

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

Selectmen's Meeting

June 4, 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 business meeting minutes of May 21st, New Business, #7, striking *gas* and replacing it with *gasoline*. Paul Made the Motion to approve the minutes of May 21, 2015 (2) Meeting & (1) Non-Public, Minutes, May 28, 2015 Work Session Minutes as amended. Jean Seconded and the Motion carried Unanimously.

IV. CITIZEN INPUT: 1) None.

V. NEW BUSINESS:

1. Review for Action: Consent & Signature File:

DATE	DOCUMENT	MAP/LOT#
6/4/15	Administrative Abatements (5)	115-020, 213-017-000-CG0-073, 052-014, 254-024-000-CG0-017 & 19-2015-E
6/4/15	Warrant for Unlicensed Dogs	N/A
6/4/15	Elderly Exemption – Renewed 2015	19-2015-E
6/4/15	Abatement – Granted	193-021
6/4/15	Abatement – Granted	179-027
6/4/15	Charitable Exemption 2015, Bank of America/Loon Preservation Society	091-003, 091-002 & 099-204
6/4/15	Charitable Exemption 2015, Castle Preservation Society	125-002 & 408-002-001
6/4/15	Charitable Exemption 2015, Lakes Region Food Pantry, Inc.	052-029
6/4/15	Personnel Matter	N/A

Chris read the Consent & Signature File. Russ Made the Motion to approve the Consent & Signature File for June 4, 2015. Jean asked about the payables for Miracle Farms and Donnybrook Home Services, as she thought as Adopt a Facility participants they provided this service for free. Scott replied that as Adopt a Facility participants they provide only free mowing and weed whacking, and any services after that are billed.

Paul Seconded. Russ said that he reviewed the three charitable exemptions and found that the Castle Preservation Society's (CSP) tax return was very complex and he questioned their profit and loss. Jean said that they qualify as charitable under 501-3C. Paul asked if they had a PILOT with the Town. Hope replied that they call it an agreement and were not willing to engage in a PILOT, and to date have paid \$2,000 calling it an "annual contribution". He felt that the Town provides services through fire, police and roads, and it appears to him that they are making a profit. Russ added that the one free day of attendance to Moultonborough residents is not significant. Josh commented that Ossipee Park Road is not used exclusively by the Castle. Jean suggested that based on their meeting the charitable qualifications, that the Board approve the exemption, but invite the CSP to attend a Board meeting. The Motion carried Unanimously.

2. Review for Action: MPD, Request for Out of State Travel: Scott reported that Master Patrol Officer Jody Baker is requesting to attend a training in Bangor, ME. Josh Made the Motion to approve the Out of State Travel as outlined in Scott's memo for MPO Baker. Jean Seconded and the Motion carried Unanimously.
3. Review for Action: MFD Initial Attack Pumper Bid Award: Fire Chief David Bengtson reported that out of the seven vendors who received the invitation to bid based on their capacity, only one bid was received from Lakes Region Fire Apparatus-HME for \$244,800, which was \$2,300 over what was approved at Town Meeting. The Chief said that the bid met the specifications and he was authorized by Interim Town Administrator Granfield to proceed. Working with LRFA-HME they were able to reduce the cost in two areas, along with the \$3,000 trade-in. Josh asked if the reductions that were made means that the equipment wasn't needed. Chief Bengtson said that he will use his operating budget to make up the difference if needed. Paul asked the Chief if he thought that the bid specifications were too specific and if that was the reason for only the one bid. Chief Bengtson said that all the vendors that received the invitation had the capacity. Although it is hard to say why only one bid was received, which has happened in the past, the Chief thought there were various reasons. He added that it is a territorial type of business. Josh wondered if it is too hard to compete with LRFA-HME. Glenn Davis of LRFA-HME told the Board that they have 60% of the market in New Hampshire, working with 250 towns. Josh thought that the \$3,000 trade-in was generous. Mr. Davis reported that the financing company for this lease is the same for the rescue vehicle. Hollis Austin asked how many other towns have similar equipment. Mr. Davis replied that they are working with seven other towns in New England on the same kind of equipment. Paul Made the Motion to award the bid to Lakes Region Fire Apparatus-HME, for the lease of the Initial Attack Pumper as outlined in Chief David Bengtson's memo dated May 29, 2015 and to authorize the Chair to sign the contract. Jean Seconded. Mr. Davis said in order to hold the one available pumper needed, the Board needs to sign the contract tonight. ***Chris called for the Motion, 4 Ayes and 1 Abstain (Chris). The Motion carried.***
4. Review for Action: Sidewalk Survey Services Contract: Scott reported the Town Engineer has recommended the surveying services of David M. Dolan Associates, PC for \$6,350, which was the lowest bid out of the two received. Josh Made the Motion to approve the surveying cost of \$6,350 for the sidewalk survey as outlined in Scott's memo dated May 29, 2015. Paul Seconded and the Motion carried Unanimously.
5. Review for Action: Policy #23, Competitive Bidding Policy: Scott informed the Selectmen that Policy #23 was reviewed by the Board on September 27, 2012 based on recommendations made, but they never formally approved it. Russ commented that the

policy doesn't mention the QBS process that was just used for the Town Engineer Screening Committee. Scott felt that the Selectmen have the final say on this based on the committee's recommendation and would be under professional services. Paul identified a typo on page 3, XI. striking *poser* and replacing it with **power**. In addition, he questioned if the policy needs to go back to Town Meeting for approval, as it was originally approved at Town Meeting in 1991. The Board agreed that the \$5,000 needs to be increased to \$10,000 based on rising costs. Carol thought that if it was initially approved at Town Meeting, then any changes should probably go back to Town Meeting, and they should add language to allow the Selectmen the flexibility to change it. Scott reminded the Board that the \$5,000 limit costs the Town a lot of money to put out to bid. He said just the advertisements alone cost \$1,000 +/- . Carol suggested and the Board agreed to table the item to allow Town Counsel to review the specific policy and how best to amend it. Russ asked that the QBS process be included.

6. Review for Action: Policy #13, Computer Use Policy: Jean asked Paul why he thought that the policy he drafted is needed to replace the present policy #13. He said that the original was too vague and out of date. He added that his draft is mainly from Wolfeboro. Jean asked that in the future the Board be provided with the present policy in addition to what is proposed in order to review and compare. Paul Made the Motion to approve Policy #13, changing the name from Internet Access and E-Mail Use to Computer Use Policy & Agreement as written. Josh Seconded. Chris asked what in the old policy wasn't addressed. Paul replied that basically it was the usage of the Internet and emails. Carol thought that this policy needs to be explained to new employees. Chris asked Paul how one defines incidental and infrequent personal emails. Paul said that this was the responsibility of the supervisor to monitor. Scott suggested that this could be a future topic for Joint Loss Management Team trainings, along with the personnel policy. The Motion carried Unanimously.
7. Review for Action: Administrative Regulations: Carol explained that the Administrative Regulation #1 (AR#1) explains the Administrative Regulation procedure and asked the Board to approve it as outlined. She added that AR2 is the Personnel Action Form. Jean pointed out that Heidi's job title was changed from Finance and Personnel Director to Finance Director and this should be changed. Carol said she will review this and will hold it back if needed, as she plans on presenting this at tomorrow's staff meeting. Jean Made the Motion to approve the Administrative Regulations as outlined in Carol's memo dated June 4, 2015. Josh Seconded and the Motion carried Unanimously.
8. Review for Action: CIPC Alternate Appointment, Fred Malatesta: Paul Made the Motion to appoint Fred Malatesta as an Alternate to the CIPC with a term to expire March 31, 2016. Chris asked if the Chair of the CIPC should bring this appointment forward. Paul replied that the Chair thought it was up to the Selectmen to make the appointment. Jean and Chris thought that they had discussed the Chair's wish on the open Alternate seat. Josh and Paul agreed that this was just a miscommunication and at today's CIPC meeting, Chair Jordan Prouty welcomed Mr. Malatesta as an Alternate. Josh Seconded the Motion. Chris asked what the Board's future policy would be in regards to recommendations being made by committee chairs. The Board agreed that the policy remains the same, to look to the chair for the recommendation. Russ commented that there was a vacancy and it is important that it be filled. The Motion carried Unanimously.
9. Review for Action: 2015 Road Program & Rehabilitation Contract Award: Scott provided the Selectmen with his memo and the results of the bids opened May 21st. The Town's engineer has reviewed all of the bids and met with GMI Asphalt, the lowest

bidder. It is recommended that the Board accept the bid of \$289,360 from GMI Asphalt, authorizing the Chair to sign the contract and any change orders to not exceed 10%. Paul Made the Motion to accept the bid of GMI Asphalt for the 2015 Road Program & Rehabilitation Contract as outlined in Scott's memo dated June 4, 2015. Jean Seconded. The Motion carried Unanimously. Scott asked and the Board agreed to send a letter of thanks for services received from FR Carroll for six years of excellent service, explaining that they were under bid.

10. Review for Action: Town Engineer Contract: Scott reported that the TESC began negotiations on May 20th with the number one ranked firm, KV Partners, LLC. He explained that there were changes made in the contract, which will run from July 1, 2015 to June 30, 2018. Jean asked about the workers' compensation requirement, but then the remedy if they fail to have workers' compensation. Russ thought that because KV Partners is a family owned business, they are not required to have Workers' Compensation, but their subcontractors are. Josh Made the Motion to approve the contract for Engineering Services with KV Partners, LLC as written in Bruce Woodruff's email to Carol dated June 1, 2015, subject to review by Town Counsel, and authorize the Chair to sign the contract. Russ Seconded and the Motion carried Unanimously.
11. Review for Action: Temporary Use Permit, 1088 Whittier Highway: Scott informed the Selectmen that this is Zelek's Associates annual customer appreciation day, but being held at a new location and reviewed by both chiefs. The Fire Chief has made his standard recommendation regarding the use of tents. Jean Made the Motion to approve the Temporary Use Permit for 1088 Whittier Highway, June 26, 2015, 5-8:30 p.m., as recommended by the Fire Chief. Josh Seconded and the Motion carried Unanimously.
12. Review: 2016-2021 Capital Improvement Program: Paul said he wanted the Board to begin thinking about the Capital Reserve funds as many of them are flat and some need to be increased, particularly in Fire, Police, Roads, and Municipal Building accounts. He reminded the Board that Fellow Michael Branley's study and recommendations should be followed. Josh said that there was a 25% jump between 2015 and 2016. Paul asked that the Board start earlier reviewing and thinking about capital reserve funding. Scott asked and the Board agreed that he could explore some possible security measures and perhaps live streaming at Playground Drive that he is thinking about including. Paul said that he continues to work with Tom Sawyer on IT Road mapping. Russ thought that it would be cheaper if the Town had its own email server. Jean pointed out that it would still need to be serviced and that's where the cost comes in. Chris added it would have to be within the competitive bidding framework.
13. Scott said that the Milfoil Committee has asked to have their files downloaded on to a Town computer and to allow them to access them at Town Hall. Heidi suggested that they use the computer in Ray Marie's office as long as it doesn't impact either the Human Services Department or the Supervisors of the Checklist. The Board approved this by Consensus.
14. Scott reported that Heidi will be handing out the interim performance evaluations as we are at the halfway point. Department Heads are to complete and return them by July 31st.

VI. OLD BUSINESS:

1. Town Administrator Search Update: Carol reported that they have received 16 applications and more are coming. She has developed the interview questions based on the Board's input. As Scott and Chief Wetherbee will be the employees included on the panel, the Board needs to choose 5 community members plus an alternate to be on the

panel. Carol provided the Board with their list of possible panel members. Josh said the names he submitted weren't on the list. Carol apologized, adding that she thought she had received all of the names. She asked that the Board go over the names, adding any that were omitted, email them to her, and she will then email a revised list for them to make their choices from.

2. Goal Setting Review Retreat Work Session, June 11, 2015: Scott provided the Board with menus from Mug on the Bay, which will be delivered for the Board's Goal Setting Retreat/Work Session, June 11th, starting at 10 a.m. He and Carol will visit the Lamprey house to review what is needed. Paul reminded the Board that if they haven't already to be sure to send out their worksheet to Karl Webber.
3. Chris reported that Kathy *Garry* had asked him if the Board approved her to continue coordinating the July 4th Parade. The Board agreed Unanimously that they would very much like her to continue in this role.
4. Paul reported that he met with the owner of Town Hall Streaming and the Town's camera has been wired to provide live streaming of tonight's meeting, which will continue for the month at no cost to the Town. He added that presently this company is providing services to 250 other entities. Paul explained that the camera has to be hard wired with the sound directly into the camera. If they decide to go with this, the camera can be mounted on the wall and operated remotely, and will provide live and on demand videos, along with storage. The cost would be \$250/month plus the camera. Joe Cormier said that he was now viewing it live and it looked good.
5. Jean reminded the Selectmen of their joint meeting with the School Board on Tuesday, June 9th, 7 p.m. at Town Hall.
6. Josh reminded the Board that they agreed to talk about the Noise Ordinance (#10) and enforcing the requirement for motorcycles to have mufflers. Scott asked the Board when they wanted to invite Chief Wetherbee to attend and if this would be a good topic for a work session. Scott said that as the former Chief, this has been hard to enforce as it is based on state inspection laws and requires specific equipment and to take the vehicle off road. He added that the ordinance wasn't intended for motorcycles, but for cars and trucks. Josh stated that motorcycles are vehicles. Scott said that they shouldn't have an ordinance that won't hold up in court.
7. Scott asked the Board if they wanted to consider the goal setting retreat as their work session for the month, and cancel the business meeting scheduled for June 11th, along with the work session scheduled for June 25th. The Board by Consensus cancelled the business meeting scheduled for June 11th, but they will maintain the work session scheduled for June 25th.

VII. OTHER BUSINESS:

1. Board & Staff Liaison and Update Reports: 1) Paul reported that the UNH Feasibility Study Committee will be submitting their recommendations to the Selectmen on June 18th. 2) Josh reported that he met with Attorney Puffer and he has asked for any emails from the TA to Time Warner Cable. He and Attorney Puffer will be meeting with TWC's representatives at Town Hall on June 23rd for negotiations. 3) Jean reported that she checked with the Town Clerk and learned that Barbara Rando and Cody Gray have not yet come in to take the Oath for their appointment on the Single Stream Review Committee. She said she will follow-up on this. 4) Chris reported that he has been asked as a Selectmen to be interviewed by the Mutual Aid Fire Association, and asked the Board for approval to do this, which was granted.

2. Heritage Commission Minutes, May 13, 2015: Acknowledged.
3. Library Board of Trustees Minutes, May 14, 2015: Acknowledged.
4. UNH Feasibility Study Committee Minutes, May 15, 2015: Acknowledged.
5. Zoning Board of Adjustment Minutes, May 20, 2015: Acknowledged.
6. Planning Board Minutes, May 27, 2015: Acknowledged.

VIII. CORRESPONDENCE:

1. Time Warner Cable, May 20, 2015, Possible Program Changes: Chris reported that this is their usual letter.

IX. CITIZEN INPUT: 1) None.

- X. NON-PUBLIC SESSION:** Chris said that the Selectmen need to go into Non-Public Session per RSA 91-A:3 II 91-A:3 II (a) and (b), and will reconvene for adjournment only. Josh Made the Motion to go into Non-Public Session and to return for the sole purpose to adjourn. Paul 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 8:56 p.m.

The Board exited Non-Public Session at 9:15 p.m. Paul Made the Motion to seal the minutes as it is determined that divulgence of the information discussed likely would 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. Josh Seconded. The Motion carried Unanimously.

- XI. ADJOURNMENT:** Paul Made the Motion to Adjourn. Josh Seconded.
Motion Carried Unanimously
Chris adjourned the meeting at 9:16 p.m.

Christopher P. Shipp, Chair
Approved

June 11, 2015

Date

Respectfully Submitted

Hope K. Kokas, Administrative Assistant