

**Center Harbor Board of Selectmen
Board of Selectmen's Meeting and
Proposed Disorderly Actions Ordinance Public Hearing
Wednesday, February 15, 2017**

CALL TO ORDER: At 7:00 p.m. Chairman Harry Viens called the meeting to order.

CONTINUANCE OF PUBLIC HEARING-PROPOSED DISORDERLY ACTIONS

ORDINANCE: At 7:00 p.m. Mr. Viens reconvened the public hearing to receive input on the proposed disorderly actions ordinance. Selectmen Richard Hanson and Richard Drenkhahn were present. Police Chief Mark Chase, Karen Ponton, Ed Andrews and Selectmen's Administrative Assistant Robin Woodaman were also present.

- **Ed Andrews:** Mr. Andrews asked the purpose of the proposed ordinance. Mr. Viens explained it is to better define public nuisances. He explained currently the Police Department has to rely on State laws, which doesn't refer to the issuance of tickets, only arrests. Mr. Viens explained the adoption of this proposed ordinance will allow the Police Department to step into situations with the possibility of issuing tickets, if appropriate, without arresting individuals. Mr. Andrews asked if a DB (decimal) meter would be used. Chief Chase explained a DB meter would not be used; the ordinance would be used if noise can be heard from properties. Mr. Andrews asked if it would be more for party and fireworks activities; Chief Chase explained it would be.

CLOSE PUBLIC HEARING: At 7:20 p.m. Mr. Viens closed the public hearing.

RECONVENE BOARD OF SELECTMEN'S MEETING: At 7:20 p.m. Mr. Viens reconvened the Board of Selectmen's meeting. Selectmen Richard Hanson and Richard Drenkhahn were present. Police Chief Mark Chase, Karen Ponton and Selectmen's Administrative Assistant Robin Woodaman were also present.

DISORDERLY ACTIONS ORDINANCE:

- **Fireworks:** The proposed ordinance, which was discussed at the February 1, 2017 public hearing, referred to "permitted" fireworks. After discussion, this will be revised to "legally allowed" fireworks. Chief Chase reported on a legislature bill which would make what are now considered illegal fireworks, legal fireworks. He reported the start time for fireworks would be noon, which would be consistent with the Town of Moultonborough's start time.
- **Temporary special permit:** Chief Chase reported this has been revised so that only the Board of Selectmen are authorized to suspend this ordinance, or any specific section, for a period not exceed seven (7) days to persons or organizations wishing to exceed those limits provided for, based on a demonstration as follows:
 - Activity which is sought to be engaged in, is in furtherance of a substantial public interest or benefit, and will not be inconsistent with the statement of purpose.
 - Activity sought to, be engaged in, is necessary in order to avoid undue hardship and will not be inconsistent with the statement of purpose.

Mr. Viens motioned to adopt the Disorderly Actions ordinance as amended. Mr. Drenkhahn seconded the motion and the vote was unanimous.

PROPOSED DOG ORDINANCE: Chief Chase reported he will continue research on a proposed dog ordinance.

AGENDA REVIEW: No changes were made.

MEETING MINUTES:

- **February 8, 2017 Board of Selectmen's budget hearing and meeting minutes:** Mr. Drenkhahn motioned to accept the minutes as presented. Mr. Viens seconded the motion. Mr. Hanson, who was not in attendance during the budget hearing, abstained from voting. The motion passed.

PUBLIC INPUT:

KAREN PONTON:

- **Airbnb regulations:** Ms. Ponton submitted a Laconia Daily Sun article reporting on lawmakers struggling with how, or if, Airbnb operations in New Hampshire Can be regulated. She reported on issues last summer with an Airbnb rental near her property; Code Enforcement Officer Ken Ballance told her statutorily there was nothing he could do. Mr. Viens reported the Selectmen are waiting for the legislature to sort this out; he reported an issue is the Airbnb rentals paying the State rooms and meals tax.

SELECTMEN'S REPORTS:

HISTORICAL PROPERTY CENSUS: Mr. Viens reported Mae Williams is working to document historical properties in Center Harbor; this project is grant-funded and the Center Harbor's historical properties census is a demo project which can be used for risk mitigation. He reported he and a number of other individuals attended a round-table meeting with Ms. Williams earlier in the day.

UNFINISHED BUSINESS:

HISTORIC RESOURCES STEWARDSHIP PLAN: Mr. Viens reported Town Attorney Chris Bold confirmed that the Selectmen cannot "bind" future boards. He requested the Board authorize him and Ms. Ponton to meet with Attorney Boldt to discuss the wording of this document; Mr. Hanson and Mr. Drenkhahn have no objection. Mr. Hanson asked if the delay in the Selectmen signing this plan would pose a problem for the Heritage Commission; Ms. Ponton reported it would not.

FOGG HILL CONSERVATION EASEMENT DEED: Mr. Viens reported the Fogg Hill conservation easement deed will be reviewed first by the Conservation Commission and should be ready for the Selectmen's review, and signatures, next week.

NEW BUSINESS:

LAND & COMMUNITY HERITAGE INVESTMENT PROGRAM (LCHIP) PROJECT AGREEMENT (for TOWN HOUSE): Mr. Hanson asked if, by signing this agreement, future Select Boards would be responsible. Mr. Viens explained this is a requirement of

the LCHIP grant. Ms. Ponton explained it is a five year stewardship agreement; stewardship agreements are required for LCHIP grants per state statutes. She explained there will be an initial baseline documentation on the status of the Town House; then every year, for five years, a monitoring report will be submitted. Mr. Hanson reported there are consequences for failure to do so. Mr. Drenkhahn motioned to sign the LCHIP project agreement. Mr. Hanson seconded the motion and the vote was unanimous.

LAKES REGION PLANNING COMMISSION (LRPC):

- **Shared services:** LRPC submitted information on areas that communities may be interested in sharing services. Mr. Viens requested Mr. Hanson and Mr. Drenkhahn review the list and prioritize their ideas of shared services and he will compile the results.

FIRE DEPARTMENT:

- **Fire Department firefighter:** Mr. Viens motioned to hire Noah Sullivan as a firefighter based on Fire Chief Leon Manville's recommendation, pending a successful background check. Mr. Drenkhahn seconded the motion and the vote was unanimous.

SKATE FEST POLICE DETAIL: Chief Chase reported the Town currently charges \$40 per hour for Police details at town events and \$60 for non-town sponsored events (which includes a \$20 administrative charge for payroll taxes, retirement, etc.). He asked what hourly fee should be charged for Skate Fest; the Selectmen agreed to charge \$40 per hour.

PUBLIC INPUT: None

ADDITIONAL BUSINESS

STATE OF NEW HAMPSHIRE:

- **State of New Hampshire Department of Transportation (NH DOT):** Mr. Viens requested Chief Chase include a discussion regarding the intersection of Route 25B and Main Street by the fountain when meeting with the NH DOT regarding speed limits. Chief Chase reported he would like to schedule the meeting in April and suggested the Selectmen request Road Agent Jeff Haines to be present. The Selectmen agreed on the importance of having Mr. Haines present.
- **State of New Hampshire Department of Revenue Administration (NH DRA):**
 - **NH DRA form MS-636 "Budget of the Town of Center Harbor:** Mr. Viens motioned to sign the 2017 NH DRA form MS-636 "Budget of the Town of Center Harbor. Mr. Drenkhahn seconded the motion and the vote was unanimous.
 - **NH DRA "Permanent Application for Property Tax Credit/Exemption":** Mr. Viens motioned to approve Patrick Curran's NH DRA "Permanent Application for Property Tax Credit/Exemption" – veteran's credit. Mr. Hanson seconded the motion and the vote was unanimous.
- **State of New Hampshire Department of Safety (NH DOS):** Mr. Viens motioned to authorize E. M. Heath, Inc. to be a Deputy Collector of taxes for boats. Mr. Drenkhahn seconded the motion and the vote was unanimous.

GENERAL JOURNAL ENTRIES: The Selectmen reviewed, and approved, the general journal entries as presented.

CURRENT BILLS PAYABLE: The Selectmen reviewed, and approved, the payroll and accounts payable manifests as presented.

ADJOURNMENT: At 7:59 p.m. Mr. Drenkhahn motioned to adjourn the Board of Selectmen's meeting. Mr. Hanson seconded the motion and the vote was unanimous.

Respectfully submitted,

Robin Woodaman
Selectmen's Administrative Assistant