

**Center Harbor Board of Selectmen
Meeting Minutes
Wednesday, May 10, 2023**

CALL TO ORDER: At 6:00 p.m. Chairman Richard Drenkhahn called the Board of Selectmen's meeting to order. Selectmen Harry Viens and William Ricciardi were present. Ann Xavier, Karen Ponton and Selectmen's Administrative Assistant Robin Woodaman were also in attendance.

AGENDA REVIEW: No changes were made to the agenda.

MEETING MINUTES:

- **May 3, 2023 Board of Selectmen's public hearing and meeting minutes:** Mr. Viens motioned to approve the minutes of the May 3, 2023 Board of Selectmen's public hearing and meeting as presented electronically. Mr. Ricciardi seconded the motion and the vote was unanimous.

APPOINTMENTS: None

PUBLIC INPUT:

KAREN PONTON:

- **Lake View Cemetery repairs:** Ms. Ponton asked the status of the Lake View Cemetery fence repairs; Mr. Ricciardi reported he was previously in touch with the contractor and will follow up with him.

SELECTMEN'S REPORTS:

MR. VIENS:

- **Fire Department:** Mr. Viens reported speaking with Town Attorney Chris Boldt regarding the procedure to update the Fire Department from volunteer to on-call to a department with part-time employees. Attorney Boldt will report back to Mr. Viens after conducting research on the procedure.

UNFINISHED BUSINESS:

LIBRARY DRAINAGE PROJECT:

- **Rescon Basement Solutions:** The Selectmen previously received a proposal from Rescon Basement Solutions, in the amount of \$29,120, to install an interior drainage system in the Library's basement. Code Enforcement Officer Bill Doucette reported, via email, his opinion that the proposal is a cost-effective method of remedying the current situation versus the exterior approach which, in his opinion, would be in the range of \$150,000 and cause much disruption of the Library's operation during the work time. Mr. Ricciardi reported this may be done by hand by a landscaping crew digging down 2', waterproofing the foundation and filling it with gravel. Mr. Drenkhahn reported there could be a high-water table. Library Trustee Karen Ponton reported the Exeter Museum had similar work done

and offered to submit the contractor information to the Select Board. Ann Xavier, Chair of the Library Trustees, reported the water doesn't go in the basement unless there is a lot of rain. Mr. Drenkhahn will contact Turnkey Construction, the company that performs the Town's landscaping, regarding the project. Mr. Drenkhahn motioned to reject the Rescon Basement Solutions proposal. Mr. Ricciardi seconded the motion and the vote was unanimous.

KOSS CONSTRUCTION PROJECT ON BEAN ROAD, MOULTONBOROUGH:

- **State of New Hampshire Department of Environmental Services (NH DES):** The Selectmen received an email, on May 4th, from Andrew Koff, Hydrogeologist for NH DES reporting the NH DES well siting program has not received any recent submittals on the Koss Construction project and is committed to sharing, via email, any submittals they receive with both the Towns of Moultonborough and Center Harbor.

Karen Ponton forwarded email correspondence, from May 8th and May 9th, between she, Mark Ponton and Mr. Koff. Mr. Koff reported to her that they are not currently reviewing the project, they are awaiting a revision/resubmittal of the project based on their denial of the initial plan for the community well that was submitted in 2022. Mr. Koff reported NH DES would be in touch with the Town of Center Harbor if, and when, they receive anything regarding this project.

UNCOVERED WELL: Mr. Drenkhahn motioned to send a letter to Kenric Nelson, owner of the property where an uncovered well is located on Daniel Webster Highway (TML 214-11) requesting Mr. Nelson needs to address this immediately. Mr. Viens seconded the motion and the vote was unanimous.

NEW BUSINESS:

ACCEPTANCE OF UNANTICIPATED FUNDS PER RSA 31:95-b: Mr. Drenkhahn motioned to accept the following donation for the July 4th foot race:

The Edge	\$250
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Mr. Viens seconded the motion and the vote was unanimous.

TAX ANTICIPATION NOTE (TAN): Mr. Drenkhahn motioned to draw \$500,000 on the Meredith Village Savings Bank TAN. Mr. Viens seconded the motion and the vote was unanimous.

LC CENTER HARBOR: The Selectmen received a copy of a letter from the Planning Board to LC Center Harbor advising them that they need an updated site plan review for Camp Eagle's Cliff prior to any work being done at the property. If LC Center Harbor does not follow through, the Select Board, the enforcing authority of the Town, will contact them.

TWIN RIVERS OFFICE MACHINES, INC.

- **Copiers service agreement:** Mr. Drenkhahn motioned to contract Twin Rivers Office Machines, Inc. for maintenance on the two administrative copiers at a cost of \$1,080 each. Mr. Ricciardi seconded the motion and the vote was unanimous.

UNREGISTERED VEHICLES/UNSAFE STORAGE UNITS: Mr. Drenkhahn motioned to send letters to property owners regarding multiple unregistered vehicles and/or unsafe storage units on their property. Mr. Viens seconded the motion and the vote was unanimous.

2022 PROPERTY TAX LIENS: Town Clerk/Tax Collector Mary Richardson submitted information on the 2022 property tax liens in the amount of \$19,717.74.

INTER-LAKES SCHOOL DISTRICT ESTIMATED ASSESSMENT: The Selectmen received the 2023/2024 Inter-Lakes School District's estimated assessment of \$3,804,213; the 2022/2023 actual assessment was \$3,341,577.

ADDITIONAL BUSINESS:

FIRE DEPARTMENT:

- **Brush fire:** Fire Chief Tyler Driscoll reported, via email, that the Fire Department responded to a report of a brush fire at the end of Kline Road on May 8th. Chief Driscoll reported, while responding, the 2011 HME fire truck (5E1) went off the soft dirt shoulder and became stuck; the truck was towed out and assessed by a mechanic. He reported no one was injured and there was no damage to 5E1. Chief Driscoll reported the Fire Department did a great job of keeping the fire away from a house.

PARKS & RECREATION DEPARTMENT:

- **Facility use application:** Mr. Drenkhahn motioned to approve the James E. Nichols Memorial Library's facility use application to use the bandstand on July 8, 2023 for an author talk as approved by Parks & Recreation Director Sandy Frost. Mr. Ricciardi seconded the motion and the vote was unanimous.

MONTHLY REPORTS: The Selectmen received, and reviewed, Police Chief Mark Chase's Police Department report and Fire Chief Tyler Driscoll's Fire Department report for April.

SCHOOLHOUSE:

- **Port-o-potty:** The Selectmen received an email from Center Harbor Historical Society Roland Garland asking for verification that a port-o-poty will be delivered to the Schoolhouse for the cleaning crew. On April 27th Mr. Garland was asked if a port-o-poty would be needed at the Schoolhouse this year; he responded yes. On May 2nd Mr. Garland emailed the Selectmen to say one would not be needed. Mr. Viens reported the Historical Society is a private organization, they are requesting the portable restroom for contractors they have hired to clean their artifacts and feels the Town cannot spend public funds for a private entity – the Historical Society should pay for the portable. Mr. Drenkhahn reported the Town owns the Schoolhouse building, the

restroom cannot be used because repairs are needed and, because of that, feels the Town should cover the cost. Ms. Woodaman reported Parks & Recreation Director Sandy Frost, who previously ordered, then cancelled, the portable for the Schoolhouse, wasn't sure if a portable would be available. Mr. Drenkhahn motioned to authorize a portable restroom for the Schoolhouse if one is available. Mr. Ricciardi seconded the motion. Mr. Viens abstained from voting. The motion passed.

STATE OF NEW HAMPSHIRE:

- **State of New Hampshire Department of Revenue Administration (NH DRA):**
 - **NH DRA “Auditor Opinion and Schedule”:** Mr. Drenkhahn motioned to sign the NH DRA “Auditor Opinion and Schedule” reporting Roberge and Company will conduct the audit for the period ending December 31, 2022. Mr. Ricciardi seconded the motion and the vote was unanimous.
 - **NH DRA “Application for Current Use”:** Mr. Drenkhahn motioned to sign the following NH DRA “Application for Current Use”:

Johnson Family Revocable Trust

TML 222-15

Mr. Viens seconded the motion and the vote was unanimous.

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

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

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

Willis	TML 103-5
Xavier	TML 214-2
Wein	TML 104-16
Scalzo	TML 102-44
Ruiter	TML 228-26
Haines	TML 215-10
Dougan	TML 211-3
Allen	TML 102-8
Campbell	TML 102-75
Clapp	TML 108-5
Nefores	TML 101-31
Tall	TML 215-16

CORRESPONDENCE:

RICHARD KOSINSKI:

- **Breezeline:** The Selectmen received an email from Mr. Kosinski reporting he had Metrocast internet service for more than a dozen years at a fixed rate of \$39 per month for a 150Mb service; when the service changed to Breezeline he continued to have the same service at the same rate for over a year. He reported, in August of 2022, he called for technical support and was informed they didn't have 150 Mb service anymore but had been grandfathered as a prior Metrocast customer. Mr. Kosinski reported he was informed he could convert to a Breezeline 500 Mb service which would be \$39 on autopay; he converted but in February 2023 the bill increased to \$99 per month. When Mr. Kosinski called Breezeline he was informed that the \$39 per month price was a 6-month promotional price for new subscribers; he reported that was never explained to him. He reported Breezeline's billing department explained there was a notice about the promotional rate printed in fine print on the back page of the bill. Mr. Kosinski reported since they required autopay when Breezeline sold them the new plan, he feels this is a misrepresentation, at best, fraudulent sales practice at worst and requested the Selectmen intervene on their behalf to honor their grandfathered contract or change the terms of Breezeline's contract going forward to prevent this from happening. Mr. Viens suggested Mr. Kosinski contact the Public Utilities Commission (PUC), who regulates Breezeline or the consumer protection office at the Attorney General's office. Mr. Kosinski's email will be forwarded to Breezeline.

PUBLIC INPUT:

ANN XAVIER:

- **Library authors talk presentation:** Ms. Xavier reported Ernest Thompson, the author of "On Golden Pond" will be the author at the Library's July 8th program on the bandstand.

NON-PUBLIC SESSIONS: At 6:30 p.m. Mr. Drenkhahn motioned to go into non-public sessions per RSA 91-A:3, II(a) to discuss hiring a public employee and RSA 91-A:3, II(e) to discuss pending litigation. Mr. Ricciardi seconded the motion. Roll call: Mr. Drenkhahn – aye, Mr. Viens – aye, Mr. Ricciardi – aye. Mr. Drenkhahn, Mr. Viens, Mr. Ricciardi and Ms. Woodaman were present for a discussion regarding hiring a public employee. Ms. Woodaman was not present for the discussion regarding pending litigation. At 6:50 p.m. Mr. Drenkhahn motioned to end the non-public session. Mr. Ricciardi seconded the motion. Roll call: Mr. Drenkhahn – aye, Mr. Viens – aye, Mr. Ricciardi – aye.

RECONVENE: At 6:50 p.m. Mr. Drenkhahn reconvened the Board of Selectmen's meeting.

PERSONNEL: Mr. Drenkhahn motioned to hire an individual for the Planning/Zoning/Human Resources full-time position. Mr. Ricciardi seconded the motion and the vote was unanimous.

ADJOURNMENT: At 6:51 p.m. Mr. Drenkhahn motioned to adjourn the meeting. Mr. Ricciardi seconded the motion and the motion passed.

Respectfully submitted,

Robin Woodaman
Selectmen's Administrative Assistant