

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

Selectmen's Meeting

November 5, 2015

MINUTES

Selectmen: Christopher P. Shipp, Chair (absent with prior notice), Russell C. Wakefield, Vice Chair, Josiah H. Bartlett, Jean M. Beadle, Paul T. Punturieri; Walter P. Johnson, Town Administrator; and Hope K. Kokas, Administrative Assistant.

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

II. PLEDGE OF ALLEGIANCE:

III. REVIEW / APPROVAL MINUTES: Paul Made the Motion to approve the meeting minutes of October 15, 2015 and Work Session minutes of October 29, 2015 as written. Josh Seconded. The Motion carried Unanimously.

IV. CITIZEN INPUT: 1) Ken Kasarjian, an employee of the Waste Management Facility, asked the Board for an update about the upcoming change to single stream recycling. Walter reported that the Town's Engineer has created a timeline for modifications that need to be made, along with new permitting from DES. It is hoped that the change will be made by early 2016. Information about single stream recycling will be available on the Town's website, handouts, etc., and there is an article about it in the fall newsletter that will be going out soon with the tax bill.

V. NEW BUSINESS:

1. Review for Action: Consent & Signature File:

DATE	DOCUMENT	MAP/LOT#
11/5/15	Land Use Change Tax	182-007
11/5/15	CU Land Use Change Tax Collector's Warrant	182-007
11/5/15	2015 Equalization Assessment Data Certificate	N/A

Russ read the Consent & Signature File. Paul Made the Motion to approve the Consent & Signature File for November 5, 2015. Jean Seconded and the Motion carried Unanimously.

2. Review for Action: MOU Lakes Region Partnership for Public Health: Russ asked and Walter explained that the memorandum of understanding (MOU) between the Town and the Lakes Region Partnership for Public Health, which is a yearly agreement, is for coordination on a regional basis primarily for public health emergencies. Paul added that the Town requested the agreement based on the state re-aligning Moultonborough with Carroll County. It was previously approved to pay the cost to be aligned with the Lakes Region Partnership for Public Health, as everyone agreed it would be more beneficial to Moultonborough versus Carroll County. Josh asked about the \$5,300 cost and what the cost, if any, would be if the Town were to be aligned with Carroll County. Walter replied that he didn't know if there was a cost to be with Carroll County, but it was felt that

LRPPH was more beneficial to the Town based on his conversation with Chief Bengtson. Paul Made the Motion to approve the memorandum of understanding between the Town of Moultonborough and Lakes Region Partnership for Public Health for the period of October 1, 2015 to September 30, 2016 and to authorize the Chairman to sign the agreement on behalf of the Town. Jean Seconded. Russ pointed out the yearly cost is \$5,300 (paid quarterly) to remain with LRPPH. The Motion carried Unanimously. Josh asked for information for next year.

3. Review for Action: Staff Report, Bay District Sewer: Tax Collector Susette Remson reported to the Board that in 1962 the Town voted at a special meeting to establish the boundaries for Bay District Sewer, and in 1996 there was a hearing to extend the boundaries. The Tax Collector is mandated per state statutes to collect the sewer tax. She said that presently the funds she collects are not reported to DRA or audited, which makes her uncomfortable, only because of the lack of transparency. The funds are deposited in the Bay District Sewer account. Presently DRA requires that the Town keep track of how many properties are in the Bay Sewer District. Susette explained that there are two tax liens, one for non-payment of real estate taxes and the other for sewer. Recently a situation came up where Bay Sewer District could have deeded a property at the same time that the Town would for non-payment of real estate taxes. There is a question on which lien would take priority. Presently the Bay District Sewer Commissioners pays the Tax Collector yearly (on average \$2,000 to \$2,500) and reimburses the Town for expenses for printing, postage, and recording fees. In checking with other towns, she learned that the practice is that the town pays the sewer tax lien and adds it to what is owed the town with the same interest and fees. The funds collected for sewer taxes continue to be kept in a separate account, but payments are entered into the tax collection software and reported on DRA's MS61 and also on the town report. This practice allows the Town to be the only lienholder and the only entity to take the property by tax collector's deed. The sewer district would pay the Town an amount to cover the Town's expenses such as wages, printing, postage, recording fees, etc. Susette said that before going any further, she wanted to get the approval of the Selectmen to begin the discussion with the Bay Sewer District Commissioners on the proposed change. She added that prior to any discussion with the Commissioners she would go to DRA and also have Town Counsel review the statutes. Paul asked and learned that sewer taxes would be continued to be kept in a separate account. Russ thought that the RSA kept the Town as the primary lienholder. Susette replied that any sewer district lien is in the same position as the Town's lien. Walter said he supports Susette's recommendation and feels the money that is collected by the Tax Collector should be audited and reported to the state. The next step is to talk to the commissioners. Jean felt that the overall sewer tax collection of \$110,000, with tax liens of \$1,500 isn't a big expense for the Town. Josh said he was in favor of investigating further. Josh asked if the sewer lines are being assessed as a utility and also how properties are being assessed that have Bay District Sewer. Walter replied that properties having this utility are assessed as such. He was unsure about the Bay Sewer District being assessed as a utility. Paul Made the Motion to have the Tax Collector and Town Administrator to investigate this further. Josh Seconded and the Motion carried Unanimously. 1) Joe Cormier suggested looking at RSA 38:22, which discusses municipal ownership.
4. Review for Action: Staff Report, Budget Amendment #4: Jean suggested that the payroll taxes and retirement be included in this and moved to contingency. Russ Made the Motion to authorize the Finance Director to transfer \$83,600 and related payroll taxes from the Town Officers Personnel, Salaries expenditure account (001-00100-00500-

4130) to Town Officers Other Services Contingency (001-00100-00500-4199). Paul Seconded and the Motion carried Unanimously.

5. Review for Action: Staff Report, Neck Fire Station Roofing Project Change Order: Paul commented that what is being requested is beyond the approved 10% contingency amount to repair the Neck Fire Station's roof. Paul Made the Motion to authorize the expenditure of \$5,675 to All Roofing & Construction for roof structural repairs of the Neck Fire Station, said expenditure from the Capital Outlay-Fire Department Roofing contingencies and authorized the Chair to sign. Josh Seconded and commented this is another situation where the Town trusted the contractor to do the job right, and it wasn't. The Town needs to make sure that work is done correctly. He added that the past practice of hiring amateur clerks of the works was a mistake. Paul said that in recent years Scott Kinmond uses a professional clerk of the works. Russ thought this section of the roof was over an addition (20 years old) and likely was done by volunteers.
6. Review for Action: Staff Report, 2015-16 Equipment Lease & Service Contracts: Paul Made the Motion to authorize the Chair to sign the 2015-2016 Equipment Lease and Service Contracts upon submission by the Town Highway/Road Agent, for the purpose of winter maintenance operations of public and private roads in Moultonborough. Josh Seconded. Paul added that Scott Kinmond for his business SD Kinmond Enterprise, LLC, submitted a code of conduct form in regards to the appearance of a conflict of interest, which the Board found was not in violation. The Motion carried Unanimously.

VI. OLD BUSINESS:

1. Paul asked to review the budget work session schedule as he has a conflict with his work schedule. He will email Walter the dates to be re-considered.
2. Josh commented he was glad the agreement with FairPoint was finalized. There is still the question about Metrocast which is in Town, but they won't provide cable TV without a franchise agreement. Attorney Puffer is reviewing this, but the first priority is to get the Time Warner Cable contract finalized and they are having difficulty contacting TWC's representative, Ms. Winchenbach. Josh stressed cable television and broadband are two separate things, and broadband is unregulated.

VII. OTHER BUSINESS:

1. Board Update Reports: None.
2. Town Administrator Report: Walter reported negotiations are completed for the FairPoint contract. The 2016 budget process with the Department Heads will be completed within the week. He has been working with the Trustees in their pursuit to hire an investment firm, and had a RFP (bids opened tomorrow at 8 a.m.). If the Trustees choose a firm, they'd like the fees included in the operating budget. Russ asked about the risk and the balance to offset fees to pay them, adding he doesn't want any risk when it comes to the Town's funds. Walter said there are specific statutes the Trustees must follow, and a lot of communities do this. Part of the review that will be conducted is to insure a gain. Paul said as the Trustees are elected the Board has no say, but can deny paying for the cost. Walter reported he's contacted Meredith's Town Manager about joining together for a community marketing plan and this concept will go before their new subcommittee for consideration. For the 2016 Federal elections, the Town Clerk is in favor of moving to the school's gymnasium, but wants to minimize the confusion for the primaries and keep it at the Public Safety Building. Walter informed the Board that

the Fire Department is conducting a fire training this weekend on Ben Berry Road. The Town Engineer reported on the projects in progress which is attached to his report. Paul asked about the Playground's bathroom facilities and if this was reviewed by the CIPC. Josh said it wasn't, and this project is based on one individual's complaint and it shouldn't move ahead. He added that it should be a warrant article. Jean recalled the Recreation Director read the letter to the Board during last year's budget process and they agreed that based on one complaint to not go forward. Walter asked the Board how they wanted to proceed for the meeting scheduled for November 19th, which conflicts with the conference. The week after is Thanksgiving. Paul suggested and the Board agreed by consensus to meet on Wednesday, November 18th at 4 p.m., if a meeting is needed. Bids for the annual report contract were opened today, receiving three bids which will be evaluated by staff and a recommendation will be made at next week's meeting. Walter reminded the Board of the Laconia Area Community Land Trust presentation for the next meeting. The Town Planner and Planning Board Chair will provide them with an update on the Master Plan which addresses housing. Walter asked the Board if they wanted to schedule a brief meeting between now and Thursday to set the tax rate. In previous years, \$400,000 to \$500,000 from the fund balance was used and would be enough to keep the tax rate somewhat level. Paul Moved to authorize the Town Administrator no more than \$500,000 of the fund balance to offset the tax rate. Josh Seconded. The Motion carried Unanimously.

3. Trustees of the Trust Funds Minutes, October 13, 2015: Acknowledged.
4. Advisory Budget Committee Minutes, October 13, 2015: Acknowledged.
5. Planning Board Minutes, October 14, 2015: Acknowledged.
6. Board of Library Trustees Minutes, October 15, 2015: Acknowledged.
7. Heritage Commission Minutes, October 26, 2015: Acknowledged.

VIII. CORRESPONDENCE:

1. Time Warner Cable, October 21, 2015, Possible Program Changes: Acknowledged.

IX. CITIZEN INPUT: 1) Mr. Kasarjian, Chair of the Garden Committee thanked the Board for exempting the committee from submitting minutes. 2) Hollis Austin asked for information about the Laconia Area Community Land Trust. Paul said they are active in Laconia and will be speaking to the Board about how to stimulate affordable housing in Town. Josh added that this was informational only. The Town Planner and Planning Board Chair will speak about possibly amending the zoning ordinance to facilitate this. Jean added that the Land Trust is also active in Wolfeboro. 3) Mr. Cormier said there is a distinction between Section 8 Housing and affordable housing.

X. NON-PUBLIC SESSION: None.

XI. ADJOURNMENT: Paul Made the Motion to Adjourn. Josh Seconded.
Motion Carried Unanimously
Russ adjourned the meeting at 8:11 p.m.

Christopher P. Shipp _____
Approved

11/12/15 Hope K. Kokas _____
Date
Respectfully Submitted
Hope K. Kokas, Administrative Assistant

Final