

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

Selectmen's Meeting

April 2, 2015

**MINUTES**

Selectmen: Christopher P. Shipp, Chair, Russell C. Wakefield, Vice Chair, Josiah H. Bartlett, Jean M. Beadle, Paul T. Punturieri; Hope K. Kokas, Administrative Assistant.

**I. CALL TO ORDER:** Chris called the meeting to Order at 7:00 P.M.

**II. PLEDGE OF ALLEGIANCE:**

**III. REVIEW / APPROVAL MINUTES:** Hope reported that the minutes of March 19, 2015, page 7, Citizen Input, mid-paragraph, where it reads, "Josh said that they would be several hundred feet...", the word feet should be stricken and replaced with *yards*. Paul said that he questioned the March 19<sup>th</sup> Non-Public Minutes. In addition, for the public minutes of March 19<sup>th</sup>, page 3, last line, strike *was incorrect* and replace it with *violation of the Right to Know law*. Russ commented on the March 19<sup>th</sup> minutes, first page, where Paul stated he would be supportive of Chris (2/3 to bottom of page), and how he wished Russ wouldn't do this stuff outside of the meeting. Russ said that when he first approached Paul he asked him if he had the time, experience or commitment to be chair. Russ asked Paul why he let him go on, if Paul thought the conversation was illegal. Paul replied that wasn't illegal, adding that he didn't go to anyone else asking them to vote for him as Chair. Russ thought that Paul was accusing him of going to others to tell them how to vote. Chris asked that they put this conversation on hold, and get on with the meeting. Chris said that he had an amendment to the March 19<sup>th</sup> minutes, page 2, first paragraph, second to last sentence, "*Chris asked and Josh replied that he would not accept the nomination as Vice Chair.*" It should read, Chris asked and Josh replied that he ***did not have any nominations for*** Vice Chair. Jean Made the Motion to approve the Minutes of March 12, 2015, Non-Public Session, March 19, 2015 Public, excepting the March 19<sup>th</sup> Non-Public Session minutes, and March 26, 2015, (2) Public & Non-Public Sessions as amended. Paul Seconded. The Motion carried Unanimously. ***Chris*** asked for a brief Non-Public Session. Paul Made the Motion to go into Non-Public Session per RSA 91-A:3 II (a), (b) and (c) and will reconvene the business meeting upon return. Jean Seconded. Chris called for the roll call: Paul – Aye; Josh – Aye; Russ – Aye; Jean – Aye; Chris – Aye. The Selectmen went into Non-Public Session at 7:05 p.m.

The Selectmen reconvened the business meeting at 7:16 p.m. Jean Made a Motion to seal the minutes. Paul asked to not seal the minutes. After a brief discussion, Jean amended her Motion to not seal the minutes. Paul Seconded and the Motion carried Unanimously.

**IV. CITIZEN INPUT:** 1) Joe Cormier asked and the Selectmen confirmed that the Town is a member of the New Hampshire Municipal Association. Mr. Cormier suggested that the Selectmen use the legal services through NHMA. In addition, he would like to see a link on the Town's website to the NHMA. Paul said that he's spoken with the NHMA and they will only

give an opinion, and they are a public entity. Mr. Cormier especially would like to see if NHMA would allow the Town's website to have a link to their Newlink. Russ commented that in the past the Board has contacted NHMA, and they will only comment on RSA's and will not provide legal advice. Chris thought they would provide trainings. 2) Hollis Austin asked if the Selectmen keep an eye out for duplication for services. Chris said they do, especially during the budget process, they scrutinize for duplication.

## V. NEW BUSINESS:

### 1. Review for Action: Consent & Signature File:

DATE	DOCUMENT	MAP/LOT#
4/2/15	2015 MS-232 Report of Appropriations Actually Voted	N/A
4/2/15	Disabled Exemption – Renewed	1-2015-D
4/2/15	Elderly Exemption – Renewed	4-2015-E
4/2/15	Veterans Tax Credit, SCPTD – Approved	044-017
4/2/15	Veterans Tax Credit – Approved	246-020
4/2/15	Veterans Tax Credit – Approved	176-005
4/2/15	Lease Agreement, Slip #4-B	149-001 & 149-002
4/2/15	2015 WMF Temporary Permit for Non-Resident	N/A
4/2/15	Abatement – Granted	288-008-000-BS0-015
4/2/15	Current Use Application – Approved	279-002-001

Chris read the Consent & Signature File. Paul Made the Motion to approve the Consent & Signature File for April 2, 2015. Josh Seconded. The Motion carried Unanimously.

2. Review for Action: DPW/WMF, Approve Job Description, Amend Classification Scoring Matrix & Job Classification & Compensation Schedule: The Selectmen agreed to table this item.
3. Review for Action: DPW's Request for Authorization to Manage Woodchip Stockpiles: Paul asked and Chris confirmed that the wood chips being discussed are not garden/lawn quality. Chris said there is the question of the Town loader being used to load the chips. He thought it was OK for residents to receive the chips at no charge, but they shouldn't be given out for commercial purposes, especially for free. The Selectmen by consensus decided to table this item.
4. Review for Action: MPD, Off-Duty Detail Rate Increase: Chris reported that they are requesting to increase the Off-Duty Detail rates due to the recent increase in officers' pay. Josh Made the Motion to approve the Off-Duty Detail Rate increase as stated in Chief Leonard Wetherbee's memo dated March 18, 2015. Jean Seconded and the Motion carried Unanimously.
5. Review for Action: MPD Highway Safety Grants (3): Chris reported that he questioned if these grants were the same that they approved on March 19<sup>th</sup>. Hope reported that Sgt. Scott Fulton gave her the new grants this week, and she too questioned if they were the same and was told they were not. Josh Made the Motion and Jean Seconded to approve the three grants as written as long as they were not approved at the March 19<sup>th</sup> meeting. The Motion carried Unanimously.
6. Review for Action: Restoration of Involuntarily Merged Lots, MBLU 201-029: Chris cautioned the Board to include the last paragraph as recommended by the Town Planner, Bruce Woodruff and the Technical Review Team. Paul thought it wasn't necessary.

- Russ felt that it was warning the property owner that by the Town restoring the lots, the Town takes no responsibility for future requests for septic approval, etc. Paul Made the Motion to restore Map 201 Lot 029, previously known as Map 019, lots 106 and 107, advising the owners that there is no guaranty from this action that the vacant lot will meet permitting requirements for future uses. Josh Seconded. Russ felt that including the sentences recommended by the Planner would be better. Chris agreed, but thought that Paul's statement is basically saying the same thing. The Motion carried Unanimously.
7. Review for Action: MPD, Approval to Purchase 2015 Cruisers: Chris reported that these are the two cruisers that were approved at Town Meeting. Paul Made the Motion to approve the purchase of the two MPD 2015 cruisers as stated in Chief Wetherbee's memo dated March 27, 2015 and to place the two 2009 Ford Crown Victoria cruisers onto the surplus bid list. Jean Seconded and the Motion carried Unanimously.
  8. Paul asked the Board if he could explore a video streaming program called Town Hall Screens, which has a low monthly rate, no equipment purchases and doesn't require any additional uploading, using a wireless computer. The website is townhallscreens.com, which has a free trial period. Josh made the Motion to authorize Paul to explore the video streaming program, Town Hall Screens. Paul Seconded and the Motion carried Unanimously.
  9. Chris suggested and the Selectmen agreed that in upcoming agendas, under Old Business, the item of the Town Administrator search should be added. Paul thought that before creating a search committee, the Selectmen need to define the job description. Chris thought that they need to first decide how to go about the search. He thought that they need a service/agency to find a new Town Administrator as soon as possible. Jean said that before they can do this, they need to give this agency specifics of what the Board is looking for. Russ felt that any search service would have a bias. Chris felt that the Selectmen don't have the time to perform the search and forming a committee will take too long. Jean felt that they need to describe what the Town wants first. She thought if they had an interim Town Administrator then the Board could then take the lead. Chris asked what everyone thought was a reasonable timeframe. It was suggested three months, to which Jean thought that was aggressive. On Joe Cormier's suggestion, Chris replied that the Board has contacted Municipal Resources, Inc. regarding an interim TA. Chris added that MRI is on the list and other agencies have been contacted. Paul thought an interim TA would take the pressure off, adding that he wants the citizens involved. Chris felt that they should use a service that has been given the Selectmen's parameters. Josh suggested that they invite MRI to explain their services. Chris said that the fee will be dictated by what the Selectmen want an interim to do. Paul felt that they first need to define the job description, and Jean suggested that the Board needs to look at long term. Paul suggested inviting both search companies to attend the April 9<sup>th</sup> meeting to explain services, and then they can decide about an interim. Chris said that they will need a Non-Public Session to discuss hiring. Bud Heinrich asked why a Non-Public Session was needed. Chris explained that they will be discussing a person that they have in mind to hire temporarily. They will announce this in a public session. Paul Made the Motion to authorize the Chair to talk to MRI and Brennan Associates regarding a temporary/interim TA. Jean Seconded the Motion. Upon Mr. Heinrich's continued questioning on the need for a Non-Public Session, Paul said they will be discussing a person's name, but the process will be done in open session. Chris added that as the new Chairman, he knows the Town needs a TA and a temporary/interim TA, and he explained that the Board will be contacting services to help in this process. Russ added that the Board doesn't need

Town approval to gather information. Paul asked that updates on this be emailed to either Heidi or Hope. The Motion carried Unanimously.

## **VI. OLD BUSINESS:**

1. Amended Job Descriptions: The Board agreed that they were ready to approve the amended job descriptions. Paul Made the Motion to approve the amended job descriptions as provided. Russ Seconded and the Motion carried Unanimously. Heidi asked if the Board will be signing each job description. Paul suggested and the Board agreed that a cover page for all will suffice.

## **VII. OTHER BUSINESS:**

1. Board & Staff Liaison and Update Reports: 1) Paul reported that the LRPC met at Town Hall on Monday. Discussion was on Hazard Mitigation Planning from the Homeland Security and without this formal plan in place, towns will not be reimbursed or will lose out on funding to mitigate structural problems. LRPC's Transportation Improvement Plan list has 18 projects on it, 8 from Moultonborough, and they are working to narrow the list. At the meeting there was discussion about the Scenic Overview program. Paul said that he updated LRPC on the Town's Village Vision effort. He attended the UNH Feasibility Group meeting and they hope to have recommendations to the Board by June 1<sup>st</sup>. The States Landing clean-up day will be on May 30<sup>th</sup>. The School and Recreation Department have worked on the summer camp program and there will not be any rain days, making it a full day of summer camp, with the school making space available. 2) Russ reported that the Planning Board approved the NHEC proposal for a solar array with some caveats. He attended the Town Engineer Screening Committee and they are making good progress developing their questions and qualifications required, and will meet again next week. 3) Josh commented that initially they thought that the engineering screening interviews would be in Non-Public Session, but learned from Bruce Woodruff that they must be held in public session as it is a company that is being discussed versus an individual. Josh added that he feels it is important that a Right to Know training be held for all committees and boards. He asked to be authorized to contact NHMA to arrange for a training to be done at Town Hall, and he felt it should be open to the public. Heidi suggested that Primex would also be available to do this training. Paul moved to authorize Josh to contact NHMA and Primex for a Right to Know training. The Motion carried Unanimously. 3) Jean reported that the Heritage Committee met and Cristina Ashjian was reappointed as Chair. 4) Russ asked that all employees change their email password due to the change in staffing. Heidi said she would make arrangements to have this done. Paul suggested that this policy be reviewed. 5) Russ brought up an office policy during Karel Crawford and Joel Mudgett's time on the Board that all mail is to be opened by Administrative staff. Russ said that recently there were a couple of documents that came into the office and were opened, and read, dealing with the past Town Administrator, addressed to the Chair. He felt that they shouldn't have been opened. Russ suggested that if mail comes in that is of personal nature addressed to a Board member or to the Selectmen that it not be opened, and just stamped on the envelope. Hope said that they don't know if the mail is of personal nature unless the envelope is marked as such. She further explained that the letter in question was handed to her, without any statement on the envelope to indicate that it was private, personal, or confidential. The next day the author of the letter emailed it to her and then all of the

Selectmen got a copy. Hope said it isn't uncommon that each Selectmen receives mail that is individually addressed and it turns out to be junk mail. Chris said that he is OK with the present policy, but cautioned staff about stamping an official congratulatory letter, that may be suitable for hanging on the wall. Jean said that she didn't have a problem with the present policy, and if there is a qualifying statement such as private or confidential on the envelope, then it shouldn't be opened by staff. Paul agreed, saying that Hope can use her judgement, and if it is personal (without it being stated on the envelope) and opened, tape it up, and inform the addressee. Chris said that if mail is coming to Town Hall then it isn't personal, and it is Town business.

2. Milfoil Committee Minutes, February 18, 2015: Acknowledged.
3. Planning Board Minutes, March 11, 2015: Acknowledged.
4. Public Library Board of Trustees Minutes, March 12, 2015: Acknowledged.
5. Zoning Board of Adjustment Minutes, March 18, 2015: Acknowledged.

### **VIII. CORRESPONDENCE:**

1. Timothy Woods, Volunteer Application: Chris reported that Mr. Woods has indicated that he would be interested in volunteering on the Advisory Budget Committee. Paul asked why the ABC and Russ replied that he spoke with him about it. Jean said that there is an opening on the ABC and she will be speaking with Cody Gray who has a strong background. Chris commented that just because a person doesn't have a formal (financial) background, that doesn't eliminate them from being on a board or commission. Paul added that there are openings on the MPIC and Josh said that there is an opening on the Planning Board. Hope reminded the Board that any appointments to the ABC must be also approved by the School Board.
2. Time Warner Cable, March 20, 2015, Possible Program Changes: Acknowledged.
3. Eric Taussig, March 24, 2015, Re Town Administrator's Resignation & Termination: Acknowledged.

- IX. CITIZEN INPUT:** 1) Steve McGuire asked if there was any progress with the Time Warner Cable franchise agreement. Chris reported that they just received a draft from TWC and a letter to them about underground cable. TWC is requesting another 15 year contract. Josh asked and received confirmation that he is the liaison for the TWC franchise agreement. Discussion occurred and it was suggested that Josh contact either Bill Gassman or Rich Kumpf and Attorney Puffer. Paul Made the Motion authorizing Josh as the liaison to the TWC franchise agreement and to contact Attorney Puffer and Bill Gassman. Jean Seconded. The Motion carried Unanimously. 2) Mr. Heinrich asked if the Town Engineer Screening Committee was fully seated. Russ replied that all but Ed Ambrose have made the commitment and they are requesting that Joanne Coppinger be appointed. Mr. Heinrich asked, that based on the estimated cost of \$120,000 if a 15 minute interview was sufficient. Josh explained the lengthy process, which includes a matrix that they will be using. The presentation part will be public and noticed on the Town's website. He added that they will be narrowing down the list to 3 or 4. The advertisement has been run and initial qualifications are coming in. Paul Made the Motion to appoint Joanne Coppinger as the citizen at large to the Town Engineer Screening Committee. Russ Seconded and the Motion carried Unanimously. 3) Mr. Cormier said that he attended the LRPC as a citizen, and the Town does have a Hazardous Mitigation Plan. He commented on the ten year road plan, which is LRPC's road plan, adding that the Moultonborough roads recommended are not even on DOT's 10 year road plan and he thought that 2026 was more likely a date. 4) Eric Taussig, referring to his letter dated March 24<sup>th</sup>, said he needed a timely

response to his 13 questions. Chris stated that this was a personnel issue and not for discussion, adding that any information that can be provided legally, will be available. Mr. Taussig thought that the new job description should be made public, and Chris agreed. Mr. Taussig added that the new job description should have a public hearing and with public input. Regarding the TWC franchise agreement, Mr. Taussig said that he felt strongly against the TWC and Comcast merger and asked that the Town send a letter to the Federal Communication Commission stating that the Town is opposed. 5) Mr. Cormier commented that a TA can either be appointed or elected per the state's RSA. Chris commented that an elected official must be a resident of the Town which would greatly reduce the number of candidates available. 6) Hollis Austin said that during the search for a new TA, it is a good opportunity to reduce the size of Town government.

- X. **NON-PUBLIC SESSION:** Chris said that the Selectmen need to go into Non-Public Session per RSA 91-A:3 II (a), (b) and (c) and will reconvene for adjournment only. Russ Made the Motion to go into Non-Public Session and to return for the sole purpose to adjourn. Jean Seconded. A roll call was taken: Paul – Aye; Josh – Aye; Russ – Aye; Jean – Aye; Chris - Aye. The Motion carried and the Selectmen went into Non-Public Session at 8:47 p.m.

The Board exited Non-Public Session at 9:32 p.m. having voted by a vote of 2/3 or greater of the members present to seal the minutes as it is determined that divulgence of the information discussed would likely affect adversely the reputation of a person other than a member of the public body itself and to not disclose the minutes and decisions reached to the public until, in the opinion of a majority of the members, the aforesaid circumstances no longer apply.

- XI. **ADJOURNMENT:** Paul Made the Motion to Adjourn. Josh Seconded.  
Motion Carried Unanimously  
Chris adjourned the meeting at 9:33 p.m.

Christopher P. Shipp, Chair  
Approved

April 9, 2015  
Date  
Respectfully Submitted  
Hope K. Kokas, Administrative Assistant