

**Center Harbor Board of Selectmen
Meeting Minutes
Wednesday, May 20, 2009**

Chairman Charley Hanson called the meeting to order at 7:00 p.m. Present were Selectmen Richard Drenkhahn and Randy Mattson (Ms. Mattson left at 7:35 p.m.). Tiffany Royea, Town Clerk Sheila Mohan and Selectmen's Secretary Robin Woodaman were also in attendance.

APPROVAL OF MINUTES: Mr. Drenkhahn motioned to accept the minutes of May 13, 2009. Mr. Hanson seconded the motion and the vote was unanimous.

APPOINTMENTS:

TIFFANY ROYEA: Ms. Royea, representing Savoie's Lodging, reported she spoke with Police Chief Mark Chase and Fire Chief John Schlemmer regarding Motorcycle Week and requested a permit from the Board of Selectmen for that time period. Mr. Hanson motioned to approve Savoie's Lodging request for Motorcycle Week with the same conditions as in previous years; this approval is contingent upon Chief Chase's and Chief Schlemmer's approval. Mr. Drenkhahn seconded the motion; the motion passed.

UNFINISHED BUSINESS:

PERSONNEL POLICIES: The Selectmen would like Police Chief Mark Chase, Fire Chief John Schlemmer, Road Agent Jeff Haines and Parks & Recreation Director Jody Dickerson to review the draft personnel policies and submit their input to the Selectmen prior to Wednesday, May 27th. Ms. Mattson asked if the personnel policies should be reviewed by legal counsel. Mr. Drenkhahn reported that it is recommended legal counsel review the policy. The Local Government Center will be asked to review the draft after any additional changes are made. The Selectmen discussed the process of employee evaluations. The Selectmen scheduled a non-public session per RSA 91-A:3, II(a) for June 3, 2009 at 7:30 a.m. to discuss employee's reviews and complete the employee performance evaluation of the employees; these evaluations will be distributed to the employees prior to the employee's evaluation meeting with the Board of Selectmen.

PURCHASING POLICY: The Selectmen reviewed the draft purchasing policy; a few edits were made. The Selectmen will vote to adopt the purchasing policy at their May 27, 2009 meeting.

HEATING OIL & MAINTENANCE REQUESTS FOR PROPOSALS (RFP): The Selectmen reviewed the draft RFP for heating oil. Mr. Hanson suggested the Selectmen concentrate the RFP on heating fuel and Mr. Drenkhahn agreed. The Selectmen made a few edits to the RFP for heating fuel; this will be due on June 10, 2009.

HIGH HAITH BRIDGE PROJECT: The Selectmen received the following information from the State of New Hampshire Department of Transportation (NH DOT):

- American Recovery and Reinvestment Act (ARRA): The Selectmen received notification that the High Haith Bridge replacement project has been approved for 100% construction reimbursement based on the latest construction cost estimate of \$543,872. The State of New Hampshire Department of Revenue Administration will be asked the process for a special town meeting to expend these funds.

- Quantum Construction Consultants, LLC: As a result of the ARRA funding, which will require additional services, Mr. Hanson signed the contract with Quantum for the budget increase for additional services.
- Final plans: The Selectmen received notification that the NH DOT has reviewed the Final Plans dated May 1, 2009 as prepared by Quantum Construction Consultants, LLC and finds them to be satisfactory.
- Easements: Mr. Hanson reported the Town needs the easements for the project as soon as possible. Town Attorney Doug Hill will be asked the status of the easements.

PRIME WETLANDS PROJECT: Ms. Mattson reported being informed by Rick Van der Poll that it will cost \$200 to change the “Mug Complex” to the “Paquette Complex” on the prime wetlands maps.

NATURAL RESOURCE INVENTORY (NRI): The Selectmen reviewed a contract with Ecosystem Management Consultants of New England, LLC for the completion of a Town-wide NRI; the contract price is \$18,000. The effective beginning date of the contract shall be May 1, 2009 and the end date shall be March 31, 2010, unless otherwise amended by both parties to allow for complete approval of the natural resources chapter of the Master Plan. Mr. Hanson motioned to sign the contract for the NRI with Ecosystem Management consultants of New England, LLC. Mr. Drenkhahn seconded the motion and the vote was unanimous.

NEW BUSINESS:

TAX ANTICIPATION NOTE (TAN): Mr. Hanson motioned to sign the 2009 TAN note #1, in the amount of \$1,000,000 with an interest rate of 3.3%. Mr. Drenkhahn seconded the motion; the motion passed.

MEMORIAL DAY: The Selectmen reported Parks & Recreation Director Jody Dickerson has events ready for Memorial Day. Mr. Hanson reported Mr. Dickerson has arranged for an Army flyover.

PURE ADRENALINE MOTORSPORTS EVENT: Mr. Hanson reported the Town Office received a call from a gentleman requesting a vending permit to sell food at an auto show event at Pure Adrenaline Motorsports, owned by Cynthia and Horatio Melo. Town Clerk, and Planning Board (PB) Clerk Sheila Mohan reported she read the minutes from the PB’s site plan approval, which did not indicate there would be auto shows. Ms. Mohan reported speaking with Ms. Melo, who informed her that the food would be provided by outside vendors and she thought that was part of the PB’s approval. The Selectmen received a written request from Ms. Melo to allow the planned car show on May 30, 2009; she reported she will meet with the PB on June 2, 2009 for an amended site plan review. There was discussion regarding the Selectmen’s authority to issue a one-time exception for site plan approval. Mr. Hanson reported this would be a great time for the Selectmen to issue a one-time exception; it will give the Town the opportunity to see how the event was handled and Mr. Drenkhahn agreed. Mr. Hanson motioned to grant a one-time exception for Pure Adrenaline Motorsport’s May 30, 2009 event with the understanding that Ms. Melo comes to the next available Planning Board meeting to rectify the amendment to the site plan review. Mr. Drenkhahn seconded the motion; the motion passed.

Ms. Mohan reported Ms. Melo informed her that the landscaping business is no longer on the property; the mulch belongs to Ms. Melo, a machine will return to remove brush and the storage trailer will be removed.

ADDITIONAL BUSINESS:

LOCAL GOVERNMENT CENTER (LGC) WORKSHOP: Mr. Drenkhahn reported attending the “Local Officials Workshop”, at which there was discussion regarding the creation of public highways and laying out

roads for winter maintenance only. He reported he is looking into this further to see how it may be used to accept roads not yet built out.

PLANNING BOARD (PB): Mr. Hanson reported the PB met May 20, 2009 and discussed the following:

Murdough second dwelling unit: Mr. Hanson reported there was discussion regarding the possibility of Mr. Murdough constructing a second dwelling unit on his property (RML 7-44). He reported Code Enforcement Officer Ken Ballance explained the proposed building would be within a set back and a variance from the Zoning Board of Approval will be necessary.

Maggi bed & breakfast: Mr. Hanson reported the PB approved Mr. Maggi's application for a bed and breakfast operation on his property (TML 6-24); five (5) bedrooms were approved. Mr. Drenkhahn asked if there were any fire suppression concerns; Mr. Hanson reported that will be addressed as part of the certificate of occupancy. Mr. Hanson reported people in attendance at the PB meeting expressed their concerns for Mr. Maggi's proposal to hold events for up to 150 people; Mr. Maggil retracted his application for the events.

2008 GRAVEL PIT EXTENSION: On April 18, 2008, the Board of Selectmen sent a letter to Thomas Paquette, Granite State Aggregate, allowing an extension of the crushing period for two weeks until May 15, 2008. The letter was postmarked April 21, 2008 and was returned to the Town Office as "not Deliverable as Addressed" on May 14, 2009. Mr. Drenkhahn suggested a letter be sent to Mr. Paquette explaining the original letter was lost in the mail for over a year.

CONSTRUCTION PERMIT APPLICATIONS: The Selectmen reviewed the following approved construction permit applications:

Waukewan Golf Club	TML 3-67
Meloney	TML 5-7.1
Adams	TML 2-11

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

CORRESPONDENCE:

BARRY BORELLA: The Selectmen reviewed correspondence received from Barry Borella regarding two matters:

1. **Snow plowing:** Mr. Borella reported he feels snow plowing since Center Harbor Neck Road was repaved has been far more aggressive than in the past. He reported the plowed area extends substantially past the paved portion, into and beyond the diminished prescriptive right-of-way. He requested the Selectmen's assurance that plowing procedures will be modified to prevent future damage to stone walls and trees. Mr. Hanson reported the Town plow drivers remove the snow in a manner to keep ahead of the snow accumulation.
2. **Scenic road:** Mr. Borella reported Center Harbor Neck Road was designated a scenic road in 1970. He referred to RSA 231:158, paragraph II, which states in part "...any repair, maintenance, reconstruction, or paving work done.....shall not involve the cutting, damage or removal of trees, or the tearing down or destruction of stone walls, or portions thereof, except with the prior written consent of the Planning Board, or any other official municipal body designated by the meeting to implement the provisions of this subdivision, after a public hearing duly advertised as to time, date, place and purpose, 2 times in a newspaper of general circulation in the area, the last publication to

occur at least 7 days prior to such hearing.....” Mr. Borella asked if there is documentation that these procedures were complied with during the reconstruction of a portion of Center Harbor Neck road. Mr. Hanson explained the State owned the portion of Center Harbor Neck Road and performed the reconstruction, the Town could not designate the State owned portion as a scenic road because the Town did not own it; the State owned portion was accepted as a Town road at the 2007 Town Meeting. A letter will be sent explaining this to Mr. Borella.

ADJOURNMENT: At 8:55 p.m. Mr. Drenkhahn motioned to adjourn the meeting. Mr. Hanson seconded the motion; the motion passed.

Respectfully submitted,

Robin Woodaman,
Selectmen’s Secretary