

**Center Harbor Board of Selectmen
Meeting Minutes
Wednesday, September 30, 2009**

Chairman Charley Hanson called the meeting to order at 7:00 p.m. Selectmen Richard Drenkhahn and Randy Mattson (arrived at 7:10 p.m.) were also present. Chris Johnson, The Jordan Institute Project Coordinator Heather Nolen, Meredith News Reporter Erin Plummer, Tax Collector Ellen Burns and Selectmen's Secretary Robin Woodaman were also in attendance.

APPROVAL OF MINUTES: Mr. Hanson motioned to accept the minutes of September 23, 2009. Mr. Drenkhahn seconded the motion; the motion passed.

PUBLIC HEARING – SPECIAL DRAWDOWN OF HAWKINS POND: At 7:16 p.m. Mr. Hanson called the Public Information Meeting regarding the State of New Hampshire Department of Environmental Services (NH DES) special drawdown of Hawkins Pond, in accordance with RSA 482:13, to order. He reported NH DES will be drawing down Hawkins Pond so as to construct a concrete wall/cutoff wall along the upstream face of the dam to eliminate seepage and the development of sinkholes along the edge of Hawkins Pond Road in the dam vicinity. Mr. Hanson reported the drawdown will be started on/or shortly after October 13, 2009 and will continue for several weeks to allow for a slow release of water and the migration of mud burrowing aquatic life; the total drawdown will be approximately 7.5 feet from normal winter levels. He reported it will be allowed to return to its normal winter level as soon as the work has been completed; approximately 12 weeks from the start of construction. At 7:19 p.m. Mr. Hanson closed the Public Information Meeting.

RECONVENE: At 7:19 p.m. Mr. Hanson reconvened the Board of Selectmen's meeting.

APPOINTMENTS:

THE JORDAN INSTITUTE PROJECT COORDINATOR HEATHER NOLEN: Mr. Hanson reported the Energy Committee (EC) was formed as a result of a 2007 Town Meeting vote; he explained the Town of Center Harbor was one of the first active EC's in the State. Ms. Nolen reported The Jordan Institute will begin the energy audit of the Municipal Building, Library and Highway Garage right away to meet the deadlines outlined in the Request for Proposals. EC member Chris Johnson submitted the electric consumption for the three (3) buildings. The following items were discussed:

Contact persons: Road Agent Jeff Haines, Selectmen's Secretary Robin Woodaman and the Energy Committee will be Ms. Nolen's contacts.

Materials needed: Ms. Nolen will request drawings of the buildings, energy histories and service/maintenance records.

Goals of the energy audit: The goals of the energy audit are:

1. Reduce consumption to impact the budget and lower operating costs,
2. Occupancy comfort and safety, and
3. Utilize renewable energy to rely less on fossil fuels.

Issues/concerns with the buildings: Ms. Nolen asked if there were the following concerns:

1. Equipment reaching the end of its life,
2. Maintenance issues with equipment,
3. Occupant comfort; Ms. Mattson reported a lack of control over heating and cooling in the Municipal Building, and
4. Grants; Mr. Johnson reported Fire Chief John Schlemmer is receiving a grant for an elaborate ventilation system in the Fire Station. Mr. Hanson reported the Selectmen do not know the status of the grant.

Future use of each building: Ms. Nolen requested reviewing the Town's Master Plan; Mr. Hanson reported it is in the process of being updated. Ms. Nolen asked if there were plans to separate the Fire Station from the Municipal Building or to build a new Municipal Building; Mr. Hanson reported there are not.

Proposed Police Station: Ms. Nolen asked about the proposed new Police Station. Ms. Mattson explained the proposed Police Station will be a big ticket item in 2010 and will affect other budget items. Ms. Nolen requested a copy of the plans of the proposed building.

Ms. Mattson reported the EC will meet Thursday, October 1, 2009 and will discuss Ms. Nolen's questions and requests.

UNFINISHED BUSINESS:

SAND/SALT STORAGE SHED REQUEST FOR PROPOSALS (RFP): Mr. Hanson reported Road Agent Jeff Haines will meet with Quantum Construction Consultants Engineer Lisa Martin, who offered her assistance with the RFP at no cost to the Town.

PROPOSED POLICE STATION: The Selectmen reviewed, and discussed, the following:

Driveway permit: The Selectmen reviewed a State of New Hampshire Department of Transportation (NH DOT) Application for Driveway Permit prepared by T. F. Moran, Inc. Mr. Hanson reported the driveway permit needs to be in place prior to seeking approval of the project at Town Meeting. Mr. Hanson motioned to sign the driveway permit. Mr. Drenkhahn seconded the motion and the vote was unanimous.

MORRILL MEMORIAL PARK: The Selectmen received correspondence from Terry Knowles, Assistant Director of the State of New Hampshire's Attorney General's Office reporting she (Ms. Knowles) discussed the Town's proposal to designate a new parcel of land as a park and using an area of the established park for purposes other than a park with Director Michael DeLucia and they are interested in pursuing the proposal. Town Attorney Doug Hill has been asked to draft up the appropriate documents for an "assented to" petition, which will be filed with the Probate Court.

HIGH HAITH BRIDGE PROJECT: The Selectmen reviewed, and discussed, the following:

Construction Engineering Services: The Selectmen received notification from the State of New Hampshire Department of Transportation that they have reviewed, and found satisfactory, the Proposal for Construction Engineering Services, dated September 14, 2009, as prepared by Quantum Construction Consultants.

Proposal for Professional Engineering Services Construction Phase: The Selectmen reviewed the Proposal for Professional Engineering Services – Construction Phase submitted by Quantum Construction Consultants. The Selectmen reviewed an email received from QCC Engineer Lisa Martin reporting QCC was waiting for approval from Federal Highway on the construction services contract. Ms. Martin reported a new contract would be sent to the Town in the event of Federal Highway edits. Ms. Mattson motioned to sign the Proposal for Professional Engineering Services – Construction Phase pending confirmation of necessary approvals. Mr. Drenkhahn seconded the motion and the vote was unanimous.

Authorization to advertise: The Selectmen received "Authorization to Advertise" from NH DOT.

Work schedule: Ms. Mattson suggested a letter be sent to the residents who utilize the High Haith Bridge updating them on the status of the construction schedule. There was discussion regarding the project going through the federal program, which took longer than anticipated due to the additional requirements. Mr. Hanson suggested a one (1) page schedule be posted on the bridge; this would be a means of informing the Moultonborough residents who also use the bridge.

HEARTHSTONE BED & BREAKFAST: The Selectmen received, and reviewed, a letter from Shawn Bergeron, a Manager/Code Consultant for Bergeron Technical Services, LLC contracted by Mr. Maggi, to State of New Hampshire Fire Investigator Thomas Riley. The Selectmen also reviewed a copy of an email from Code Enforcement Officer Ken Ballance to Mr. Riley reporting he (Mr. Ballance) is not comfortable with Mr. Bergeron's suggested timeframe for installing the sprinkler system.

HOT DOG CART: The Selectmen reviewed the minutes from their meetings in 2008 and 2009 with Richard Williams and Ken Hibbert regarding operating a hot dog vending cart at the Town Beach area. In 2008, Ms. Mattson explained the process; the Selectmen accept applications after Labor Day and after reviewing the summer operation, one permit is approved. Mr. Drenkhahn reported he feels it would be fair to let Mr. Williams and Mr. Hibbert know of the other application; Mr. Hanson and Ms. Mattson agreed. Ms. Mattson requested Mr. Williams and Mr. Hibbert be informed of the other application. Mr. Hanson suggested the Selectmen consider soliciting bids for the one vending spot.

WOOD RIDGE ROAD: The Selectmen reviewed an email received from Town Attorney Doug Hill regarding the quitclaim deed to Wood Ridge road; Attorney Hill reported asking Attorney Lee Mattson the following two questions:

1. Will Ambrose Logging, the apparent owner of the roadway through Section III, also offer a deed, and
2. If not, the road will end in a square 50' wide dead end at Section III, so a plow or other Town vehicle will not be able to turn around. If there will not be a deed of Section III, the end of the road in Section II should be back at the wide area, not at the boundary with Section III. The Town should not plow to a dead end with no turnaround.

Mr. Hanson reported previously speaking with Bob Ambrose regarding Ambrose Logging's ownership of the upper portion of Wood Ridge Road. Mr. Hanson will contact Mr. Ambrose regarding this matter.

2008 AUDIT: Mr. Drenkhahn motioned to sign the 2008 audit acceptance report. Ms. Mattson seconded the motion and the vote was unanimous.

LUSCHER PROPERTY TAXES: The Selectmen and Tax Collector Ellen Burns discussed the property taxes and interest owed on TML 5.3.2, property formerly owned by the Schonarth Family Trust and purchased by Mr. & Mrs. Luscher at a Sherriff's auction in August 2008. Ms. Burns reported there is approximately \$7,600 due in property taxes and interest. Ms. Woodaman reported receiving a telephone call from Mr. Luscher, who reported he has an issue with not being informed by the Sherriff's Office of the outstanding property taxes plus interest, and feels he shouldn't have to pay the interest and reported the Court will make that decision. Mr. Hanson asked what the Town's next step will be if the taxes are not paid; Ms. Burns explained the property would be deeded to the Town and the Town would not be able to sell it for two (2) years. Mr. Drenkhahn suggested Ms. Burns proceed with the tax deed; Mr. Hanson and Ms. Mattson agreed.

PERAMBULATION: The Selectmen received copies of perambulation materials submitted by Carter Terenzini, Town Administrator for the Town of Moultonborough.

NEW BUSINESS:

PARKS COMMITTEE: The Selectmen discussed the formation of a Parks Committee to assist in the creation and development of parks on the Municipal Buildings complex and Town Bandstand parcel. It was reported that Helen Heiner, Al Norton and David Hughes have expressed interest in volunteering on the Parks Committee.

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

CORRESPONDENCE:

CHIP SORLEIN: The Selectmen received correspondence from Ms. Sorlein reporting the Sorlein family would like to replace the ‘Liberty Elm’ trees that were on either side of the Ken Sorlein memorial bench; the trees have died. Ms. Sorlein reported the bench and trees were placed in the park by the Conservation Commission in memory of Mr. Sorlein who was Chairman of the Conservation Commission in 1996. Ms. Sorlein reported the family suggested replacing the trees with Sugar Maple trees. Mr. Hanson reported speaking with Ms. Sorlein regarding the park and the formation of a Parks Committee.

HOWARD CUNNINGHAM: The Selectmen received, and reviewed, a letter submitted by Mr. Cunningham, a taxpayer and resident of Sandwich, regarding the recent legal initiative relative to the Inter-Lakes School Board’s appointment of a Center Harbor representative. Mr. Hanson reported the Selectmen were trying to get clarification on the appointment. Mr. Drenkhahn explained the Selectmen would not have had to go through the legal process if the Inter-Lakes School Board had done due diligence in the beginning. The Selectmen will send a letter of response to Mr. Cunningham.

ADDITIONAL BUSINESS:

FIRE CHIEF JOHN SCHLEMMER: The Selectmen reviewed an email received from Chief Schlemmer regarding the following:

1. Chief Schlemmer reported a Radio Fire Alarm Box and all the necessary hardware have been donated to the Town of Center Harbor. This would replace the current alarm system. He reported soliciting costs for the electrical hook-up and connections and hopes to have it installed this week. Mr. Drenkhahn reported viewing the alarm box, which is the same unit Chief Schlemmer is requesting Mr. Maggi (of Hearthstone Bed & Breakfast) install. He reported there are multiple hook-ups to connect to the Library and proposed Police Station.
2. Chief Schlemmer reported the gutters have been installed and are working well, and he has purchased heat tape, which will be installed soon.
3. Chief Schlemmer reported receiving a request from Waste Management to move the dumpster; this move would make it easier for the Highway Department to plow the parking lot and also easier for the Waste Management driver to access the dumpster. Mr. Hanson reported this move makes sense to him; Mr. Drenkhahn and Ms. Mattson agreed.

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

DAM BUREAU PUBLIC HEARING: Mr. Hanson reported attending the NH DES Dam Bureau’s Public Hearing regarding the levels of Lake Winona and Lake Waukewan. Mr. Hanson reported Center Harbor resident David Reilly gave him a binder with photographs of Lake Winona properties from this past season that illustrate the level of the lake; Mr. Drenkhahn and Ms. Mattson reviewed the photographs. He reported the sentiment of the people in attendance was that the lake level is too high. Mr. Hanson reported the NH DES will take control of determining the lake level and issue a management plan; the NH DES will hold another set of meetings in one (1) year. He reported Rusty McLear, owner of the dam, will cooperate with the NH DES determined level.

ZONING BOARD OF ADJUSTMENT (ZBA) HEARING: Mr. Drenkhahn reported the ZBA held the following hearings on Monday, September 28, 2009 pertaining to the proposed Police Station:

Special Exception for construction of the proposed Police Station: Mr. Drenkhahn reported the Town applied for a Special Exception to construct the proposed Police Station in the Residential District; the ZBA approved the Special Exception.

Area variance to allow the construction of the proposed Police Station garage: Mr. Drenkhahn reported the Town applied for an Area Variance to construct the proposed Police Station's garage 28.3 feet from the center line of Chase Circle; the ZBA approved the Area Variance.

Area variance to allow the construction of 13 future parking spaces: Mr. Drenkhahn reported the Town applied for an Area Variance to allow the construction of 13 future parking spaces within five (5) feet of an adjacent property. He reported the ZBA did not hold a hearing on this request and referred the Town to the Planning Board.

CONSERVATION COMMISSION (CC): Ms. Mattson reported the CC held a Public Hearing on Thursday, September 24, 2009 regarding expending conservation funds on a collaborate project, the Dane Forest, with the Lakes Region Conservation Trust and Squam Lakes Conservation Society. She reported it was a very good Public hearing with approximately 15 – 20 people in attendance; she reported there was enthusiastic support for, no public input against, the project. Ms. Mattson reported the CC voted unanimously to access \$200,000 from the conservation funds towards the Dane Forest project. Mr. Hanson reported the funds would only be used if the project is completed; Ms. Mattson reported the completion date is December 18, 2009.

INTER-LAKES SCHOOL BOARD (ILSB) AUDIT REQUEST: The Selectmen reviewed Grzelak and Company, P.C. Certified Public Accountants request for the Town to provide information concerning the ILSB assessment to the Town for the period July 1, 2008 through June 30, 2009. Mr. Hanson motioned to sign the Town's report to Grzelak of the annual assessment (\$2,290,704), payments made during the fiscal year (\$2,290,704) and the assessment due ILSB at June 30, 2009 (\$0). Mr. Drenkhahn seconded the motion and the vote was unanimous.

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

Bandtel	TML 7-34 – The Selectmen would like Code Enforcement Officer Ken Ballance asked if a State of New Hampshire Department of Environmental Services Shoreland Permit is required.
Senter's Market	TML 9-72
Kimsey	TML 3-17.1.2

ADJOURNMENT: At 8:38 p.m. Ms. Mattson motioned to adjourn the Board of Selectmen's meeting. Mr. Hanson seconded the motion and the vote was unanimous.

Respectfully submitted,

Robin E. Woodaman
Selectmen's Secretary