

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

Selectmen's Meeting

May 21, 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: Paul asked to amend the meeting minutes of May 14th, after coming out of Non-Public Session, the Board voted to seal the minutes during public session. Hope asked and Jean said that she will provide her with that information in order to make the amendment. Paul Made the Motion to approve the minutes of May 14, 2015 (2) Meeting and Non-Public Minutes as amended. Russ Seconded and the Motion carried Unanimously.

IV. CITIZEN INPUT: 1) Joe Cormier commented on staff stating the law per RSA's. He said that unless one is an attorney, then they should qualify their comment with it is their opinion, and not state that it is law. Mr. Cormier thought that the Land Use Boards do this a lot. He questioned the number of members on boards or commissions based on watching the videos where it appears that more than the members are participating. Mr. Cormier said that alternate members must be designated by the Chair to be seated. Josh asked for him to define participate. In his opinion if they have members/alternates giving an appearance of being on the board, speaking, asking, and advising. He thought if the Chair used the term of seated, that would resolve the problem. If someone makes a statement then they are participating. Josh said that it isn't uncommon to allow the public to comment or "participate". Russ questioned Mr. Cormier about reading or stating the RSA's. Mr. Cormier, in his opinion, thought that reading the RSA verbatim was OK, but anything after that should be clarified as an opinion and not advising on the law. Mr. Cormier asked about the upcoming tax deed sale, which he thought was supposed to happen in 2014. Chris said that they will be addressing the upcoming tax deed sale which is an agenda item. 2) Hollis Austin asked the Board their opinion on federalizing police departments. The Board agreed that they were strongly opposed and will always side on local control.

V. NEW BUSINESS:

1. Review for Action: Consent & Signature File:

DATE	DOCUMENT	MAP/LOT#
5/21/15	Application for Construction of Driveways	075-009
5/21/15	Application for Construction of Driveways	140-011-001
5/21/15	Application for Construction of Driveways	140-011-002

5/21/15	Application for Construction of Driveways	140-011-008
5/21/15	Disposal Agreement – Frye	045-009
5/21/15	2015 Charitable Exemption – Carbonfund.org Foundation	107-008
5/21/15	2015 Religious Exemption – Center Harbor Christian Church	140-012
5/21/15	Administrative Abatement	19-2015-E
5/21/15	Letter of Appreciation – Barbara Sheppard	N/A
5/21/15	Request for Production of Documents, Re Utilities	N/A

Chris read the Consent & Signature File. Josh questioned granting the charitable exemption for Carbonfund.org, which he found to be clearly a political organization. Jean informed him that the Board last year fully reviewed Carbonfund.org's application for the exemption. Russ agreed that it is political, however it does fit the guidelines for a charitable organization. Russ Made the Motion to approve the Consent & Signature File for May 21, 2015. Jean Seconded. The Motion carried Unanimously.

2. Review for Action: Temporary Use Permit, 240 Gov. Wentworth Highway: Paul Made the Motion to approve the Temporary Use Permit for Buckey's Restaurant & Tavern for the period of June 12 through June 21, 2015, Motorcycle Weekend. Russ Seconded adding that the tent that is used seems to separate the parties. Josh expressed his concern that many motorcycles that ride through Town violate the Noise Ordinance. He said he wants the Police Department to enforce the ordinance. Chris felt that even the State Police have difficulty enforcing the noise. He added that the question before them is the Temporary Use Permit. The Motion carried Unanimously.
3. Review for Action: Temporary Use Permit, 1173/1195 Whittier Highway: Josh recused himself from the vote. Paul Made the Motion to approve the Temporary Use Permit for 1173/1195 Whittier Highway to hold a yard sale on commercial property for the period of May 23 through the 25th. Jean Seconded and the Motion carried Unanimously. Josh returned to the Board.
4. Review for Action: Annual Tax Deeded Property Sale: Scott reported that there are four lots available for tax deed sale this year. Following Policy #19 – Sale of Town Owned Property, packets were sent to departments and they were asked to review and make any comments, which is the first phase. Discussion took place about the policy, abutters of tax deeded property being offered the right of first refusal, and the right of first refusal for parcels in Suissevale to the Property Owners Association of Suissevale, Inc. Paul asked about last year's offer to Suissevale to trade tax deeded property in Suissevale for land adjacent to States Landing for parking. Scott recalled that they were not interested, but would review it and get back to him. Paul thought it was worth asking again. Chris asked and Scott confirmed that no action is necessary, but he wanted the Board to know that the process has begun.
5. NH School Admin. Assoc. Meeting 6/9/15 & Upcoming Joint SAU/Selectmen's Meeting: Jean reported that the School Board is reviewing compensation, benefits, and the declining enrollment. They have created a committee for this process, and welcome the public to attend. They will be meeting June 9th, 7 p.m. and ask that the Selectmen and the members of the ABC attend. The Board acknowledged the invitation. Paul thought that would be a good time to work with the School Board about ABC appointments. Jean said she would contact Superintendent Susan Noyes, to let her know the Board will attend.

6. Scott reported that this week is National Public Works Week, which was declared by Governor Hassan. He will be providing the DPW crew with a barbeque lunch, at Highway Garage.
7. Murphy's Village Store & Taylor Property: Scott informed the Board that due to a previous *gasoline* leak at what is now known as the Murphy's Village Store, the state is testing that property and requesting to also test the Taylor property. Chris requested that the Town receive a copy of the results. Approved by Consensus to allow Scott as his role of Administrative Liaison to sign.
8. 2015 Road Rehabilitation Project: Scott reported that today, with the assistance of Hope, he opened the three bids received, which were then sent to the Town Engineer for review and recommendation. Josh asked about the results and learned that the median cost is about \$31,000 less than expected.
9. May 28th Work Session: Carol suggested and the Board agreed that for next week's work session that they work on some procedural and administrative practices to help transition a new Town Administrator.
10. Paul reported that the Selectmen's retreat is scheduled for June 11th and Department Heads are invited to attend, which is optional. He questioned if a request for bids should be issued for the Land Use Board looking for a consultant. Chris felt that because it was for professional services that it was exempt. He added that they could review the policy at the upcoming work session. Jean commented that based on her recent training, she learned that the RSA requires the lowest bid must be taken. Carol said that this is the state's policy and if the Town didn't have its own policy, then it would apply. The Town's policy controls it. Scott informed the Board that this policy has been discussed and approved but the action was never formalized, which should be done. He will provide the Board with the minutes and copies of the policy that show the changes for their review.

VI. OLD BUSINESS:

1. Town Administrator Search Update: Carol reported that they received a total of 42 surveys. The closing date for the Town Administrator advertisement is June 19th. To date they have received 11 resumes. Carol informed the Board that anyone who sits on the Citizen/Employee Panel for the TA Position should expect to spend one full day, probably in mid-July.

VII. OTHER BUSINESS:

1. Board & Staff Liaison and Update Reports: 1) Paul reported that the UNH Feasibility Study Committee will meet at least one more time before submitting their recommendations to the Selectmen in June. He suggested that they schedule a joint School Board and Selectmen's meeting in August. Paul thought that the outcome will mirror UNH's recommendation. There is a need for a third gymnasium. The Master Plan Steering Committee met on Monday with the Town Planner. He commented that on the website, there is a demography report which goes into detail about the Town's population. The Steering Committee will be meeting with the Planning Board. 2) Josh commented about the demography report, adding that everyone wants to change the Town's demographics, increasing the younger population, which requires low-cost housing. He added that everyone is in favor as long as it doesn't change the Town. He thought that the new Master Plan will be much more realistic.

2. Milfoil Committee Minutes, April 22, 2015: Acknowledged.
3. Joint Selectmen/School Board Subcommittee Meeting Minutes, March 19, 2015: Acknowledged.
4. UNH Feasibility Study Committee Minutes (2), May 1, 2015 & May 5, 2015: Acknowledged.

VIII. CORRESPONDENCE:

1. Steven & Deborah Tintle, Colby Road, May 7, 2015: Chris and Jean commented and the Board agreed that this is closed issue. Josh noted the Tintles are requesting to consult with the Town's attorney. The Board agreed that this wasn't an option and if they feel it necessary they need to hire their own attorney. Chris asked that a letter be sent stating that this has been reviewed on multiple occasions and the Board considers it closed.

IX. CITIZEN INPUT: 1) Mr. Cormier asked about the sale of Town property. He recalled his request from last year that the 65 Town owned properties be reviewed by the Town Administrator. He asked if this had been done, and Chris replied that he was not aware of any report. Josh commented that this is a process per policy. Scott said that the four properties listed were in the cue for tax sale, some of which have time limits. Hope explained that some of these properties were identified during the 2006 remapping as unknown owners which require a 10 year waiting period to sell. 2) Steve McGuire asked if the 137 parcels with unpaid property taxes for 2014 was a high number. Russ replied that it was a low number, adding that the Tax Collector goes above and beyond what is required to contact property owners and if possible work out a payment plan to help them get the taxes paid. Mr. McGuire asked about the Time Warner Cable franchise negotiations. Josh replied that he will be meeting with Attorney Puffer in the next week and then after that will meet with the TWC negotiator here at Town Hall. He reminded everyone that the franchise only deals with cable TV and not broadband. 3) Josh asked to work on the Noise Ordinance in regards to motorcycles at their next work session. Chris agreed suggesting that they invite Chief Wetherbee to attend. 4) Mr. Cormier thought that if the Town exceeded the state law in regards to noise and motorcycles, that this could cause legal problems. 5) Mr. Austin asked if the Board found the TA survey helpful. Carol replied that the 42 surveys received provided additional input. Russ thought that they received a small amount of useful information. The survey requested for constructive information to help in this decision process, but the majority of it was destructive and not helpful. Carol thought that what was most important, despite the low number of surveys submitted, was that people were provided the opportunity to have input.

X. NON-PUBLIC SESSION: None.

XI. ADJOURNMENT: Paul Made the Motion to Adjourn. Russ Seconded.
Motion Carried Unanimously
Chris adjourned the meeting at 7:59 p.m.

Christopher P. Shipp, Chair
Approved

June 4, 2015
Date
Respectfully Submitted
Hope K. Kokas, Administrative Assistant