

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

Selectmen's Meeting

May 7, 2015

MINUTES

Selectmen: Christopher P. Shipp, Chair, Russell C. Wakefield, Vice Chair, Josiah H. Bartlett, Jean M. Beadle, Paul T. Punturieri; Carol Granfield, Interim Town Administrator; Scott Kinmond, Administrative Liaison; 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:** Chris asked that they table the Non-Public Minutes for April 23rd. Paul requested to amend the business meeting minutes of April 23rd, second page, IV. Citizen Input I, fourth sentence from the bottom, "Russ said that he did not *sign* any of the TA contracts..." change *sign* to ***vote on***. Paul Made the Motion to approve the minutes of April 23, 2015 (3) Work Session and Meeting minutes, tabling the Non-Public minutes for that day, and approve the minutes of April 30, 2015 (2) Meeting and Non-Public Minutes as amended. Jean Seconded. The Motion carried Unanimously.
- IV. **CITIZEN INPUT:** 1) Sally Carver requested that the Selectmen participate in the Memorial Day Parade and ceremonies, scheduled for May 25th, meeting at Blake Road at 9:30 a.m., marching to the Town Hall. Ms. Carver explained that the state allows the Town to block off Route 25 for 15 minutes and in that time they will place wreaths at the Library and Town Hall. Prior to the parade wreaths will be placed at the Historical Society building and also at the school. Former Selectmen, Ed Charest will be one of the veterans participating and will be honored this year. He will be offering the blessing at the Library. Jim Duddy, a veteran of the Marine Corps will be the guest speaker. The Boy Scouts will lead the Pledge of Allegiance, and the school band will play. At the end of the ceremony ice cream will be served. If it rains, the Selectmen need to cancel the parade and the decision needs to be made early, as there are a lot of people that have to be notified. Chris and the Selectmen expressed their appreciation for Ms. Carver's and the Historical Society's efforts. 2) Representative Glenn Cordelli spoke to the Selectmen about the current Carroll County financial problems. He corrected what has been reported in the news media as the citizens of the county haven't been paying for the nursing home, which is incorrect as bond payments have been made every year. Also, it is also incorrect that the Delegates spent all of the County's surplus to reduce the taxes. Representative Cordelli said that the Delegates were told that there was sufficient money in the fund balance to do this, when in fact they are now learning there was not. The question being asked is where did the rest of the surplus go? At the end of 2014 there was a deficit of \$567,000 and no surplus. He speculated that the Treasurer took 2015 anticipation taxes to cover this deficit with or without the knowledge of the commissioners and state representatives. Something will have to be done to cover expenses for 2015. The auditor has just completed the 2012 audit, the 2013 audit won't be completed until mid-summer, and expects the 2014 audit to be done by the end of the year. They are being told that there might be a bad debt of \$2.4 million on the books (nursing home), which he doesn't believe to be the case, and that raises more questions. It has been suggested to

increase of the county taxes of 20% which he doesn't believe will happen. Paul asked who is responsible for watching the bottom line. The Commissioners are responsible, but it is said that it is the delegates' budget. Right now there is no surplus in the budget and over \$2 million unaccounted for. Josh thought that the number was *close to* \$3 million. Representative Cordelli said that the State Representatives and DRA are all very concerned. He added that at the next meeting, he hopes that the auditor will attend and provide some answers. The next step is going to the Attorney General. The Selectmen thanked Representative Cordelli for attending and providing them with this update. 2) Hollis Austin thanked the Selectmen for providing the public an opportunity to be heard at the scheduled TA Search Public Input Forum, Monday, May 11th, at 7 pm, along with the survey on the Town's website and providing paper copies as well (available at Town Hall).

V. NEW BUSINESS:

1. Review for Action: Consent & Signature File:

DATE	DOCUMENT	MAP/LOT#
5/7/15	Certification of Yield Taxes Assessed	182-005 & 007
5/7/15	Certification of Yield Taxes Assessed	048-009
5/7/15	Certification of Yield Taxes Assessed	172-022
5/7/15	Certification of Yield Taxes Assessed	169-037 & 171-001
5/7/15	Certification of Yield Taxes Assessed	106-002
5/7/15	Lease Agreement, Boat Slip #4-A	119-026
5/7/15	Lease Agreement, Boat Slip #1-A	131-008
5/7/15	Lease Agreement, Boat Slip #3-B	119-022
5/7/15	Lease Agreement, Boat Slip #3-A	119-028 & 029
5/7/15	Elderly Exemption – 2015 Denied	14-2015-E
5/7/15	Elderly Exemption – 2015 Renewed	15-2015-E
5/7/15	Disabled Exemption – 2015 Updated	2-2015-D
5/7/15	Application for Construction of Driveways	152-006
5/7/15	Application for Construction of Driveways	221-024
5/7/15	Disposal Agreement	050-016
5/7/15	Application for Current Use	084-003 & 005
5/7/15	2015 Charitable Exemption – Camp Tecumseh	212-001, 211-002 & 211-001
5/7/15	Cemetery Deed, #172 Shannon Cemetery	N/A

Chris read the Consent & Signature File. Jean Made the Motion to approve the Consent & Signature File for May 7, 2015. Paul Seconded. Russ informed the Board that he hasn't worked for Camp Tecumseh in several years, and therefore signed their Charitable Exemption. The Motion carried Unanimously.

2. Review for Action: Milfoil Committee Request to Expend & OSHA Letter: Scott Bartlett, a member of the Town's Milfoil Committee, along with Chair Karin Nelson, Al Hoch, and Paul Daisy, asked the Board to approve the 2015 Milfoil Expense Budget Estimate of \$242,500 and to authorize expending the same. Mr. Bartlett explained that the cost of divers has increased due to OSHA regulations and corrected the number of acres to 150 for herbicide treatment applications by the vendor. Paul asked if all of these funds were being spent for Moultonborough only and learned that \$600 is the

membership for the “Tri-Town Milfoil Committee”. Paul asked about the minutes of March 24th and the comment that the Town Administrator wanted a cap on the cost of hand pulling. Karin Nelson replied that the Town Administrator wanted the cap to come out of the \$200,000 to cover any other expenses. Paul Made the Motion to approve and expend \$242,500 for the Milfoil Expense Budget. Josh Seconded. The Motion carried Unanimously. Paul Daisy spoke to the draft letter to OSHA. He explained that the increase in expense for hand pulling/divers is due to the OSHA regulation that requires a communication system and an additional person on board. The letter is requesting a waiver of CFR 29 Part 1910, Subpart T, as they feel that the regulation and the requirement for the additional person is for deep water diving, and not the shallow depths that the Town’s vendor is working in. Mr. Daisy thought that it was not likely that OSHA will waive this requirement, but felt it was worth a try. Chris asked and learned that they are requesting that the waiver is to allow diving without the added person up to 20’ of water. Chris felt that the OSHA regulation has come about because someone died, and because of his own background as a firefighter and rescue diver that he wasn’t sure he could sign this letter. Mr. Daisy said that if they received the waiver, the communication system would still be required, but not the extra person on board. Discussion occurred about the role of the person driving the boat, especially when a diver is in the water, if they use a buddy system (they don’t), difficulty obtaining volunteers to perhaps fill the extra person requirement. Paul Made the Motion to approve the letter requesting a waiver to CFR 29 and including all of the Board’s signatures. Jean Seconded. The vote was called, 4 – Aye, 1 – Nay (Chris). The Motion carried. Al Hoch told the Board that this year, they are working with DES on 3 test sites and 2 control sites, using barriers in the Balmoral area. Discussion took place within the audience, and Chris asked that the questions/comments be directed to the Chair. Ms. Nelson told the Board that Tri-Town contract is coming to an end in September. The large boat that the Tri-Town group uses, is too large for Moultonborough and doesn’t meet OSHA regulations, adding that the Town’s Milfoil Committee wants to end this relationship and not renew the contract. They have researched towns on Winnepesaukee and learned that just about every town except Center Harbor is working on the Milfoil problem. Moultonborough’s Milfoil Committee would like to join the Lake Winnepesaukee Association. Paul asked how the Town will divest of its financial share with the Tri-Town Committee. Ms. Nelson replied that money will be disbursed at the end of the contract and divided by the 3 towns. Jean Made the Motion to disband and divest the Town’s interest in the Tri-Town Milfoil Agreement and to endorse joining the Lake Winnepesaukee Association. Josh Seconded and the Motion carried Unanimously.

3. Review for Action: 2015 Budget Amendment #3: Scott Kinmond reported that he was confused by the wording of the budget amendment. He is now concerned that if this is approved, it would leave the contingency fund too low. He has spoken with Interim Town Administrator Carol Granfield and they both agree to either table or take no action and review it at the third quarter. Carol said she agrees and feels it is too early to make this change. Jean said it is an unbudgeted item and when the time comes they can look at other accounts. The Board agreed by Consensus to take no action.
4. Review for Action: Town Clerk’s Office Changing to State Required VPN: Town Clerk Barbara Wakefield told the Selectmen that the state is requiring that they go to VPN as of September 30th. Tom Sawyer has done a state requirement survey on the equipment and there will be a 3 hour labor cost. Barbara said that this is mandatory, and she wanted the Board to be aware of this change.

5. Review for Action: Moultonborough Police Benevolent Association: Scott reported that the Town has received the MPBA's formal request to begin the negotiations. Carol said that this now allows the parties to begin the process. Russ Made the Motion to accept the Moultonborough Police Benevolent Association's letter of request and to move forward with the process. Paul Seconded and the Motion carried Unanimously.
6. Review for Action: MFD Request to Travel Out of State: In Chief Bengtson's email, he is requesting permission to send Deputy Chief Buckler to a training out of state, in Massachusetts, using the Town's van for one day only. Jean Made the Motion to approve the Chief's request to allow Deputy Chief Buckler to travel out of state as described. Paul Seconded and the Motion carried Unanimously.
7. Review for Action: DPW Request for Pay Grade Adjustment: Scott reported that he discovered this error which took place over time regarding this staff person's pay grade. He said that initially he was hired as a part time employee at an hourly rate and the next year he was put in a grade and step at an incorrect level. Scott asked that this be corrected from Grade VI to Grade VII and at Step 2. Josh Made the Motion to approve the request as described in the Road Agent/DPW's memo dated April 28, 2015. Paul Seconded and the Motion carried Unanimously.
8. Review for Action: DPW States Landing Survey: Scott explained that this survey contract is for the States Landing Facility and is budgeted. The Town Engineer requested three proposals and received two. It is recommended that the Board accept the proposal from Dave Dolan & Associates for \$5,800 and authorize the Chair to sign the contract with a 10% contingency. Paul so Moved and Josh Seconded. The Motion carried Unanimously.
9. Review for Action: Launch Request – NH Bass Casters Tournaments (4): Scott reported that the Police and Fire Chiefs have reviewed the request. Chief Bengtson has made his standard recommendation for tournaments out of Lees Mills and Chief Wetherbee has no concerns. 1) Scott Bartlett asked and learned that there are no more than ten tournaments per year. He asked the Selectmen to be aware that many of the fish that are caught and released don't survive. Josh commented that he has heard from residents that they aren't able to launch their boats and have encountered rude people, and also power loading. Hope asked that in the future if there are any complaints about an approved tournament group to please let her know. She added that the Board may want to review the Town's Launch Policy. Josh Made the Motion to approve the NH Bass Casters Tournaments scheduled for June 20th, August 8th, August 29th, and September 2nd, and if problems arise to consider changing the policy. Jean Seconded. The Motion carried Unanimously.
10. Review for Action: Temporary Use Permit, Castle in the Clouds Antique Auto Show: Chris reported that this has become an annual event. Scott added that Police Chief Wetherbee advised that as part of the permit that if circumstances arise where the Police Department either needs to station a duty officer at that location for traffic or crowd issues or assign a last minute detail that the applicant will reimburse the Town. Chief Dave Bengtson advises that; 1) if any tents erected will need to be inspected prior to the event, 2) certificate of flame resistance shall be attached to each tent; 3) fire extinguishers will be needed for any cooking operations by vendors, and 4) this event will require one firefighter/EMT with the Utility truck with fire extinguishers and EMS equipment. The cost for a Firefighter/EMT @ \$50/hour would be \$250, and the cost of the truck at \$20/hour, for 5 hours would be \$100, for a total of \$350. Josh Seconded and the Motion carried Unanimously.
11. Review for Action: Temporary Use Permit, 512 Whittier Highway: Scott reported that both Chief Wetherbee and Chief Bengtson had reviewed the request and had no

- recommendations. Josh Made the Motion to approve the Temporary Use Permit for 512 Whittier Highway and Paul Seconded. The Motion carried Unanimously.
12. Review for Action: Request to Park at “Neck” Fire Station – Winsor Homes: Scott reported that the owner of Winsor Homes had made his request to Chief Bengtson to park two modular home units at the “Neck” Fire Station between May 12th and May 16th, weather permitting for delivery on Lunt Road. Per Chief Bengtson’s email, he had no issues with this. Josh Made the Motion to approve the Winsor Homes request to park two modular home units at the “Neck” Fire Station between May 12th and 16th. Russ Seconded and the Motion carried Unanimously.
 13. Review for Action: DPW Request for Town Credit Card: Scott reported that presently the Police, Fire and Recreation have a Town Credit Card. He is requesting that the Department of Public Works also be issued a credit card with a total limit of \$5,000 to purchase equipment and other department related expenses. Scott said that he has been using his own personal credit card to make purchases for the DPW, which he then has to request to be reimbursed, and has been hacked. Having a department credit card will be better for accounting purposes and security. Josh Made the Motion to authorize the Finance Director to obtain a credit card for DPW with a credit limit of \$5,000. Paul Seconded. He added that he was surprised DPW didn’t have one. Discussion occurred how recently there have been 2 cases of fraudulent hacking on Town credit cards. Scott speculated that it has to be a result of ordering items on-line. Paul thought that the policy needs to be reviewed along with how cards are being used. The Motion carried Unanimously.
 14. Review for Action: Village Sidewalk Task Order: Scott reported that Article 30 of the 2015 Warrant, requires that a field survey be done, to identify right of ways needed and create a concept plan design and a bid document. Paul reminded Scott that the Warrant Article stated, “The intent is to provide a sidewalk along Route 25 within the R.O.W. as possible...” He asked that the wording be included. Scott explained that this is preliminary and once the survey is done, then they will be able to identify any costs of easements, etc. Paul asked if there is a new engineering firm would they be working on this task order. Scott replied that having a new firm try to pick up from where KV Partners left off would increase the cost. Paul Made the Motion to authorize the Chair to sign the Task order to include the wording within the R.O.W. as possible, and to not exceed \$41,800. Russ Seconded and the Motion carried. It was pointed out that the Warrant Article doesn’t state who is to expend the funds.
 15. Review for Action: Single Stream Recycling Review Committee: Scott asked for direction regarding the makeup of the work group or committee, along with the charge. Jean said that Cody Gray has accepted to be on it, along with Barbara Rando as an outside vendor, along with a slot from someone from ABC. Paul suggested and everyone agreed to ask WMF Attendant Ken Filpula to participate. Scott thought that as head of the department he would also participate, which makes 5 members. He added that he hoped to have an intern to help with the data collection and research the cost factors. Paul suggested that the committee look at New London and their recent single stream effort. Scott suggested and the Board agreed that the charge would be to look at the positives and negatives of going to single stream recycling, the convenience, and the cost factors. He hoped that he would have results by the fall. Hope asked and the Board agreed that this would be a committee.

VI. OLD BUSINESS:

1. Town Administrator Search Update: Interim Town Administrator (ITA) Carol Granfield asked the Board to implement the work session consensus. The agreement with MRI will be for the ITA to conduct the primary search. Carol reported that the cost has been reduced due to the Town combining the employee and citizen group into one group. The public input survey is on the Town's website and to date they have received 14 responses, with paper surveys available at Town Hall. Information will be going out through the schools about Monday's forum (May 11, 7 - 8:30 p.m. at Town Hall). The closing date is May 15th. She asked that the Board approve the addendum to the MRI contract and then next to approve the TA job description as amended. Chris asked and was assured that the \$350 payment at the time of advertising would be in addition to MRI contacting previous potential candidates. Paul asked that the Challenge Statement be changed from Village Vision to Master Plan. Russ said that he still objects to the word 'managing' in the General Summary of the TA job description. He suggested replacing this section with the New Hampshire Municipal Association's job description for Town Administrator which states, "Responsible for overseeing the daily operations of the Town as assigned and directed by the Board of Selectmen, serves as the administrative and business officer to the Board of Selectmen as a general resource to the citizens of the Town." Paul was in agreement. Jean questioned this, as they just approved the job description. Chris argued that the TA does manage the day to day functions. Carol agreed, but suggested amending it to say oversee. Chris wanted to be sure that the TA has the ability to run the daily business of the Town. Russ Made the Motion to remove the description in the General Summary, replacing it with the NHMA's description. He said the TA is responsible for overseeing the daily operations of the Town as assigned by the Selectmen. Paul Seconded. Chris felt that this was a matter of semantics and felt that what they had just recently approved said the same thing. Josh felt that there was ambiguity in the past and he was in favor of this accepted description. Carol said she agreed with Chris that it does say the same thing, however this change won't affect the duties. The vote was called: Russ, Paul and Josh – Aye; Chris and Jean – Nay. The Motion carried. Josh Made the Motion to approve the MRI addendum for Professional Services dated May 2015. Paul Seconded and the Motion carried Unanimously. Paul said they need to identify the members for the committee and Carol thought they had time to get this done.
2. Paul offered to write up a draft of a revised IT policy which would include staff bringing their own devices, a password policy, and he would work with **Tom** Sawyer on this. Josh suggested that something is mentioned about no social media. The Board agreed by Consensus.
3. Josh commented that as the lease with the DiSalvo property is coming up, that it would make a good place for a marquee on that side of the Town. Chris agreed but would like to see something in the village area as well.

VII. OTHER BUSINESS:

1. Board & Staff Liaison and Update Reports: 1) Russ reported that the Town Engineer Search Committee met twice this week and will meet again on Tuesday, and hopefully will have their recommendations for the Board at their next meeting. Scott added that the new Engineering contract would start July 1st. Based on the recommendations made, then the Board can authorize to negotiate fees. 2) Paul reported that the UNH Feasibility Study Committee toured the Elan Publishing building, which is 22,000 square feet, which is slightly larger than a high school gymnasium. They will make their recommendation mid-June.

2. Milfoil Committee Minutes, March 25, 2015: Acknowledged.
3. UNH Feasibility Study Committee Minutes, April 17, 2015: Acknowledged.
4. Planning Board Minutes, April 22, 2015: Acknowledged.
5. Selectmen/School Board Joint Subcommittee Minutes, April 23, 2015: Acknowledged.

VIII. CORRESPONDENCE:

1. Enid Burrows, Volunteer Application, April 29, 2015: The Board acknowledged Ms. Burrows' application and will consider it at their next meeting, May 14th.
2. Bob Fredette, Holland Hill Property, April 29, 2015: Scott reported that the Fredette's property abuts the Holland Hill Cemetery. Josh said he had a problem with the Town acquiring more property. He added if the Town needs more cemetery space then OK. Scott pointed out that Shannon Cemetery is approximately 70% full. Paul thought that if there's a need then the Town could look at this property. Scott thought that due to the ledge in this area that it would be limited to cremation only. Chris asked to get more information about the test pits for ledge in this area. The Board agreed to send a letter of thanks for this offer and they will keep it in consideration.
3. Fred Malatesta, Volunteer Application, April 29, 2015: Acknowledged.

IX. CITIZEN INPUT: None.

- 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. Josh Seconded. A roll call was taken: Josh – Aye; Paul – Aye; Russ – Aye; Jean – Aye; Chris – Aye. The Motion carried and the Selectmen went into Non-Public Session at 9:25 p.m.

The Board exited Non-Public Session at 10:01 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 10:02 p.m.

Christopher P. Shipp, Chair
Approved

May 14, 2015
Date
Respectfully Submitted
Hope K. Kokas, Administrative Assistant