

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

Selectmen's Meeting

January 14, 2016

**MINUTES**

Selectmen: Christopher P. Shipp, Chair, 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:** Chris called the meeting to Order at 7:00 P.M.
- II. **PLEDGE OF ALLEGIANCE:**
- III. **REVIEW / APPROVAL MINUTES:** Jean asked to amend the Non-Public Minutes of January 7, 2015, striking Jon's name for the vote and replacing it with her name. Paul asked to amend the public minutes, page 5, New Business, item #2, in his motion striking *as proposed in the report presented, to read, Paul made the Motion to include a warrant article for a community center.* Josh asked to amend page 3, Joint Selectmen and School Board Meeting, item #3, sixth line, adding *more likely* to read, Josh felt that people *would be more likely to* come to Moultonborough if a telecommuting infrastructure existed in Town. Paul Made the Motion to approve the meeting minutes of January 7, 2016 Meeting and Non-Public Minutes as amended. Jean Seconded. The Motion carried Unanimously.
- IV. **CITIZEN INPUT:** 1) Joe Cormier provided the Selectmen with a handout he prepared regarding the question of utilization factors, pulling data from various reports about school enrollment and numbers on teams that he thought might be useful for the upcoming proposed community center information sessions scheduled for January 21<sup>st</sup> and the 28<sup>th</sup>. 2) Jerry Hopkins, Town Moderator asked and the Selectmen confirmed that the upcoming primary election will be held at the Public Safety Building. Referring to the bond issue which requires a ballot vote and with the polls being open for one hour, he suggested that Town Meeting start first and upon conclusion start the School District meeting. In addition he also asked that the question be the first article on the Town Warrant. Walter replied that legally it must be. Mr. Hopkins said that people are concerned about having to sit through a long debate before voting. 3) Joel Mudgett commented that the purpose of having the School District meeting first and with Town Meeting was to encourage participation in its vote. 4) Steve Maguire suggested allowing only registered voters to speak. Mr. Hopkins replied that underage residents and non-residents are allowed to speak only with the Legislative Body's permission. Chris felt that it should be left as scheduled, School District meeting first, Town meeting to start after the conclusion of the first meeting. Josh said he was OK with switching it. Russ felt that if in fact it is switched, then it must be advertised. Chris suggested and the Board agreed to leave it up to the two moderators to work out. 5) Hollis Austin asked the Board to provide the public with a hard copy of the proposed community center site plan, adding that the report posted on the Town's website is hard to read. The Board agreed that a large copy will be available at Town Hall. Mr. Austin then asked about the architect for the proposed project and the firm's experience. Paul replied that they have a

wide variety of experience which includes commercial, public and private. He added that the school asked that this architectural firm, which is the school's architect, be used for the project. Josh added that he has worked with this firm in the past and found them to be very experienced in institutional and commercial projects. 6) Al Hume asked if the projected cost for this building, \$6.4 million, would buy a brick building. Paul felt that the upcoming informational sessions will provide the information he is seeking. 7) Mr. Austin asked if the meetings will be identical and learned that the intent is the same for both meetings. 8) Mr. Hume suggested that at the upcoming Recreation Advisory Board (RAB) meeting that they could provide information about the proposed community center. Chris felt that the information should come from the Selectmen. Josh encouraged members of the RAB to submit their questions if they are unable to attend the information sessions.

## V. NEW BUSINESS:

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

DATE	DOCUMENT	MAP/LOT#
1/14/16	Citizens' Petition, Moultonborough Suicide Prevention and Mental Health Coalition, \$12,000	N/A
1/14/16	Abatement for Damaged Building RSA 76:21	076-011-000-000-000
1/14/16	Personnel Matter	N/A

Josh referring to the Citizens' Petition for Suicide Prevention request for \$12,000, said that the CIPC has asked that all citizen petitions that are over \$10,000 be submitted to the CIPC as a courtesy. Chris acknowledged this request, but reminded him that it is a courtesy only. Jean and Paul said that this is not a capital item. Paul added that those who support citizen petitions should be sure to speak to it at the February 4<sup>th</sup> Budget Public Hearing. Paul Made the Motion to approve the Consent & Signature File as presented. Russ Seconded. Josh abstained from the vote. The Motion carried.

2. Review for Action: Accept the 2016 – 2021 Capital Improvement Plan: Paul Made the Motion to accept the 2016-2021 Capital Improvement Plan as presented. Josh Seconded and the Motion carried Unanimously.
3. Review for Action: Ratify the Collective Bargaining Agreement With MPD Union: Walter reported that the agreement aligns with what was presented. Paul thanked Jean, Walter and Joel Mudgett for acting as the Board's negotiating team and Moved to ratify the collective bargaining agreement between the New England Police Benevolent Association Local 52/Moultonborough Police Benevolent Association and the Town of Moultonborough for a term of three years beginning July 1, 2016 at \$134,533, FY2017 \$15,882, and FY2018 \$15,668. Russ Seconded and the Motion carried Unanimously.
4. Review for Action: Review Recreation's Schedule vs Usage of School Gyms: Chris commented that any individual and Board member can request an agenda item. Josh said he wants to know the actual numbers of usage for the gym, how the gym is being used and by whom. He said that he has two reasons for asking: 1) For the cost of the proposed building with a gym, and 2) for accountability and liability (ability to know who shows up). Chris asked and Josh confirmed that the number he is seeking is the usage by the individuals. Josh added that this could be done with a sign-in sheet. He is concerned about the Town's liability and knowing if a child actually showed up. Paul said that the coaches know who shows up and the usage numbers. Josh said he wants to know the usage and to be sure the child shows up. Recreation Director Donna Kuethe said that the Recreation Department has been provided by the school with 81 slots for

basketball and this allows each team 1 practice per week. She explained that based on the grade levels (kindergarten through sixth grade), the teams are small which provides each child with playing time. Practice could be cancelled due to the coach being ill. She added she wasn't in favor of taking attendance. Russ felt that it isn't the Town's responsibility to insure that kids are making it to practice. Jean thought it would be a good idea to hear from the Town's insurance company about the Town's liability (i.e., tracking attendance). Donna ~~addressed~~ **replied to** Josh's concern about tracking children's attendance, saying that they are being dropped off by a parent for practice. These are children (grades 3-6) and not teenagers and aren't going off with someone else. She added that kids sometimes don't show up for practice and with volunteer coaches. Donna said that of the 81 slots, there were particular times that are not good for young children. The 7-8:30 pm slot is too late, and for the 4-5 pm slot many kids haven't even gotten off the bus yet. There are many reasons why a practice has been canceled such as illness, rescheduled games, etc. Chris said that as a parent with children that have participated in the Recreation programs he acknowledged this. Donna added that she didn't think that the Town was liable for kids that don't show up. Walter said he will check with the Town's insurance company on this, adding that the Town can't be negligent. 1) Al Hume asked if the slots given included the use of the multi-purpose room. Donna replied that it does not. Josh asked why it can't be used. She said that when absolutely necessary they will use the multi-purpose room, but the basketball hoops are at 10' and not at 8' which is what is needed for this age group. The folded tables protrude into the playing area and the stage under the hoops is dangerous, and it isn't a good facility. Chris felt that the multi-purpose room is a cafeteria and the floors are slippery. Mr. Hume said that there hasn't been a discussion about upgrading the multi-purpose room. He felt that this was a scheduling problem, adding that he has asked for the number of kids and scheduling time and can't get this information. In addition, Mr. Hume felt that if the 6<sup>th</sup> grade goes to the Academy as proposed, then this would open more space at the Central School. Paul reminded the audience that the 2013 Town Meeting mandated this study. In addition the school is not interested in making changes in their building. He added that no one is encouraging anyone to do anything. The Board is doing what the Legislative Body asked. 2) Mr. Cormier said that while the gyms are owned by the schools, it is the taxpayers that own all of it. He suggested that the Legislative Body could take away the control of the school. 3) Nancy Wright disagreed that the multi-purpose room isn't suitable for basketball and thought that it could also be used for other activities. 4) Alan Ballard told Paul that his presentation last week was a complete recommendation and thought it was biased. He hoped that the informational sessions would not be biased. Chris reminded everyone that the topic is on usage. 5) Ms. Wright said she went to the school to view the usage based on the report that the schedule is full, of which she disagrees with. She added that the Selectmen need to be responsible to the taxpayers. Chris assured her that all of the Selectmen keep the taxpayers in mind with everything that they do.

5. Review for Action: Recreation Department Staffing in Winter: Josh said that he would like to know why this department is fully staffed during the winter. He said he understood the need for the staff during the summer. Donna replied that there are 3 full time staff during the winter. Each program must be staffed and the office needs to be manned when the part-time employee leaves for the day. Besides staffing skating, skiing, adult programming, they are also preparing for the summer programming. During the summer the department adds 30 part-time staff.

6. Review for Action: Nobis Engineering Request to Install Monitoring Well, 052-014: Paul asked and Walter replied he wasn't sure if the past monitoring of Murphy's store found any contaminants. Walter added that the requested monitoring well on the Taylor property would be located in the driveway and also would be within the State's right of way. Russ Made the Motion to grant permission to Nobis Engineering and its contractors to perform a monitoring well installation on Town owned property known as the former Adel Taylor property and to authorize the Chairman to sign said permission on behalf of the Board. Josh Seconded the Motion. 1) Mr. Mudgett asked if there was a clause requiring that they close and seal the well when done. Walter said that the signature page doesn't include indemnification. Upon consulting with the Town's Attorney, he believed that the Board has the authority to grant such permission and suggested an indemnification be added to the permission which will be ready for signature next week. Walter added that the well will be permanently capped. The Motion carried.
7. Review for Action: Trustees of the Trust Funds Alternate Appointment: Paul Made the Motion to appoint Donald Margeson as an Alternate to the Trustees of the Trust Funds commencing March 31, 2016 and for a term of one year. Josh Seconded and the Motion carried Unanimously.

**VI. OLD BUSINESS:** Russ reported he received a phone call from Robin Lamprey. In one of their newly acquired buildings, they would like to have a gift shop and offer items with the Town's seal on it, such as tee shirts and ash trays, etc. Walter said if approved it gives the appearance that the Town sponsors these items and cautioned against this. Josh said he wasn't comfortable doing this, adding it would set precedence and it would be difficult to deny the same request to another. Jean agreed. By Consensus the Selectmen agreed to have Walter explore obtaining a copyright to the Town's seal.

**VII. OTHER BUSINESS:**

1. Board Update Reports: 1) Josh reported that a draft of the TWC franchise agreement is ready for the Boards' review at an upcoming work session. 2) Russ reported that the Town Planner is close to giving the Planning Board the first two chapters of the Master Plan and expects to have it by the end of January, and in February the proposed zoning amendments in line with the Village Vision report.
2. Town Administrator's Report: Walter reported that construction for the installation of the compactors continues, with the concrete footings and walls underway. A purchase order for the compactors is being issued this week with delivery in 6 to 8 weeks. The slab installation will have to wait for warmer weather. An updated list of agenda topics will be forwarded to the Selectmen. The second States Landing work shop on the project was held on Wednesday, with good progress being made on firming up the project priority list for the proposed improvements. The auditors will be at Town Hall to conduct the 2015 audit beginning March 7<sup>th</sup>. Walter reported that he met with Chief Bengtson and Justin Van Etten of Stewarts' Ambulance in preparation for the next Selectmen's meeting. He added that the Town is now inside of the 180 day notice period if they don't intend to renew the contract. Notices for the Proposed Community Center Information Sessions have been circulated (January 21<sup>st</sup> and 28<sup>th</sup>). Walter made the suggestion, in an effort to get the most out of the one hour session that the Board consider some simple guidelines. Russ asked if another venue should be considered. Walter replied that if they do, then streaming won't be available. He added that after the first session they can make this decision based on attendance. Paul said and Walter agreed that the purpose for the

information sessions is to provide information on the proposed project and not to argue against or for the project. 1) Mr. Mudgett asked if Meredith is now contributing for the second paramedic. Walter replied that in the current agreement, Meredith is a contributor. Walter informed the Board that he and Superintendent Sue Noyes met this week and they are preparing a draft for the charge of the Joint School Board and Selectmen Sub-Committee for review at next week's meeting. Chris asked and Walter and Hope reported that the School Board's meeting which had been scheduled for February 9<sup>th</sup> has been moved to February 8<sup>th</sup> due to the primary elections. The RAB was also scheduled to use the meeting room on that day and will need to meet in the conference room.

3. Milfoil Committee Minutes, December 9, 2015: Acknowledged.
4. Public Library Board of Trustees Minutes, December 10, 2015: Acknowledged.
5. Advisory Budget Committee Minutes, December 22, 2015 & January 5, 2016: Acknowledged. Josh noted that the Chair of the ABC also asked for the Recreation Department program usage numbers.
6. Zoning Board of Adjustment Minutes, January 6, 2016: Acknowledged.

#### **VIII. CORRESPONDENCE:**

1. Time Warner Cable, January 6, 2016, Possible Program Changes: Acknowledged.

**IX. CITIZEN INPUT:** 1) Mr. Cormier suggested that the Board contact Carol Miller, Director of Broadband of the NH DRED regarding expanding broadband. 2) Mr. Hume, commenting on the Citizens' Petition for \$12,000 to support Suicide Prevention, said that while he knows this a worthy cause, he would like to hear from the supporters about what they are doing. He said they should attend the budget hearing to support their petition and also attend Town Meeting to speak to it. Mr. Hume asked people to remember that most people in Town are retired and living on fixed incomes. 3) Mr. Mudgett, referring to the recently approved contract for the Road Agent, said he continues to not understand why the Town is paying the Road Agent \$200 a week when he is now working full time in New Durham. Chris replied that he is working and will be helping to make the transition. Paul said that Scott Kinmond didn't resign as Road Agent in order to help the Town out. He added that the question of appointing or electing a Road Agent will be on the warrant. If the decision is to continue to appoint then the Board will make the appointment. Chris read some of the agreement to Mr. Mudgett that described his duties: to provide a transition, review payroll and payables, provide the Board with a weekly report, assist with current projects, etc. 4) Mr. Austin asked why the Recreation Department places a heavy emphasis on team sports with playing fields. Chris replied that the focus is on sports kids play. Donna added that her department provides more than just team sports and for all ages. 5) Ms. Wright asked what the topics would be for the upcoming information sessions. Paul said the topics would be building design and the facility. He added that the Board agreed that the facility would provide the same functions of the Lions Club and Recreation Department and based on the findings of the Blue Ribbon Commission. Ms. Wright felt that the information from the Blue Ribbon Commission was old information. Paul said that the purpose of placing the question on the warrant was to answer the question once and for all. 6) Mr. Cormier asked and Chris replied that the discussion for the information sessions was on the proposed building and site, and not to be a heated discussion. Mr. Cormier said he was concerned about the language in the warrant article.

- X. Chris said that the Selectmen need to go into Non-Public Session per RSA 91-A:3 II (c), for reputation and will reconvene for adjournment only. Paul 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: Josh – Aye; Paul – Aye; Russ – Aye; Jean – Aye; Chris – Aye. The Motion carried and the Selectmen went into Non-Public Session at 9:03 p.m.

The Board exited Non-Public Session at 9:23 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, 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. Jean Seconded and the Motion carried Unanimously.

- XI. **ADJOURNMENT:** Josh Made the Motion to Adjourn. Paul Seconded.  
Motion Carried Unanimously  
Chris adjourned the meeting at 9:24 p.m.

Christopher P. Shipp \_\_\_\_\_  
Approved

1/21/16 Hope K. Kokas \_\_\_\_\_  
Date  
Respectfully Submitted  
Hope K. Kokas, Administrative Assistant