

**Center Harbor Board of Selectmen
Meeting Minutes
Wednesday, May 3, 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. Craig Showers, Stephany Marchut-Lavallee, Kelli Kemery, Karen Ponton and Selectmen's Administrative Assistant Robin Woodaman were also in attendance.

PUBLIC HEARING: At 6:00 p.m. Mr. Drenkhahn called the public hearing to order to receive input on the extension of the Town's cable franchise agreement with COGECO US (NH-ME), LLC d/b/a Breezeline. Mr. Drenkhahn explained this is an extension of the current agreement as opposed to negotiating a new, ten-year contract; there may be other options available in the 1 ½ year extension time prior to negotiating a new, ten-year contract. Mr. Drenkhahn reported the Selectmen had requested negotiating a five-year contract, but Breezeline would not agree to that. Mr. Showers asked about the franchise fee. Mr. Drenkhahn reported the Town used to receive a higher franchise fee (approximately 5%), but the Selectmen felt that since the subscribers paid for that franchise fee, it was as if they were being charged twice; the Selectmen reduced the franchise fee to 1%. He reported the franchise fee could be used to fund the costs associated with televising meetings. Mr. Viens, who is on the New Hampshire Electric Cooperative (NHEC) Board of Directors, reported plans for NHEC to have a fiber optic option available to Center Harbor residents in approximately 1 ½ years – there will not be a charge for NHEC to “drop” to houses. Mr. Viens reported it would be very costly for a different cable company to come to town; they would have to either purchase the lines from Breezeline or re-wire the town. Ms. Kemery asked if Breezeline serves the west part of Center Harbor; Mr. Drenkhahn reported it does, however there are some new home sites on Center Harbor Neck Road that Breezeline doesn't serve – it would cost approximately \$5,000 to have Breezeline wire to those new homes.

BOARD OF SELECTMEN'S MEETING: At 6:12 p.m. Mr. Drenkhahn reported the public hearing will remain open; however, the Selectmen will continue with the Board of Selectmen's meeting.

AGENDA REVIEW: No changes were made to the agenda.

MEETING MINUTES:

- **April 26, 2023 Board of Selectmen's public hearing and meeting minutes:** Mr. Viens motioned to approve the minutes of the April 26, 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:

KELLI KEMERY:

- **Food cart at the beach:** Ms. Kemery asked for the process for the food cart permit at the Town Beach. It was explained, in the past, the Selectmen would wait until after Labor Day to receive input from the Parks & Recreation director on how that summer's vendor worked out, if it was satisfactory, the vendor would be able to apply for the next year's permit – if it was not satisfactory or the vendor did not wish to pursue the permit for the following years, applications for would be accepted and the permit would be granted on a first come, first served basis. There was a \$100 fee and a certificate of insurance in the amounts of \$1,000,000/\$2,000,000 aggregate was required. Mr. Drenkhahn reported there are deed restrictions on the beach property and there is one spot designated for a food cart.

Ms. Kemery referenced Meredith and Holderness which have various food trucks and attract people to the area. She explained she is not advocating, or proposing, vendors throughout the village, but asked if there could be more than one permit issued for the beach with vendors alternating days. Mr. Drenkhahn reported he would not be in favor of food trucks in the village area taking business away from the established restaurants but would not be opposed to different vendors at the beach spot. Mr. Ricciardi reported on a Moultonborough business which had two food trucks on Tuesdays during the summer of 2022. Mr. Drenkhahn reported he would like Parks & Recreation Director Sandy Frost's input if changes are proposed for the vending spot.

- **Schoolhouse:** Ms. Kemery asked the status of the Schoolhouse. Mr. Viens reported the chimney has been repointed, a new roof was installed, water issues were addressed and it was inspected for mold. He explained the floor needs to be supported. Code Compliance Officer Bill Doucette has been asked to submit a Request for Proposals so the repairs can be advertised. Ms. Kemery reported she can recommend a mold mediation company if needed. She reported All Brite is currently cleaning and packing the artifacts which will then be moved to another location. Mr. Drenkhahn reported climate control has to be addressed in the building.

Ms. Kemery, a long-time historian, reported she would be happy to help set up displays. She is not interested in serving on the Historical Society Board; they have good intentions but need to polish their business model.

Ms. Ponton reported the Town previously received a grant for a Buildings Conditions Assessment report of the Schoolhouse, the report includes recommendations for repairs. She reported that the Town's Heritage Commission monitors the history of the Town.

KAREN PONTON:

- **Bean Road, Moultonborough development project:**

- **Special Town Meeting:** Ms. Ponton asked for the Selectmen's plans for a Special Town Meeting to vote on use of the Center Harbor beach and boat launch. She reported researching the process for holding a Special Town Meeting, and where no money is involved, the process is easier to do. Mr. Viens reported his understanding is that residents were going to be submitting a petition.
- **Moultonborough Planning Board (PB) and Zoning Board of Adjustment (ZBA) members:** Ms. Ponton reported being informed by a reputable source that members of the Moultonborough PB and ZBA may be compromised because of family involvement with the Boards and possible sales and landscaping of the units. Mr. Ricciardi reported there are a lot of rumors.
- **Developer:** Ms. Ponton asked the Selectmen to do due diligence; there is nothing about the developer's track record. She asked what guarantee there is for the project to be completed and expressed her concern for the construction beginning and the developer going under – she compared that to what happened with the Sheafe Harbor House.

Mr. Drenkhahn reported the Selectmen will be meeting with the Town's attorney.

SELECTMEN'S REPORTS:

MR. RICCIARDI:

- **Planning Board (PB) meeting:** Mr. Ricciardi reported on the May 2nd PB meeting:
 - **Camp Eagle's Cliff:** Mr. Ricciardi reported the PB will send a letter reminding LC Center Harbor, owner of the Camp Eagle's Cliff property, of the requirements for a site plan review and construction permits for any work. He explained the Selectmen, as the enforcement authority, would follow up on the letter.

UNFINISHED BUSINESS:

TRANSFER STATION DECAL FEE: Town Clerk/Tax Collector Mary Richardson submitted an email she received from Michael Faller, Director of Public Works for the Town of Meredith. Mr. Faller reported the Meredith Selectmen voted to keep the Transfer Station decal fee at \$20 per decal but eliminate the free second decal.

BEACH "CLOSED" SIGN: Ms. Ponton previously asked the Selectmen about the "Closed" sign at the Town Beach. Parks & Recreation Director Sandy Frost reported, via email, that the sign was put up for safety reasons after the swim lines and raft were removed at the end of the 2022 season. She explained when the swim lines are removed, there are no buoy markers afloat for boaters to identify the swimming area; the town docks are very close to the swimming area. Ms. Frost reported this was pointed out by a Primex Insurance representative several years ago. Ms. Ponton reported the sign doesn't face the boats. Mr. Drenkhahn explained the sign is posted to protect the Town; use of the beach would be at the individual's own risk.

NEW BUSINESS:

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

Meredith Village Savings Bank \$250

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

STATE OF NEW HAMPSHIRE DEPARTMENT OF TRANSPORTATION (NH DOT):

Moultonborough 40639 NH Route 25 project: Ms. Ponton submitted information on this project via email. Mr. Ricciardi reported the project refers to safety issues at either end of Lake Shore Drive in Moultonborough; however, it looks like the project may involve a part of Center Harbor. Mr. Ricciardi will research this project.

UNCOVERED WELL: Alex Markarian emailed the Selectmen reporting an uncovered well just off of Route 3 and expressed his concerns for safety as it appears to be 7 – 8 feet deep. Code Compliance Officer Bill Doucette will be asked to look at this well.

HUMBLE GRUNT WORK:

- **Flag installation:** Humble Grunt Work Representative Carla Taylor requested permission for Humble Grunt Work to display flags on the bandstand property from May 21st to June 5th to bring awareness to veteran suicide. Ms. Taylor also would like to have a 2.2 mile walk for Mental Health Awareness month; the walk would be the same as last year beginning at the bandstand property, proceeding out of town and returning to the bandstand property – there will be approximately twenty-five people. Mr. Drenkhahn motioned to approve Humble Grunt Work's request to display flags and have a 2.2-mile walk. Mr. Ricciardi seconded the motion and the vote was unanimous.

ADDITIONAL BUSINESS:

PARKS & RECREATION:

- **Playground carpet:** Ms. Frost submitted a proposal from O'Brien & Sons for 100 cubic yards of safety fiber, in the amount of \$2,670, for the playground.

SCHOOLHOUSE:

- **Port-o-potty:** After last week's Selectmen's meeting, Center Harbor Historical Society President Roland Garland was asked if Historical Society members would be accessing the Schoolhouse this summer and would need a port-o-potty on the property; he replied there would be access and a port-o-potty would be needed. On May 2nd, Mr. Garland emailed the Selectmen to inform them a port-o-potty is not needed.
- **Storage of hose reel:** Mr. Garland emailed the Selectmen reporting he spoke with Fire Chief Tyler Driscoll regarding the hose reel that is in the Schoolhouse; they

decided the best thing to do is to leave the hose reel in place, when the Historical Society items are removed for cleaning, the hose reel will be cleaned.

STATE OF NEW HAMPSHIRE:

- **State of New Hampshire Department of Environmental Services (NH DES):**
 - **NH DES closed file – Sturtevant Beach Road:** The Selectmen received a copy of correspondence from the NH DES to Michael Latulippe regarding the February 13, 2023 complaint the NH DES received relative to his property on Sturtevant Beach Road. Based on information submitted by Brown Engineering, LLC, the NH DES has closed the enforcement file.
- **State of New Hampshire Department of Revenue Administration (NH DRA):**
 - **NH DRA 2022 Total Equalized Valuation:** The Selectmen received, and reviewed, NH DRA's 2022 total equalized valuation for the Town; the base valuation for debt limits is \$813,038,552.

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 motion passed.

CORRESPONDENCE:

PUBLIC INPUT:

KAREN PONTON:

- **Volunteer appreciation gathering:** Ms. Ponton asked the status of the volunteer appreciation gathering and suggested the volunteers who participated in the Earth Day roadside trash pickup be included. Mr. Ricciardi reported the Selectmen had discussed holding the event at Poggio's during the warmer weather so that it can be held on the patio.

CLOSE PUBLIC HEARING: At 6:41 p.m. Mr. Drenkhahn closed the public hearing.

EXTENSION OF CABLE FRANCHISE AGREEMENT: Mr. Drenkhahn motioned to enter into an extension agreement with COGECO US (NH-ME), LLC d/b/a Breezeline through December 31, 2024. Mr. Ricciardi seconded the motion and the vote was unanimous.

NON-PUBLIC SESSIONS: At 6:53 p.m. Mr. Drenkhahn motioned to go into non-public sessions per RSA 91-A:3, II(a) to discuss hiring a public employee, RSA 91-A:3, II(c) to discuss matters which, if discussed in public, would likely adversely affect the reputation of an individual 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 and a review of information submitted for an elderly property tax exemption. Ms. Woodaman was not present for the discussion regarding pending litigation. At 7:45 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 7:45 p.m. Mr. Drenkhahn reconvened the Board of Selectmen's meeting.

ELDERLY EXEMPTION: Mr. Drenkhahn motioned to approve an elderly information based on the information submitted. Mr. Ricciardi seconded the motion and the vote was unanimous. Mr. Drenkhahn recommended informing the applicant that late applications will not be accepted in future years.

LEGAL MATTERS: Mr. Viens will contact Town Attorney Chris Boldt regarding pending legal matters.

ADJOURNMENT: At 7:46 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