

**Center Harbor Board of Selectmen
Meeting Minutes
Wednesday, March 25, 2009**

Chairman Charley Hanson called the meeting to order at 2:12 p.m. Selectmen Richard Drenkhahn and Randy Mattson were also present.

WORK SESSION – PERSONNEL POLICIES: The Selectmen worked on the personnel policies.

CONTINUANCE OF MEETING: At 5:10 p.m. Mr. Drenkhahn motioned to continue the Board of Selectmen’s meeting. Ms. Mattson seconded the motion and the vote was unanimous.

RECONVENE: At 7:02 p.m. Mr. Hanson reconvened the Board of Selectmen’s meeting. Selectmen Richard Drenkhahn and Randy Mattson were also present. Allan Hale, Jr., Town Clerk Sheila Mohan and Selectmen’s Secretary Robin Woodaman were also in attendance.

APPROVAL OF MINUTES: Ms. Mattson motioned to accept the minutes of the March 18, 2009 Board of Selectmen’s meeting. Mr. Drenkhahn seconded the motion and the vote was unanimous.

APPOINTMENTS: None

NEW BUSINESS:

BEAVERSIDE DRIVE AND MEADOW DRIVE:

Email received from Allan Hale, Jr.: The Selectmen reviewed an email received from Allan Hale, Jr. regarding the amendment to the Town Meeting warrant article to accept these two roads as town roads. Mr. Hanson reported speaking with Town Attorney Doug Hill who explained that the premise that the Planning Board (PB) has something to do with the acceptance of town roads is not true; the PB has to make sure the roads are built to Town specifications, then Town Meeting votes on acceptance. He explained the Town needs financial assurance that the road will be protected during construction. Ms. Mattson reported the Town needs the metes and bounds for those two roads plus Wood Ridge Road, which was accepted as a Town road at the 2008 Town Meeting. Mr. Drenkhahn suggested the Town not plow the road if the necessary documents are not submitted. There was discussion regarding roads built which have State of New Hampshire Department of Environmental Services (NH DES) wetland specifications in place. Mr. Hanson suggested the Selectmen, Attorney Hill and Mr. Hale meet to discuss this issue; Mr. Drenkhahn and Ms. Mattson agreed.

Allan Hale, Jr.: Mr. Hale arrived after the Selectmen had the above discussion. Mr. Hale explained five, not three as mentioned in his email, of the lots are owned by family members; two have built houses on lots and the other three do not plan any construction, other lots have been sold to individuals. He explained it is too late to add deed covenants on property that has already been sold. Mr. Hale explained he understands the Town is trying to get the roads insured for possible damage during construction, but reported he feels it should be the contractor who is liable for damages. He suggested proof of contractor’s insurance be required as part of the issuance of construction permits; if the contractor does not have insurance, the property owner should post a bond. Mr. Hanson explained the Selectmen are open to other ways for financial surety.

Mr. Hale explained he feels the PB, which included a Selectmen’s representative, accepted the conditions written on the subdivision plat; he feels the Selectmen had an obligation to stand behind that agreement. He explained he feels the plat is a contract. Mr. Hanson explained Town Meeting votes for

acceptance of Town roads. Ms. Mattson explained Town Attorney Doug Hill wrote the warrant article amendment. Mr. Hanson explained the amendment had nothing to do with the acceptance of those roads as Town roads. Mr. Hale explained he feels his next step would be to seek a legal opinion. Mr. Hanson explained the Selectmen would like to work this out and reported the Selectmen are protecting the interest of the Town. He explained the Selectmen will take the discussion with Mr. Hale under advisement, speak with Attorney Hill and report back to Mr. Hale next week.

INTER-LAKES SCHOOL BOARD: Mr. Hale asked if a decision had been made by the Inter-Lakes School Board for the replacement of the Center Harbor representative who recently resigned from the Board. Mr. Drenkhahn reported his wife, Diane Drenkhahn (a past Center Harbor representative to the School Board) and another person have applied. He explained the School Board will advertise for interested candidates, interview the applicants and then make their decision.

POLICE CRUISER: Police Chief Mark Chase submitted a memo informing the Selectmen that the 2009 cruiser (Ford Crown Victoria) was picked up on Tuesday, March 24, 2009, is at Ossipee Mountain Electronics currently and should be in service next week. Chief Chase reported the equipment from the 2004 Dodge Intrepid police cruiser has been removed and the vehicle is in service for the Highway Department.

SALE OF 2000 FORD CROWN VICTORIA: The Selectmen discussed the sale of the 2000 Crown Victoria. It will be advertised with a minimum bid of \$1,000; bids are due April 15, 2009.

2009 LANDSCAPE MAINTENANCE: The Selectmen reviewed the specifications for landscape maintenance for 2009; proposals are due April 15, 2009.

PUBLIC SAFETY BUILDING CAPITAL RESERVE FUND (CRF): The Selectmen signed a request to the Trustees of the Trust Funds for the Town's general fund be reimbursed \$3,577.50 from the Public Safety Building's CRF; the reimbursement is for legal expenses incurred with Town Attorney Doug Hill.

NH RECOVERY: The Selectmen received notification of an informational meeting on April 7, 2009 regarding the American Recovery and Reinvestment Act of 2009 (ARRA) and how the federal stimulus affects business, schools, municipalities and non-profits; Mr. Drenkhahn will attend the meeting at the University of New Hampshire.

SAVOIE'S LODGING & CAMPING: The Selectmen received a request from Savoie's Lodging & Camping representatives Normand Savoie and Tiffany Royea for permission to allow tenting on nine different dates (not including Motorcycle Week) in 2009. They would also like permission to have a live band or disc jockey on some of the weekends. There was discussion regarding past requests from Savoie's Lodging for camping; Ms. Mohan explained Savoie's Lodging is limited in the amount of camping they can have because of zoning ordinances. Ms. Mohan reported the New Hampshire Music Festival (NHMF) is going through the Planning Board's site plan approval process and explained there had been discussions regarding concerns for any outdoor music. Mr. Hanson explained the Selectmen grant special approval for Savoie's Lodging to have camping during Motorcycle Week. The Selectmen would like to review past approvals to Savoie's Lodging. Copies of Savoie's Lodging request will be forwarded to Police Chief Mark Chase and Fire Chief John Schlemmer for their input.

CEMETERY TRUSTEES: The Selectmen reviewed RSA 289:6 "Cemetery Trustees", which states that every municipality shall elect a Board of Cemetery Trustees consisting of three members, unless a Town at an annual or special Town Meeting votes that the Board shall consist of five members. The Selectmen discussed the necessity for three Cemetery Trustees to be elected at the 2010 Town Meeting; one for one year, one for two years and one for three years. Ms. Mohan agreed and the positions will be on the 2010 ballot.

LIBRARY TRUSTEES: Mr. Drenkhahn reported meeting with the Library Trustees regarding the proposed location for the Police Department; they were supportive of the plan. He reported the Library Trustees concerns with the maple tree that is growing adjacent to Main St.; big limbs have come off of it. He explained the Trustees have removed the benches from underneath the tree due to safety concerns with falling limbs. Mr. Drenkhahn reported speaking with Road Agent Jeff Haines regarding this tree; Mr. Haines feels it is best to either take the tree down or remove the dead portions if the tree can be saved. Mr. Drenkhahn reported Mr. Haines would like an arborist to examine the tree and make recommendations; based on the recommendations Mr. Haines would plan to have the work completed by Memorial Day. Mr. Hanson will donate a couple of trees for planting in Town.

UNFINISHED BUSINESS:

HIGH HAITH BRIDGE PROJECT: The Selectmen received preliminary plans and the project manual for the High Haith Bridge replacement project; a copy will be forwarded to Road Agent Jeff Haines for his review.

FIRE DEPARTMENT RADIO ROOM RENOVATIONS: The Selectmen reviewed input regarding the renovations to the Fire Department's radio room from Fire Chief John Schlemmer, Police Chief Mark Chase, Road Agent Jeff Haines and Emergency Management Director (and Safety Officer for the Center Harbor Fire Department) David Hughes. The Selectmen will hold a public hearing regarding the proposed renovations on April 8, 2009 at 7:15 p.m. Mr. Hanson suggested compiling the bid specifications after the public hearing; Mr. Drenkhahn and Ms. Mattson agreed.

RADIO ALARM SYSTEM: The Selectmen reviewed Fire Chief John Schlemmer's recommendation to implement a radio alarm system ordinance. A copy of Chief Schlemmer's memo will be forwarded to Police Chief Mark Chase for input.

NATIONAL FLOOD INSURANCE PROGRAM: Mr. Hanson reported receiving confirmation that Center Harbor property owners are eligible for the National Flood Insurance Program. Ms. Mattson reported the government has not performed the required mapping of the Town in order for property owners to be eligible for the higher amount of coverage; therefore property owners are eligible for the lesser amount of coverage.

2010 CENSUS: The Selectmen received notification that U.S. Census workers will be canvassing (the first major activity that prepares for the 2010 Census) the Town from late April through early July 2009. Census employees will verify the address and physical location of all New Hampshire's dwellings.

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

CORRESPONDENCE:

TOWN ATTORNEY DOUG HILL: The Selectmen received notification that Attorney Hill has submitted the Petition to Quiet Title (The Dr. Leonard B. Morrill Memorial Park Association) to the Belknap County Superior Court.

STATE OF NEW HAMPSHIRE DEPARTMENT OF ENVIRONMENTAL SERVICES (NH DES):

1. The Selectmen received notification that NH DES has received the Town's "Shoreland Application #2009-00454, High Haith Road, Center Harbor". The letter stated that the application will be reviewed within 30 days of the received date of March 18, 2009.
2. The Selectmen received a copy of the following "Shoreland Impact Permit 2009-00341":
Kelsey TML 7-53

