

BOARD OF SELECTMEN REGULAR MEETING
Minutes of 12-20-10
5:30 p.m.

Selectmen:

Charles G. Palm, Chairman
Colette Worsman, Vice Chairman
Peter F. Brothers
Miller C. Lovett
Nathan J. Torr

Town Manager:

Phillip L. Warren

Recording Clerk:

Karin Landry

Call to Order: Chairman Chuck Palm called the meeting to order at 5:30 p.m. He introduced the Board, Town Manager, and the Recording Clerk, and made announcements pertaining to fire exits, listening assisted devices, the use of microphones, and cell phones.

ACCEPTANCE AND/OR CORRECTION OF MINUTES:

10 -58 Minutes of the November 29, November 30, and December 1 Budget Workshops and the December 1 Non-Public Meeting.

Selectman Worsman motioned to accept the minutes of the November 29, November 30, and December 1 Budget Workshops and the December 1 Non-Public Meeting, as amended in the Workshop prior to the Board meeting:

- *November 29, Page 2: "capital projects" should be changed to "debt service".*
- *November 29, Page 4, Assessor's Office: "The new assessed valuation in 2010 increased a little over \$1 million." (Delete remainder of sentence).*
- *November 30, Page 2, Buildings and Grounds: Change heading to "Buildings and Grounds, Cemeteries, and Public Works".*

Seconded by Selectman Brothers. 5-0. All in favor. Motion passed unanimously.

TOWN MANAGER'S REPORT:

- The Town Manager presented a draft response to a letter from Steve Doyon of the New Hampshire Department of Environmental Services (DES) dated November 18, 2010 regarding impoundment levels of Lake Waukewan:

In response to the request made in the aforementioned letter, please note the following:

1. The position of the Town of Meredith as it relates to the lake level is specifically limited to the operation of the town facilities including the boat ramp, beach, and as Meredith's drinking water source. Lake levels will not impact any of these facilities unless a substantial lowering of the lake, well below the levels currently maintained, was to occur.
2. As for the overall lake level and mgmt. of the lake, it is the position of the Town of Meredith that the water quality in both the lake and adjacent Monkey Pond weigh heavily in any decision on guiding lake levels.

3. Furthermore, it is the position of the Town of Meredith that any final decision made regarding lake levels be considerate of the testimony of affected seasonal and full time shorefront land owners and the positions offered by the surrounding communities that touch the lake.

The November 18 letter from DES was directed to the Meredith Board of Selectman and the Waukegan Watershed Advisory Committee. The Committee is not a policy making entity, so the response to the letter will be from the Board.

Once the Board has had the opportunity to comment on the letter, the Town Manager intends to forward it to communities throughout the watershed.

Selectman Lovett does not believe the draft response reflects the pros and cons that were discussed at the Selectboard meeting. Although it doesn't contradict what the Board might have said, it certainly does not reflect his position. Selectman Torr pointed out that the letter is not in final form, and that the Board has the opportunity to make comments at this meeting.

The Town Manager offered the position of Jon and Christy Van Heek, who were unable to attend the meeting. They believe that any lake level lower than 540' would be concerning to water quality.

Byron Bedard owns property on Bonnie Shores Road and resides in Sanbornton. He encouraged the Board to take a firmer position with respect to the lake level issue. He believes there will be a fiscal impact as a result of lowering the level of the lake, which will have a negative impact on the Town. Mr. Bedard believes that he had to replace his dug well for reasons associated with lower lake levels. The people who are negatively affected overwhelmingly want to see higher levels. The results of a survey of 103 participants with shorefront or water access showed that 101 want a higher level than 539.5', and 2 are satisfied with that level. He asked the Board to take a position that is in favor of a level higher than 539.5'.

New Hampton residents Ray and Penny Burke went through a similar experience on Lake Winona. A survey there showed that an overwhelming number of people wanted the Lake at 540' or higher. The results of the survey were forwarded to the DES. Ms. Burke reminded the Board that anything that affects Lake Waukegan ultimately affects Winona Lake. She is concerned with the effects on the recreational season, and told the Board that a dug well issue that arose on Winona Lake is believed to be related to low water levels.

Resident Duncan McNeish lives on Lake Waukegan and worked on the survey. He emphasized that at the three public hearings regarding the matter, it was clear that a majority of landowners around Lake Waukegan support a level of 540' or higher. In addition to the survey of property owners on Lake Waukegan, 120 respondents signed a petition in favor of a higher lake level. He believes the Board will do voters and constituents of the Town of Meredith a disservice if they do not render a decision on the matter.

Glenn Feener and Melinda Adams own property on Chapman Island in New Hampton, and access property on Sawmill Shores in Meredith. Mr. Feener shared the difficulties he experienced accessing his property last summer. Because of the low lake level, it was necessary to pole his small rowboat 45' in order to reach his access property. The interim level of the Lake set in 2010 was 1" lower than the average level from 2005 to 2010, and 6" below the estimated average level from 1985 to 2005. Mr. Feener pointed out that the DES admits in their letter that the level was fine until 2005.

Resident Duncan McNeish told the Board that Rusty McLear of Hampshire Hospitality supports the lake level being set 6" higher than last year, and has conveyed that message to the DES.

New Hampton resident Mary Walker assisted with the survey on Lake Waukewan. Her waterfront property has been compromised by mud and slime, and visitors must enter the line of traffic from the boat launch in order to swim. The water level was lower this summer than it has been in the 35 years she has owned the property.

Resident Timothy Whiting believes the Town and Selectboard need to be proactive on the matter. While the lake level does not affect the drinking water quality, it affects the value of the Lake to the whole Town.

Selectman Worsman inquired about the age of the dug wells that were replaced. The exact age of the wells is unknown.

Selectman Brothers pointed out that information recited at the numerous meetings held by the DES is being repeated. The Selectmen hear the concerns of the residents, and allude to them in #3 of the response letter. It is within the purview of the State of New Hampshire to control the level of all bodies of water of 10 acres or greater, and he finds it difficult to advocate for a particular level as a Board member. He commended the residents of Lake Waukewan and Winona, and believes it is important to report the information that has been gathered to DES in a consistent and strong manner. He believes the advocates and collectors of the information are probably the most effective messengers, but supports submitting copies of the information collected in the survey with the response letter to DES.

Selectman Torr suggested that in addition to being mailed, the information also be hand carried to Concord.

Selectman Lovett hears that the citizens are asking the Selectboard to take a more aggressive position on the matter, and is in support of doing so. He would like to know where the position of the Town came from, and asked the Town Manager to research the minutes for references to the formal position taken by the Town. He pointed out that any position taken in the past can be changed. He acknowledged that the response letter includes a recommendation that the opinions of the people on the Lake should be listened to, and hopes that DES would do so anyways. He wants the Board to take a stronger position within the framework of advocacy, specifically stating a range level for the lake. The fact that DES has told the Town that it doesn't have the authority to exercise muscle doesn't mean we don't have the right to exercise muscle.

The Town Manager told the Board that the position evolved from numerous discussions and the hearing where it was stated that the Town does not have authority on the matter. The discussions took place over a three year period, and most will not be found in the minutes. The position as it stands at this time is that DES made it clear that the town does not have authority.

Selectman Torr does not support advocating for a specific level, however, the language in the response letter can be strengthened. He suggested adding the following language: The final decision made on lake levels should be considerate of the testimony of those affected. It would be advantageous for the level to be heightened from this past summer's base level of 539.5' in light of the considerable testimony in favor of that position. The position is further supported by the surveys attached to the letter.

Selectman Worsman supports Selectman Torr's position as it gives greater weight to the surveys. She attended two of the four public hearings, and is not confident in making a decision about the exact level of the lake. She pointed out that there has been some testimony that septic systems have been compromised, and is concerned about the water supply.

The Town Manager will amend the letter to include the following language: Furthermore, it is the position of the Town of Meredith that any final decision made regarding lake levels be strongly considerate of the testimony of affected seasonal and full time shorefront landowners, and the positions offered by the surrounding communities that touch the lake. It would appear that the base level used this summer may be too low as demonstrated by the supporting information that is attached to this letter.

Dialogue ensued regarding various circumstances that may have affected lake levels last summer, and personal opinions on appropriate lake levels.

Resident Duncan McNeish clarified that the material in the hands of the Board is the survey tabulation as opposed to the survey itself. The information will be hand delivered by those involved with the survey before the first of the year. The survey of Winona Lake residents was delivered in the fall, and will be resubmitted with the Lake Waukevan survey.

Resident Glenn Feener offered to share a video he shot in September that speaks to the difficulties he faced in reaching his access property. Chair Palm will return the video once he has had the opportunity to view it.

The Chair thanked those in attendance for their input.

TOWN MANAGER'S REPORT, CON'T

- The employee holiday potluck was held last Friday at the community center and was well attended. In the past, the event was combined with an employee appreciation event; that is now celebrated in the spring with a barbeque.

VISITOR'S AND RESIDENT'S COMMENTS:

Meredith resident Jeannie Forrester formally begins here work as a newly elected state senator on January 5, and is visiting towns to update them on what is happening in the New Hampshire Senate. She has been appointed to the Finance Committee and is Vice Chair of the Municipal and Public Affairs Committee. She ran for office because she wishes to represent our communities, and feels that serving on the two committees will achieve that result. 898 pieces of legislation were filed as of December 10. The focus of the Senate is on the budget and stopping the downshifting of costs to our communities. She supports making serious cuts, and reviewed some of the cost cutting measures that have been taken in the Senate itself. It has been made clear by constituents that they are concerned with spending, and that issue is going to be addressed. Senator Forrester is the prime sponsor of a piece of legislation naming an unnamed water body after Senator Carl Johnson. Representatives Collette Worsman and Bob Greenmore are co-sponsoring the legislation. It is anticipated that the legislation will move through the House and Senate easily. There is no fiscal impact associated with the legislation. Ms. Forrester is excited to be state senator, and encouraged the Board to call on her if there is anything she can do to represent the community.

Dialogue ensued regarding the scheduling of the Roundtable meetings with the three communities that form the Interlakes School District. The next meeting is tentatively scheduled for mid-January. There was an agreement among the Board, Senator Forrester, and Selectman Worsman in her capacity as state representative, that more information will be available in mid-February, and that the meeting should be rescheduled for then.

In her capacity as state representative, Ms. Worsman told the Board that she does not support downshifting of costs where at all possible, and that steps will be taken so the Town does not become a donor town a few years down the road.

The Town Manager will arrange for a Roundtable meeting date amenable to all parties sometime in February.

SELECTMEN COMMENTS: (Reports on Committees 2nd meeting each month)

Selectman Brothers reported on the Energy Fair that is scheduled for Saturday, January 15, from 1 p.m. to approximately 4:30 p.m. at the community center. The Fair will focus on residential types of energy efficiencies including lighting, geothermal, and home and air filtration processes. A number of vendors have committed at this time. There will be demonstrations and opportunities to listen to presentations on energy related matters. Representatives from the New Hampshire PUC will present information on the New Hampshire Energy Code for new construction. The Fair is free of charge and open to the public. In addition, the contracts for energy audits have been awarded, and updates will be available soon on the School District's Honeywell project that was started last year.

As part of her duties as state representative, Selectman Worsman attended the Belknap County Convention meeting. The first task of the Convention is to find a new county attorney. The present county attorney is vacating his post as a result of a promotion. She reported that in her capacity as state representative, she has been appointed to the Finance Committee.

Chair Palm shared a letter from resident Sherman Saltmarsh Jr. Mr. Saltmarsh wishes to bring to the attention of the Board the spectacular job done by the Meredith police department during the recent break in of his summer home on Sachem Cove Rd. The matter was handled with professionalism and expertise, and the perpetrator was quickly apprehended. He is greatly relieved to know that despite the fact that he is a summer resident, the safety of his property is in good hands. He thanks police Chief Kevin Morrow and expressed that the department is a credit to the community.

NEW BUSINESS:

10-59 Trust Fund Action Strategy

The Board charged the Town Manager with putting together an action strategy for items identified by the Trustees of the Trust Fund. The matter was discussed in length at a prior workshop. The Town Manager recommends that the Board approve the action strategy:

1983 Police Capital Reserve Fund - The fund should be used for the intended purpose because there are needs to be met and there is little being made on the investment of the fund. The balance was \$13,310.10 as of November 30. The Town Manager's recommendation is to purchase a new boat for the police department in view of the condition and age of the former boat.

Selectman Brothers reiterated that a new boat will be purchased under the premise that the motor that is used at this time will be used on the new boat, or for a better trade in on the present boat.

1998 Prescott Park Expansion Trust Fund - The Town Manager recommends that the fund be used to complete the work at the Prescott Park facility, which includes replacement of gravel in the parking lot and other miscellaneous improvements. It is further recommended that the trust fund should be dissolved at the 2012 Town Meeting. The balance of the fund is \$5,092.17.

1984 SAU 2 - The Town Manager's office will communicate with the SAU relative to the expenditure of this balance and subsequent possible dissolution of the trust fund. The balance of the fund is \$5,773.92.

1994 Meredith Village Cemetery Maintenance - It is recommended that the fund be used for the direct care of the Meredith Village Cemetery based on the fact that it is an expendable trust, used for the care of the cemetery, and the low interest rates available in today's market. It is recommended that the balance in amount of \$20,235.74 be withdrawn and used to offset the Cemetery budget for 2011. Before the process is undertaken, the Town Manager wishes to re-confirm with the Trustee the purpose of the fund. It is further recommended that the fund be dissolved at the 2012 Town Meeting.

1995 Library Trust Fund - It is recommended that the Library be advised to withdraw the funds from the trust fund and use them to offset maintenance on the building. The recommendation has been effected by the Library at this time. The Town Manager will confirm with a Library representative that the fund can be dissolved at the 2011 Town Meeting.

1996 Municipal Building - It is recommended that the balance of the fund in the amount of \$176.01 be withdrawn and used as authorized for municipal buildings. The fund should be dissolved at the 2011 Town Meeting.

2002 Water Treatment - Disinfection - It is recommended by the CIP Committee and the Town Manager's office to dissolve the trust at the 2011 Town Meeting and appropriate the funds to the Groundwater Source Study ETF. The Water and Sewer Superintendent has advised that there is no need to alter the disinfection system in place today. Furthermore, there will be continued expenditures from the Groundwater Trust Fund as the project progresses. The balance of the fund is \$81,066.86.

It is recommended that the following funds be used for their intended purpose or in concert with the CIP process where appropriate:

1996 Employee Benefits - Severance
1996 Landfill Closure Fund
1998 Fire Department Communication Improvement
1998 Fire Department Vehicle Replacement
1998 Solid Waste Trailer
1999 Municipal Technology - Software Upgrade
2001 Waterfront Infrastructure Improvements
2001 Open Space Conservation
2002 School Facilities Maintenance Fund
2003 School Special Education
2006 Water Improvements ETF

2009 Main Street Rehab ETF
2009 Meredith Parking ETF
2009 Groundwater Source Study ETF
2009 Park and Recreation Facility Improvements ETF

1998 Town Ce Appropriation - The non expendable trust fund is for the maintenance of lots at the cemetery. Accumulated interest in the approximate amount of \$4,000 is available for the care of lots without perpetual care attached to them. Once the cost of maintaining one lot per year is determined, the Board will be presented with a request to withdraw those funds from the trust fund and apply them as appropriate to the lots without perpetual care.

Selectman Brothers motioned to approve the trust fund strategy as presented on December 20, 2010. Seconded by Selectman Worsman.

Selectman Brothers thanked the Trustees of the Trust Funds for their significant efforts in putting together the recommendations, in researching the basis for which the funds were set up, and in making sure the actions are appropriate. At the suggestion of Selectman Lovett, the Town Manager will convey the Board's appreciation to the Trustees in writing.

5-0. All in favor. Motion passed unanimously.

10-50 Change in 2011 Holiday - Fast Day for Civil Rights Day

For the past two years, the Board authorized a change in holiday from Fast Day to Civil Rights Day. In accordance with the personnel policy in effect at this time, the Board must do so on an annual basis. The Board's approval will not be required once the policy is updated.

Selectman Torr motioned to authorize a change in holiday from Fast Day to Civil Rights Day for 2011. Seconded by Selectman Lovett. 5-0. All in favor. Motion passed unanimously.

10-61 Appointment of Alternate Conservation Commission Member

Anthony Sabutis has submitted an application for an alternate position on the Conservation Commission. The position was made vacant by the resignation of alternate member Mark Tuckerman. The appointment is supported by Commission Chair Don McFarland and the Town Manager.

Selectman Worsman motioned to appoint Anthony Sabutis to the Meredith Conservation Commission as an alternate. Seconded by Selectman Lovett. 5-0. All in favor. Motion passed unanimously.

OLD BUSINESS:

The Board and Town Manager took the opportunity to wish everyone a Merry Christmas and Happy New Year.

ADJOURNAMENT:

The Chair announced that the Board will reconvene in a non-public session following adjournment pursuant to RSA 91:A-3 II(a), personnel matters.

Selectman Worsman motioned to adjourn the meeting at 7:10 p.m. Seconded by Selectman Brothers. 5-0. All in favor. Motion passed unanimously.

Respectfully submitted,

Phillip L. Warren, Town Manager

Charles G. Palm, Chairman

Colette Worsman, Vice Chairman

Peter F. Brothers

Miller C. Lovett

Nathan J. Torr