asked that they wait until the next meeting and after the Planning Board reorganizes to address the appointments. 2) Chris reported that the Village Vision Committee met and reviewed slides to determine the members' visual preferences. 3) Joel reported that he sat in on the Fire Department firefighter interviews.
2. Milfoil Committee Minutes, January 29, 2014: Acknowledged.
3. Planning Board Minutes, March 26, 2014: Acknowledged.

IX. CORRESPONDENCE:

1. Time Warner Cable, March 19, 2014, Possible Program Changes: Jon reported that this was their usual letter.

X. CITIZEN INPUT: 1) Hollis Austin asked if the Town had any influence in the Time Warner Cable programming changes, or is the letter just a formality. Jon said that TWC negotiates with the programmers and the Town has no influence. However, the viewers do have influence and if enough of them complain changes are made.

- XI. NON-PUBLIC SESSION:** Chris Made the Motion to go into Non-Public Session per RSA 91-A:3 (b), (c) & (d). Paul Seconded. A roll call was taken: Paul – Aye; Chris – Aye; Russ – Aye; Joel – Aye; Jon – Aye. The Selectmen went into Non-Public Session at 8:05 p.m.

The Board exited Non-Public Session at 10:00 p.m. having voted by a vote of 2/3 or greater of the members present to seal the minutes, as divulgence of the information discussed would likely render the proposed action ineffective.

- XII. ADJOURNMENT:** Russ Made the Motion to Adjourn. Chris Seconded.
Motion Carried Unanimously
Jon adjourned the meeting at 10:01 p.m.

Approved

Date
Respectfully Submitted
Hope K. Kokas