

**Town of Center Harbor
Board of Selectmen's Meeting Minutes
September 16, 2009**

CALL TO ORDER: At 7:00 p.m. Chairman Charley Hanson called the meeting to order. Selectmen Richard Drenkhahn and Randy Mattson (arrived at 7:45 p.m.) were also present. Lisa Herrick, Virginia Irwin, Paul Maggi, Jan Maggi, Austine Howard, Fire Chief John Schlemmer, Code Enforcement Officer Ken Ballance, Town Clerk Sheila Mohan, Meredith News Reporter Erin Plummer and Selectmen's Secretary Robin Woodaman were also in attendance.

APPROVAL OF MINUTES:

1. Mr. Hanson motioned to clarify the section of the "Fire Permits" on page 5 in the minutes of September 2, 2009 for the Selectmen to recommend the six (6) individuals recommended by Fire Chief John Schlemmer to issue fire permits, as opposed to appointing the six (6) individuals. (The State of New Hampshire Fire Marshall's Office appoints the individuals recommended by the Fire Chief and Board of Selectmen). Mr. Drenkhahn seconded the motion; the motion passed.
2. Mr. Drenkhahn motioned to accept the minutes of September 9, 2009. Mr. Hanson seconded the motion; the motion passed.

APPOINTMENTS:

VIRGINIA IRWIN: Ms. Irwin, a graduate of Belknap College and a representative of the Belknap College Alumni Association, submitted photographs of a sample plaque and bench for the Selectmen's consideration of their (the Alumni Association's) request to erect a plaque commemorating Belknap College. Mr. Hanson explained the New Hampshire Music Festival owns the former Belknap College property on Route 25B and the Association would have to speak with them regarding placing a plaque on their property. Mr. Hanson explained the Town is proposing to construct a new Police Station and create a new park between the Library and the Police Station with walking trails and benches; he explained a bench commemorating Belknap College may be possible in that area. Ms. Irwin reported the Alumni Association will proceed with fundraising for the memorial knowing that the park option is contingent on Town meeting approval for the Park.

PUBLIC HEARING: At 7:18 p.m. Mr. Hanson called the public hearing regarding the designation of the Town Beach and Playground property a park, to order. He explained this property was discussed at the Selectmen's public hearing regarding designating the bandstand property a park; there was a desire expressed to extend the park designation to the beach property. Mr. Drenkhahn explained the designation will protect the property with another layer of covenants. Mr. Hanson explained the voters at Town Meeting will vote on this designation. At 7:21 p.m. Mr. Hanson closed the public hearing.

RECONVENE: At 7:21 p.m. Mr. Hanson reconvened the Board of Selectmen's meeting.

APPOINTMENTS:

PAUL MAGGI (HEARTHSTONE BED & BREAKFAST): Mr. Maggi reported he wanted to attend the Selectmen's meeting to make sure everything is set for him to receive a temporary certificate of occupancy for Hearthstone Bed & Breakfast (TML 6-24). He reported he is

scheduled to meet with Fire Chief John Schlemmer and State of New Hampshire Fire Marshall's Office (NH FMO) Inspector Tom Riley on Monday, September 21, 2009 to discuss the NH FMO's requirements. Mr. Maggi reported the level of safety doesn't seem to be the question and reported going towards a residential fire suppression system; he reported the fire suppression system may take care of the other issues. He reported leaving last week's Selectmen's meeting expecting to receive a temporary certificate of occupancy based on Chief Schlemmer's requirements. Ms. Mattson referred to the Selectmen's minutes of September 9, 2009, which referenced Mr. Maggi installing a radio fire alarm box in seven (7) days and asked if it had been installed. Mr. Maggi reported it has not, but he found another vendor who will be able to install the radio box in seven (7) to fourteen (14) days.

Ms. Mattson reported speaking with Town Attorney Doug Hill regarding Mr. Maggi's issues; Attorney Hill submitted a confidential memo to the Selectmen. Mr. Hanson explained if the Selectmen read from the memo, it becomes a public document, but if the Selectmen refer to it, it remains confidential.

Chief Schlemmer reported speaking with the Fire Marshall, who feels an agreement can be reached with a sprinkler system being installed in 30 – 60 days. He reported he understands guests are booked at the B & B this weekend and is willing to recommend Code Enforcement Officer Ken Ballance issue a temporary certificate of occupancy until Monday, September 21, 2009. Mr. Ballance reported he is willing to issue a certificate of occupancy for this weekend with future temporary certificates of occupancy based on the NH FMO's timeframe. Ms. Mattson suggested an alternative; placing a fire watch on the property this weekend. Mr. Maggi objected to this suggestion and explained the scheduled guests will be here for a Memorial service, have rented the entire inn and someone in a car all night would take away from their tranquility. Mr. Maggi reported touring Bed & Breakfast establishments; he reported everyone had a series of violations and only one (1) was sprinkled. He reported he feels he has a safe building with a 90-second dial up alarm system and water storage. Mr. Maggi reported his B & B is considered a new occupancy in an existing building. He reported he feels the weekend will not be a big safety problem. Ms. Mattson reported the Town needs to rely on the NH FMO and the expertise of the Department heads. Ms. Mattson asked if, in Center Harbor, a building should not be occupied until the certificate of occupancy is granted. Mr. Ballance reported that is true, but he is counting on Mr. Maggi and the NH FMO to resolve the issues quickly. Mr. Drenkhahn reported he agrees with Mr. Ballance and Chief Schlemmer's recommendation; Ms. Mattson reported she does not agree.

Chief Schlemmer will test the water pump on Friday and, if satisfied with the results, will recommend Mr. Ballance issue a temporary certificate of occupancy until Monday, September 21, 2009 at 12:00 p.m. (noon). Mr. Ballance will attend the September 21, 2009 meeting with Mr. Maggi, Mr. Riley and Chief Schlemmer. Mr. Ballance reported additional temporary certificates of occupancy will be tied to Mr. Maggi's agreement with the NH FMO.

UNFINISHED BUSINESS:

ENERGY AUDIT: Ms. Mattson motioned to sign the contract with The Jordan Institute for a detailed assessment and feasibility study analyzing energy efficiency and clean energy improvements for three (3) Town buildings: the Municipal Building, Library and Highway Garage. Mr. Drenkhahn seconded the motion and the vote was unanimous.

LUSCHER PROPERTY TAXES: The Selectmen received notification from Tax Collector Ellen Burns regarding outstanding property taxes on TML 5-3.2, owned by Paul & Heidi Lusher. Mr. Hanson explained the Luscher's purchased the property at a Sheriff's auction and the Selectmen had been informed previously that the Luscher's would be asking the Sheriff's Office who is responsible for the back property taxes. Mr. Drenkhahn reported the Luscher's had to wait one (1) year to take possession of the property, but the year has passed. A letter will be sent asking the status of the property taxes.

PROPOSED 2010 BUDGET: The Selectmen will send a memo to all Department Heads requesting they strive for level funding, or better, in their proposed 2010 budgets. The Selectmen discussed their appreciation for the Department Head's diligence with their budgets and they look forward to working with them in the budget process.

PERSONNEL POLICIES: The Selectmen reviewed the Local Government Center's (LGC) template for a Jury Duty/Witness Leave policy; this will be added to the current draft personnel policies for the Selectmen's review.

HIGH HAITH BRIDGE REPLACEMENT PROJECT: The Selectmen discussed the following items:

Quantum Construction Consultants (QCC), LLC – Final Design Services: Mr. Hanson motioned to sign QCC's request for a budget increase for additional final design services due to the increased cost associated with federal funding. Mr. Drenkhahn seconded the motion; the motion passed.

Quantum Construction Consultants (QCC), LLC Professional Engineering Services for the construction phase: Mr. Hanson motioned to sign QCC's proposal for engineering services for the construction phase. Mr. Drenkhahn seconded the motion; the motion passed.

State of New Hampshire Department of Transportation (NH DOT Contract Document Review: The Selectmen received notification that the NH DOT has reviewed the contract documents and recommended the following changes:

1. Remove FHWA Form 47; it is no longer needed.
2. Include in the Contract the wage rates for Carroll County. QCC Engineer Lisa Martin will research this matter due to the fact that Center Harbor is in Belknap County.
3. The county needs to be added to the cover of the contract document.

SAND/SALT STORAGE SHED PROPOSALS: Mr. Hanson motioned to reject all proposals previously received. Mr. Drenkhahn seconded the motion; the motion passed. Mr. Hanson reported QCC Engineer Lisa Martin has offered to review the new Request for Proposals.

NEW BUSINESS:

EMPLOYEE REVIEWS: The Selectmen discussed conducting employee reviews during the month of November in preparation for the proposed 2010 budget.

RIGHT-TO-KNOW LAW: The Selectmen received the July 15, 2009 Attorney General's Office updated Memorandum on the State of New Hampshire's Right-to-Know law, RSA Chapter 91-A.

MS-5: The Selectmen reviewed, and signed, the State of New Hampshire Department of Revenue Administration MS-5 form. Mr. Hanson reported the Town's fund balance increased by \$77,826 in 2008. He reported the Town's fund balance was reduced a number of years ago due to property abatements, but the Town has been able to build it in recent years. Mr. Hanson motioned to sign the MS-5. Mr. Drenkhahn seconded the motion; the motion passed.

BELKNAP COUNTY TAX LEVY: The Selectmen received notification that the 2009 Belknap County tax will be \$602,440. Mr. Hanson reported it was \$572,741 in 2008 and \$510,750 in 2007.

ZONING BOARD OF ADJUSTMENT (ZBA) APPOINTMENT: The Selectmen received notification that long-time ZBA Chairman Roger Kelley has retired from the ZBA. Town Clerk Sheila Mohan explained past practice in the ZBA and Planning Board (PB) was that if a full member steps down, an alternate member would take that place and the Board members would discuss who would become a new member. She reported a few years ago the Selectmen began picking the new members. Ms. Mohan reported Karen Peranelli is longest serving alternate to the ZBA. Mr. Hanson asked Ms. Mohan to ask Ms. Peranelli about becoming a full member of the ZBA; if she agrees, the Selectmen will appoint an alternate member.

PLANNING BOARD (PB) APPOINTMENT: Ms. Mohan reported PB member Dari Sassan has resigned from the PB. Mr. Hanson would like the PB asked their thoughts on residents interested in serving on the PB. Ms. Mohan reported she and Chuck Burns are alternate PB members and an additional alternate is also needed.

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

CORRESPONDENCE:

STATE OF NEW HAMPSHIRE DEPARTMENT OF SAFETY (NH DOS): The Selectmen received correspondence from the NH DOS regarding reprogramming all P-25 compliant radios statewide with "Zone H" for statewide interoperability. Fire Chief Schlemmer reported the Fire Department purchased 14 radios 2 – 3 years ago with grant funds and explained there is an issue with the programming. He explained the Town does not use the radio frequency in the upper end, but recommended to go forward with the upgrade which will be at no cost to the Town.

STATE OF NEW HAMPSHIRE DEPARTMENT OF REVENUE ADMINISTRATION (NH DRA): The Selectmen received the NH DRA's Property Appraisal Division's calculation of the estimated 2009 taxable property market value for all qualifying utility companies operating in Center Harbor.

INVASIVE SPECIES: Ms. Mattson reported attending an excellent presentation on invasive species conducted by Doug Cygan, invasive Species Coordinator with the State of New Hampshire Department of Agriculture. She reported there were numerous handouts available and samples of invasive species that Mr. Cygan had collected from the nearby area. Ms. Mattson reported Mr. Cygan recommended a Town employee, such as Road Agent Jeff Haines, become certified in the use of herbicides. She reported there is not a fine system to have invasive species on property. Ms. Mattson reported learning that Giant Hogweed can cause burns to the skin similar to radiation poisoning.

Ms. Mattson reported questioning Mr. Cygan on the bittersweet located on the Historical Society property and Mr. Cygan reported there was no inappropriate action taken by the Town.

ADDITIONAL BUSINESS:

JOINT LOSS MANAGEMENT COMMITTEE (JLMC): The Selectmen reviewed a memo received from Road Agent, and Chairman of the JLMC, Jeff Haines reporting the JLMC met on Tuesday, September 15, 2009 and had the following two (2) items to pass to the Selectmen:

Events on-site detail ordinance: Mr. Haines reported the JLMC would like the Selectmen to consider adopting an ordinance that would require events of a to-be determined size be required to have a detail on-site. Fire Chief John Schlemmer expressed his concern with this summer's quilting tent sale; he reported there was no way emergency vehicles could get into the parking area and there was one (1) exit in the tents. He requested the Town have an ordinance in place before next summer. Mr. Hanson reported the Selectmen are in favor of considering this ordinance and asked the JLMC to further research this proposal.

Sanitizers: Mr. Haines reported the JLMC supports and would like to request that the Town purchase hand sanitizer and sanitary wipes for distribution to all Town buildings as a proactive way to protect the Town's employees during the cold and flu season. The Selectmen agreed with this request.

CONSERVATION COMMISSION (CC): Ms. Mattson reported the CC met Tuesday, September 8, 2009 and discussed the following:

Natural Resource Inventory (NRI): Ms. Mattson reported the CC reviewed the NRI maps submitted by Rick Van de Poll; Mr. Van de Poll was asked to address some questions by the CC members.

Dane Forest project: Ms. Mattson reported the CC will hold a public hearing Thursday, September 24, 2009 at 7:00 p.m. to receive input on the CC's proposed purchase of a conservation easement on the Dane Forest property. She reported representatives of the Lakes Region Conservation Trust, who would be the purchaser of the property, and Squam Lakes Conservation Society (SLCS), who would be the holder of the primary conservation easement, will make a presentation during the public hearing; Ms. Mattson explained the Town would hold a secondary conservation easement on the property. Ms. Mattson reported the purchase of this property will increase by 30% the amount of conservation land in Center Harbor. Ms. Mattson reported the organizations are working on a management plan for this unique property, which will be open to the public for many outdoor activities; three (3) parking areas have been pinpointed.

Ms. Mattson reported the CC is required to hold a public hearing and receive a vote of support from the Board of Selectmen prior to the expenditure of conservation funds. Mr. Hanson reported the Selectmen have learned the value of these types of conservation projects, have formed an opinion and can easily vote now; he reported he will speak in favor of this project, which will maintain the rural character of the community, at the public hearing. Mr. Drenkhahn asked if there was a contingency in place if funds cannot be raised for this project; Ms. Mattson reported the organizations are well organized for fundraising and any money contributed by the Town would be returned if the purchase failed.

Mr. Hanson motioned for the Selectmen to support the Dane Forest project. Ms. Mattson seconded the motion, Mr. Drenkhahn abstained from voting due to the fact that his property abuts the Dane Forest property; the motion passed.

BUILDING COMMITTEE (BC): Mr. Drenkhahn reported the BC met on Thursday, September 3, 2009 and discussed the following items:

Generator: Mr. Drenkhahn reported the BC discussed options for a generator for the proposed Police Station: either purchase a stand-alone one for the new building or tap in to the one at the Municipal Building. He reported the BC learned it would be too taxing on the Municipal Building's generator to tie in to the new building.

Veneer: Mr. Drenkhahn reported the BC was informed stone veneer could cost between \$42,000 and \$68,000 more than regular siding; the BC is looking at other veneers.

Radiant heat: Mr. Drenkhahn reported radiant heat is being considered for the proposed building.

Presentation to the Selectmen: Mr. Drenkhahn reported there will be a presentation to the Selectmen on Wednesday, September 23, 2009 at 9:00 a.m.

Public hearing: Mr. Drenkhahn reported the BC plans to schedule a public hearing to inform interested citizens about the progress and proposal the Building Committee has for the new Police facility.

PLANNING BOARD (PB): Mr. Hanson reported the PB met on Tuesday, September 15, 2009 and the following item was addressed:

Non-Residential Site Plan Review (NRSPR): Mr. Hanson reported Senter's Market applied for a NRSPR for additional parking in the section that is in front of Heath's Supermarket and the New Hampshire State Liquor Store. He explained this parking area was part of the original site plan review, but had been removed. Mr. Hanson reported Fire Chief John Schlemmer and Police Chief Mark Chase had previously expressed their concerns for emergency vehicles accessing this area currently limited in width; the current plan will open the area and make it easier for emergency access. He reported the PB approved the NRSPR.

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

Harris	TML 6-11
Caney	TML 4-45

STATE OF NEW HAMPSHIRE DEPARTMENT OF ENVIRONMENTAL SERVICES (NH DES): The Selectmen reviewed the following "Minimum Impact Expedited Application":

Powers	TML 6-39
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ADJOURNMENT: At 8:55 p.m. Ms. Mattson motioned to adjourn the Board of Selectmen's meeting. Mr. Drenkhahn seconded the motion and the vote was unanimous.

Respectfully submitted,

Robin Woodaman
Selectmen's Secretary

