

**Center Harbor Board of Selectmen
Meeting Minutes
Wednesday, June 30, 2021**

CALL TO ORDER: At 6:00 p.m. Chairman Harry Viens called the Board of Selectmen's meeting to order. Selectmen Richard Hanson and Richard Drenkhahn were present. Karen Ponton, Emergency Management Director Tyler Driscoll, Fire Chief Leon Manville, Police Chief Mark Chase, Stephany Merchant Lavalley, Ron Lavalley, James Locke, Henry Damon, Jean Meloney, Lisa Herrick, George Tall, Randy Mattson, Lee Mattson, Sharon O'Donnell, Deb Finch and Selectmen's Administrative Assistant Robin Woodaman were also in attendance.

AGENDA REVIEW: No changes were made to the agenda.

MEETING MINUTES:

- **June 16, 2021 Board of Selectmen's meeting:** Mr. Drenkhahn motioned to approve the minutes of the June 16, 2021 Board of Selectmen's meeting as presented electronically. Mr. Hanson seconded the motion and the motion passed.

APPOINTMENTS:

EMERGENCY MANAGEMENT DIRECTOR TYLER DRISCOLL:

- **Hazardous Mitigation Plan update:** Mr. Driscoll reported Homeland Security has approved the Town's draft Hazardous Mitigation Plan update. He reported a lot of people worked on it and he expressed his appreciation to them. Mr. Viens requested he submit a list of the volunteers so they could be included in the next Volunteer Appreciation gathering hosted by the Selectmen. Mr. Hanson motioned to approve the updated Hazardous Mitigation Plan as presented. Mr. Viens seconded the motion and the vote was unanimous.

FIRE CHIEF LEON MANVILLE:

- **New fire truck:** Chief Manville reported a 5-member committee has worked for approximately six months researching a new, efficient fire truck. They began by contacting seven companies; five companies responded, of the five, four submitted proposals within \$15,000 to \$20,000 of the bid. Chief Manville reported the recommendation is to purchase a Pierce fire truck at a cost of \$571,393, which includes a \$20,000 cash discount; it will be ten months before the truck is delivered. Mr. Drenkhahn motioned to approve the purchase of a Pierce fire truck in the amount of \$571,393; funding will be from the Fire Engine Capital Reserve Fund. Mr. Hanson seconded the motion and the vote was unanimous.

CODE ENFORCEMENT OFFICER BILL DOUCETTE: Mr. Doucette was unable to attend the meeting; the discussion on the Schoolhouse repairs was tabled to the next Selectmen's meeting.

PARKS & RECREATION DIRECTOR SANDY FROST: Mr. Viens reported speaking with Ms. Frost this afternoon regarding this matter; Ms. Frost was excused from attending this evening's meeting.

- **High Haith Boat Launch parking permit process:** The Selectmen previously discussed Ms. Frost's recommendation to adopt a parking permit process requiring vehicles to have either the current Center Harbor Transfer Station decals or a beach parking pass to park at the High Haith Boat Launch, which is for Center Harbor property owners or residents only. Mr. Viens reported on his discussion with Ms. Frost this afternoon: people are continuing to use the boat launch as a beach area and there is not enough parking for vehicles and trailers. Ms. Frost recommended removing the "No Parking" signs; Mr. Drenkhahn reported the property owner requested the "No Parking" signs along his property. Mr. Hanson questioned the number of out-of-town vehicles parking there and thought Ms. Frost was going to research this over

the past couple of weeks. Mr. Viens suggested installing a “Parking Permit Required” sign be installed and implement the requirement of the Center Harbor’s Transfer Station permit or the resident beach pass. Chief Chase reported there is an education process and recommended issuing warnings initially. Mr. Drenkhahn suggested issuing warnings for this season. Mr. Viens requested instructions be attached to the warnings explaining how Center Harbor residents can obtain the passes. Mr. Viens motioned to required Center Harbor’s Transfer Station permit or resident beach pass be required on vehicles t the High Haith Boat Launch. Mr. Drenkhahn seconded the motion. Discussion: Mr. Hanson reported he feels there is not sufficient information to make a decision. The motion passed by a vote of 2 (Mr. Viens and Mr. Drenkhahn) to 1 (Mr. Hanson).

COLLEGE ROAD RESIDENTS:

- **Petition:** Ms. Meloney read the following petition:

Background:

In the view of the Interested Parties, residents and Petition Signatories we are witnessing substantially faster truck and car speeds and great traffic volumes on both sections of College Road. Collectively, in our opinion we believe this public safety hazard deserves prompt attention from the Center Harbor Selectmen.

- Public use of the Chamberlain-Reynolds Preserve has risen dramatically over the last year.
- Seemingly elevated use of College Road as a cut-through as well as the overflow parking to the side of the street combine to warrant more attention to assure safe use and reasonable speed on this public street.
- The repaved section and “designated scenic route” on the upper part of College Road has amplified speed and increased vehicles cutting-through to Route 3.
- Google Navigation has the road speed on the lower section of College Road posted as 35 MPH, this causes increased traffic volumes as non-residents cut-through the road at high speeds.

Ignoring these new developments would create a moral and potential legal liability to the town.

In the view of the Interested Parties and Petition Signatories these combined factors all call out for a swift and rigorous approach to mitigate these expanding safety risks.

Interested Parties:

Included with this petition is a list of Interested Parties who are signing to demonstrate to the Board of Selectmen their support for enhanced College Road safety initiatives. Further confidence exists this list of Signatories would expand significantly within a brief time as we circulate the concerns. Anecdotal evidence of new and surging risky driving behavior is abundant.

The purpose of the Petition is not to select any precise remedy to these enlarged public safety risks, but rather to promptly initiate the organized and comprehensive review of options. Naturally, several specific concepts are floated amount various Interested Parties, but his task will benefit with a consolidated and comprehensive approach to the issue.

Thank you for your time and attention to address our Petition.

Discussion:

- **Speed study and speed limits:** Chief Chase reported there is a legal requirement to conduct a speed study for the reduction of a speed limit. He reported 80% of the speed of vehicles traveling in a speed study is considered the natural speed limit. Chief Chase reported a speed study was conducted on the southern part of College Road in 2016 and the speed limit was reduced. There was discussion regarding conducting two speed studies on the northern part of College Road; Chief Chase will contact Lakes Region Planning Commission to begin the process. Ms. Meloney reported her understanding that 25 MPH is not enforceable. Chief Chase reported the speed study enables the speed limits.
- **Centerline stripe:** Chief Chase reported centerline stripes give a visual impression of the travel way being smaller and slows traffic. Ms. Meloney reported she thinks striping would look like a highway.
- **“No Through Traffic” signs:** Mr. Drenkhahn reported the Selectmen have learned that it is not legal to have “No Through Traffic” signs (note: this is per the Manual of Uniform Traffic Control Devices). Some residents reported some drivers don’t pay attention to the sign.
- **Cameras:** Mr. Tall asked the legal status of cameras, which could be used to take a picture of the license plate and then send a letter to the vehicle’s owner. Chief Chase reported they are not allowed to record license plates.
- **Reporting license plates to the Police Department:** Ms. Meloney asked if citizens could report the license plate numbers of vehicles speeding to the Police Department. Chief Chase reported that can be done, the complaint would be based on the citizen’s sworn complaint and the citizen would become a witness at Court.
- **Navigational tools:** Mr. Locke reported some navigational tools route vehicles through College Road; Google reports the speed limit on College Road is 35 MPH.
- **Farm vehicles:** Mr. Tall expressed concern on behalf of farmers driving farm vehicles/tractors; they can only go 19 MPH and he feels this is an accident waiting to happen.
- **Permanent speed signs:** There was discussion regarding installing permanent speed signs. Chief Chase reported the cost is approximately \$4,000 and would need either solar power or be plugged in to someone’s electrical outlet. He reported when something is permanent, people ignore it after a while.
- **Chamberlain Reynolds parking:** There was discussion regarding Chamberlain Reynolds overflow parking on the road; Chamberlain Reynolds has become more popular in recent years. Mr. Viens suggested “No Parking” signs on College Road need the Chamberlain Reynolds parking areas. Mr. Locke reported no concerns with Chamberlain Reynolds parking, it’s the speeding vehicles and amount of traffic that are the concerns.
- **Threat to resident:** There was discussion regarding a threat to a resident; the Police Department was contacted.

Chief Chase requested the residents email him with ideas. He will begin the speed study process.

PUBLIC INPUT: None

SELECTMEN’S REPORTS:

MR. VIENS:

- **David Reilly:** Mr. Viens reported on the passing of David Reilly, a long-time volunteer for the Town. Mr. Viens asked that the Selectmen consider Mr. Reilly when discussing the dedication of the 2021 Town Report.

UNFINISHED BUSINESS:

LEDGE AT BARTLETT HILL ROAD AND WHISPERING WIND DRIVE: Road Agent Jeff Haines will be asked the status of the ledge removal.

FAIRPOINT TAX APPEAL SETTLEMENT: The Selectmen received notification that FairPoint, as part of their tax appeal settlement, is not willing to accept payments into 2023 while keeping interest frozen. FairPoint now wants municipalities wishing to make two payment make the first payment within ten days of executing a settlement agreement and the second payment no later than July 1, 2022. Mr. Viens motioned to agree to FairPoint's two payment settlement as proposed. Mr. Hanson seconded the motion and the vote was unanimous.

NEW BUSINESS:

SNAKE RIVER DESIGNATED WETLANDS: Mr. Viens reported Camp Eagle's Cliff was cancelled for 2021; however, one of their volunteers, Mark Taylor, has organized activities on the property. Mr. Taylor had a motorized boat on Snake River; when he was informed motorized boats are not allowed in the Snake River, a designated wetlands, he moved the boat to the lake. There is a sign at the entrance to the Snake River designated wetlands stating that motorized boat traffic is not allowed in the Snake River. Ms. O'Donnell reported that two boats are tied to a telephone pole on someone else's property, and she feels it is wetlands. Mr. Drenkhahn reported his understanding that the sign is specific to the Snake River and if someone is using private property without the owner's permission, it is up to the property owners to contact the police. Mr. Viens reported it is illegal to tie to a telephone pole and the utility company should be notified. Mr. Viens reported when a boat is on land the police should be contacted regarding violations and if a boat is on the water, Marine Patrol would be the agency to contact regarding violations.

LEGIONAIRES OF CHRIST: Ms. Finch reported the Selectmen had asked the Church to repair the fence, but the Church took the fence down. She reported there is a constant stream of boats launching from this private property. Mr. Viens reported the Town can't order a private property owner to repair a fence; Ms. Finch reported the Church had agreed to maintain the fence and feels they are thumbing their nose at the Town.

Mr. Viens reported a letter needs to be sent to the Church stating that the violations can't continue, and they will be fined for violations. He reported the Town should have been notified of the organized activity planned in place of the camp; a shooting event had been included as part of this activity but was eliminated. Mr. Viens referenced the motorized boat in the Snake River; this issue has been mitigated. He referenced the Selectmen's request for an updated site plan; nothing has been submitted. Mr. Hanson questioned the jurisdiction for issuing fines. Mr. Drenkhahn questioned if fines could be issued for breaking their agreement; the Selectmen could deny Camp Eagle's Cliff camping permit. Mr. Viens requested a letter be drafted and submitted to Town Attorney Chris Boldt for his legal opinion. Ms. O'Donnell asked if they can be fined for past violations such as shooting after 10:00 p.m. She requested the Selectmen ask the lawyer if they have a shooting event and hit a neighbor, is the Town liable. Mr. Viens reported State RSA's state what is allowed; you can shoot on property 300' from a structure and you can't shoot in the direction of a road. Chief Chase reported an individual in violation of the shooting RSA's would be criminal liable.

ZONING BOARD OF ADJUSTMENT (ZBA):

- **Membership:** Mr. Drenkhahn motioned to appoint Tim Nefores as an Alternate ZBA member for a 3-year term per the recommendation of ZBA Chairman Bernie Volz. Mr. Hanson seconded the motion and the vote was unanimous.
- **Notice of Decision:** The Selectmen received, and reviewed, the ZBA's Notice of Decision regarding Ambrose Brothers, Inc. "Application for Amended Special Exception" (TML 227-11, 220-24 and 220-25). The ZBA denied Ambrose Brothers, Inc.'s request to amended conditions 1 (one), 3 (three) and 4 (four) as set forth in the ZBA decision of January 28, 2002.

CENTER HARBOR HISTORICAL SOCIETY FUNDRAISING LETTER: The Selectmen received a copy of a June 21, 2021 fundraising letter sent by the Center Harbor Historical Society to a Center Harbor Historical Society member; the member was upset with the different ways Covid-19 was referred to. The member also submitted an email thread between the member and the Treasurer of the Historical Society. Mr. Viens reported the reference to Covid-19 in the letter was not appropriate; he will contact the member to discuss.

ADDITIONAL BUSINESS:

PARKS & RECREATION DEPARTMENT:

- **Personnel:** Mr. Viens motioned to approve the hiring, and hourly rate of pay, of George Frost for the summer of 2021 as recommended by Parks & Recreation Director Sandy Frost. Mr. Drenkhahn seconded the motion and the vote was unanimous.
- **Facility Use Application:** Mr. Hanson motioned to approve the NHIAA Fishing Tournament's Facility Use Application to use the Town Boat Launch on September 23, 2021. Mr. Drenkhahn seconded the motion and the vote was unanimous.
- **July 4th popcorn sales:** The Selectmen received an email from the Boy Scouts Troop 142 Committee; usually the Boy Scouts are granted permission to sell popcorn during the July 4th fireworks. This year, though the Covid-19 pandemic has lessened in severity, the scouts are not yet old enough to be vaccinated; protecting the health of the scouts is the highest priority and the influx of visitors to the fireworks and potential volume of spectators led them to believe that requesting to sell popcorn poses a risk to the scout that the committee is not comfortable taking.
- **Emergency incident:** Ms. Frost reported via email that a woman slipped on her boat which was tied at the Town Docks; she hit her head in the boat and fell into the water. Nearby boaters pulled her up on the dock, the lifeguards assisted with care and bystanders while she (Ms. Frost) called 911. Ms. Frost reported the Center Harbor Fire Department, Center Harbor Police Department and Emergency Medical Services responded; all went well and her husband transported her to the hospital. She reported the Parks & Recreation team did a terrific job in emergency care.

STATE OF NEW HAMPSHIRE:

- **State of New Hampshire Department of Revenue Administration (NH DRA):**
 - **NH DRA Form PA-28 "Taxpayer Inventory":** Mr. Drenkhahn motioned for the Town to not use NH DRA Form PA-28 "Taxpayer Inventory". Mr. Hanson seconded the motion and the vote was unanimous.

PAYROLL AND CURRENT BILLS PAYABLE: Mr. Viens motioned to approve the payroll and accounts payable manifests as presented. Mr. Drenkhahn seconded the motion and the vote was unanimous.

GENERAL JOURNAL ENTRIES: Mr. Viens motioned to approve the general journal entries as presented. Mr. Drenkhahn seconded the motion and the vote was unanimous.

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

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| LeBaron | TML 207-4 |
| Sanchez | TML 226-14.3 |
| Rosa | TML 224-9 |
| Clarke | TML 208-24 |
| Cronin | TML 224-5 |
| Tarica | TML 203-5 |

PUBLIC INPUT: None

ADJOURNMENT: At 7:32 p.m. Mr. Hanson motioned to adjourn the Board of Selectmen's meeting. Mr. Viens seconded the motion and the vote was unanimous.

Respectfully submitted,

Robin Woodaman
Selectmen's Administrative Assistant