

**Town of Center Harbor
36 Main Street
Center Harbor, NH 03226**

**Board of Selectmen
Meeting Minutes
Wednesday, February 28, 2024**

MEETING NOTIFICATION: Notification of this meeting was posted on the Town's website and the Municipal Building and Post Office bulletin boards.

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. Town Moderator Charley Hanson, Code Compliance Officer Bill Doucette, Town Clerk/Tax Collector Mary Richardson, Deputy Town Clerk/Tax Collector Amy Hornkohl, Mark Ponton, David Walker, Attorney Derek Kline and Selectmen's Administrative Assistant Robin Woodaman were also in attendance.

AGENDA REVIEW: Mr. Walker would like an appointment; Mr. Drenkhahn added him after the Selectmen's appointment with Mark Ponton.

MEETING MINUTES:

- **February 21, 2024 Board of Selectmen's meeting:** Mr. Viens motioned to approve the February 21, 2024 Board of Selectmen's meeting minutes as presented electronically. Mr. Ricciardi seconded the motion and the vote was unanimous.

APPOINTMENTS:

TOWN MODERATOR CHARLEY HANSON:

- **Warrant and Town Meeting:** Mr. Hanson and the Select Board reviewed the warrant articles.
 - **Petitioned warrant articles:** Mr. Hanson reported, per the recent Moderator's Workshop he attended, petitioned warrant articles 17 and 18 should be discussed at the same time:

Article 17. Special Warrant Article. Petitioned Warrant Article. To see if the Town will vote to raise and appropriate the sum of Twelve Thousand Dollars (\$12,000) to fund the purchase and installation of audio and video equipment in the Cary Mead meeting room at Center Harbor Town Hall, including service contracts for operations and maintenance of the audio and video equipment, and live streaming and digital storage, to allow for successful video broadcast and viewing of public meetings held in the Cary Mead meeting room. The Selectmen do NOT recommend this warrant article by a 3-0 vote. (Majority vote required).

Article 18. Special Warrant Article. Petitioned Warrant Article. To see if the Town will vote to add an Ordinance to its Town Ordinances entitled "Town Government Transparency" that will state the following: "All public meetings held in the Cary Mead meeting room shall be live-streamed in real-time for the public to view on the Town's internet website, and a link to the video recording of each public meeting shall be posted on the Town's internet website immediately after the conclusion of each meeting." This ordinance shall take effect on August 1, 2024. The Selectmen do NOT recommend this warrant article by a 3-0 vote. (Majority vote required).

Mr. Hanson reported that the author (Mr. Walker) of petitioned warrant articles 17 and 18 should move the articles from the floor; after the articles are seconded, Mr. Walker can speak about the articles. The vote on the articles will be taken separately in the order the articles are presented. Attorney Kline, Mr. Walker's attorney, asked if he could speak; Mr. Hanson explained that is up to the legislative body.

Mr. Ponton will move and speak on petitioned warrant articles 19 and 20:

Article 19. Special Warrant Article. Petitioned Warrant Article. Shall only Center Harbor residents, property owners and their guests be permitted to use the Town of Center Harbor boat launch on Lake Winnepesaukee? The Selectmen do NOT recommend this warrant article by a 3-0 vote. (Majority vote required).

Article 20. Special Warrant Article. Petitioned Warrant Article. Shall the vote at Town Meeting of March 6, 1973 permitting Moultonborough residents, property owners and their guests to use the Town of Center Harbor beach be rescinded, and only Center Harbor residents, property owners and their guests be permitted use of the Town Beach? The Selectmen do NOT recommend this warrant article by a 3-0 vote. (Majority vote required).

Mr. Ponton asked if petitioned warrant articles 19 and 20 would be moved and discussed at the same time. Mr. Hanson reported that where the boat launch article generates revenue, they will be separate.

Mr. Hanson will speak with Gayle Lacasse, author of article 21, regarding moving and speaking on the article:

Article 21. Special Warrant Article. Petitioned Warrant Article. We, the undersigned, do hereby request the Town of Center Harbor provide snow removal of the town sidewalks. The uncleared sidewalks, especially those along Dane Road (Route 25B), place pedestrians in danger of bodily harm and death. The snow blocked sidewalks present insufficient safe passage for pedestrians, requiring foot travelers walk on the busy highway to access

town facilities. We respectfully request the issue be placed as a warrant article at the Town Meeting 2024. The Selectmen do NOT recommend this warrant article by a 3-0 vote. (Majority vote required).

- **Selectmen:** Mr. Hanson reported once the petitioned warrants are moved, seconded and presented, the Selectmen will have an opportunity to explain why they voted the way they did to either recommend or not recommend the petitioned warrant articles.
- **Secret ballot procedure:** Mr. Hanson explained a written request given to him at the meeting with the signatures of five registered voters is required for a secret ballot; the registered voters have to be in attendance and will be asked to raise their voter cards.
- **Attorney present:** As this Town Meeting will be more complex than others, with an unprecedented five petitioned warrant articles, Mr. Hanson, per the recommendation of lawyers with the Municipal Association, asked the Select Board to consider having an attorney present. Mr. Drenkhahn motioned to have an attorney present at the Town Meeting. Mr. Ricciardi seconded the motion and the vote was unanimous.
- **Election team:** Mr. Hanson reported the election team will meet next Thursday.

CODE COMPLIANCE OFFICER BILL DOUCETTE:

- **Re-inspection fees:** Mr. Doucette reported a recurring issue of calls for inspection when they are not ready and recommended imposing a re-inspection fee of \$75, which will have to be paid prior to another inspection. Mr. Ricciardi motioned to institute a \$75 re-inspection fee. Mr. Viens seconded the motion and the vote was unanimous.

MARK PONTON:

- **Petitioned warrant articles:** Mr. Ponton referred to the meeting minutes of February 14, 2024 and the discussion regarding the petitioned warrant articles regarding the boat launch and beach; he wanted to address questions, comments and concerns:
 - This is not against the people of Moultonborough; it is towards the Moultonborough Planning and Select Boards.
 - The background is the Koss development project on Bean Road in Moultonborough; approval of the project is at odds with Master Plans. Even though the State of New Hampshire Department of Environmental Services (NH DES) has halted the current project, there is a threat from another developer.
 - The Center Harbor beach and boat launch are attractive for anyone developing that Bean Road area.
 - The intent is for the Moultonborough Planning and Select Board's to reverse this course and respect the character of Center Harbor. Moultonborough ignored Center Harbor's communications.
 - He's hopeful for a resolution with no dispute between the towns; Moultonborough should agree to stop the development.
 - The Selectmen held a meeting (April 23, 2023) which was attended by approximately 100 people from Center Harbor, Moultonborough and Sandwich; all were opposed to the Koss development. The group was adamant about taking an aggressive approach. There was discussion regarding implementing beach and boat

launch restrictions. There was discussion regarding filing a lawsuit against the powers to be in Moultonborough.

- The comment about the author disrespecting the Selectmen by not discussing the petition is not true – it was discussed at the April 23, 2023 meeting.
- Regarding the submission of the petitioned warrant articles – he knew they had to be acted on in some time frame.
- With the boat launch revenue of \$18,000, the Town spends \$12,000 for the boat launch attendant.
- The boat launch needs repairs. Mr. Drenkhahn explained mats were installed and the drainage system repairs is next.
- If the Town loses the fireworks revenue, it is not a dealbreaker to spend \$25,000 when the annual budget is \$4,000,000.
- If Moultonborough values its small-town images as Center Harbor does, but allows high impact development – this development should be further down in Moultonborough.
- There is no implementation plan – that would be the next step.
- Regarding petition signers not going to the beach or boat launch, he does not use it but has been in town for thirty-two years and is qualified to have an opinion.
- We need to stand up and protect our town.
- The Selectmen were requested to reconsider their opposition to the two petitioned warrant articles.

Mr. Viens: Mr. Viens does not agree with Mr. Ponton's arguments and feels it is a declaration of war. He suggested the petitioned warrant articles should give the Selectmen the authority to act on the beach and boat launch use.

DAVID WALKER:

- **Shane Selling email:** Mr. Walker referred to the email he submitted to the Selectmen last week from Mr. Selling regarding the video equipment and asked if they had any questions; they do not.

UNFINISHED BUSINESS:

CANOE HOUSE REPAIRS: Parks & Recreation Director Sandy Frost previously submitted an estimate from Custom Slate and Copper, in the amount of \$11,650 to replace all broken, missing and bad slates and to replace the copper wall flashing on the windows. The Selectmen requested Ms. Frost research whether the windows should be restored prior to the work being done. Ms. Frost reported, via email, that Custom Slate and Copper does not do window replacement. She reached out to her brother-in-law who is on the Board of Directors at the Castle in the Clouds; his company, White House Construction, would be happy to help out with window replacement. Mr. Drenkhahn requested an estimate for the windows be submitted to the Selectmen; a decision on the roof will be tabled until the window estimate is submitted.

SCHOOLHOUSE REPAIRS: Ms. Woodaman reported Allbright Cleaning and Restoration, the company that mitigated the mold from the artifacts in the Schoolhouse building, will visit the building on Thursday, February 29th and submit an estimate for mitigating the mold from the

building. Center Harbor Historical Society President Roland Garland submitted, via email, pictures of the interior of the Schoolhouse showing some areas in need of cleaning and repair. Mr. Garland requested the Select Board visit the building to see the condition of the building.

NEW BUSINESS:

JULY 4TH 2025 & 2026 FIREWORKS: Parks & Recreation Director Sandy Frost submitted, via email, information on the July 4th 2025 and 2026 fireworks. Because July 4th will fall on Friday and Saturday nights during those years, Pyrotecnico Fireworks, Inc. cannot offer July 5th rain dates. Mr. Drenkhahn motioned to plan for the fireworks on July 4th in 2025 and 2026 with rain dates of the Monday after the Fourth. Mr. Ricciardi seconded the motion and the vote was unanimous.

BREEZELINE FRANCHISE FEE: The Selectmen received notification that the Town received Breezeline's 2023 franchise fee in the amount of \$3,743. This is 1% of the \$374,347 Breezeline received in revenue from Center Harbor customers.

TAX-EXEMPT CHARITABLE ORGANIZATIONS: Mr. Drenkhahn motioned to sign letters to Center Harbor Congregational Church, Audubon Society of NH, Squam Lakes Conservation Society, Lakes Region Conservation Trust, New England Forestry, Inc. Squam Lakes Association and LC Center Harbor reminding them that the State of New Hampshire BTLA Forms A-9 and/or A-12 needs to be submitted. Mr. Viens seconded the motion and the vote was unanimous.

FIRE STATION PAINTING AND CEILING TILES: Fire Chief Tyler Driscoll reported, via email, that the Fire Station kitchen has been painted and requested permission to paint the Fire Station's back room. He also requested permission to buy approximately 30 ceiling tiles (at a cost of \$8 per tile) for the kitchen and back room. Mr. Drenkhahn motioned to approve Chief Driscoll's requests. Mr. Ricciardi seconded the motion and the vote was unanimous.

ADDITIONAL BUSINESS:

STATE OF NEW HAMPSHIRE

- **State of New Hampshire Department of Revenue Administration (NH DRA):**
 - **NH DRA Auditor Option and Schedule – MS-60A:** Mr. Drenkhahn motioned to sign the NH DRA Auditor Option and Schedule (MS-60A) reporting Roberge and Company will perform the Town's 2023 audit. Mr. Ricciardi 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. Ricciardi seconded the motion and the vote was unanimous.

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

CORRESPONDENCE:

DEREK E. KLINE, ATTORNEY AT LAW:

- **Petitioned warrant articles submitted by David Walker:** The Selectmen received, and reviewed, correspondence from Attorney Kline regarding Mr. Walker's two petitioned warrant articles.

PUBLIC INPUT: None

ADJOURNMENT: At 7:13 p.m. Mr. Drenkhahn 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