

TOWN OF MOULTONBOROUGH

TOWN MEETING MINUTES

MAY 11, 2021 – MAY 15, 2021

The meeting was called to order by Moderator Paul Punturieri on May 11th, 2021 at 7:00 am. The meeting was held in the Moultonborough Academy Gymnasium and began with the Pledge of Allegiance. Ballot voting followed with the results below. The polls closed at 7:00 pm and the meeting was recessed until Saturday, May 15th, 2021.

Votes Cast – 885

TWO SELECT BOARD MEMBERS FOR THREE YEARS

Shari Colby	433
Christopher Shipp	392
Jean M. Beadle	564
Susan Price	8

ONE SELECT BOARD MEMBER FOR TWO YEARS

Susan G. Price	310
Kevin Quinlan	500

ONE TOWN CLERK FOR TWO YEARS

Julia Berry Marchand	777
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ONE TREASURER FOR THREE YEARS

Nancy H. Goss	766
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ONE SUPERVISOR OF THE CHECKLIST FOR ONE YEAR

Barbara Koehler	208
Kathleen Remson	582

ONE TRUSTEE OF THE TRUST FUNDS FOR THREE YEARS

Paul Daisy	714
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TWO LIBRARY TRUSTEES FOR THREE YEARS

Peter Olsen	588
Sherry Wakefield	684

TWO PLANNING BOARD MEMBERS FOR THREE YEARS

Sandra M. Kelly	694
Amy Lindamood	48

TWO ZONING BOARD OF ADJUSTMENT MEMBERS FOR THREE YEARS

Sean Poloian	592
Robert St. Peter	593

ARTICLE 2

Are you in favor of the adoption of the amendment for the existing Town Zoning Ordinance as proposed by the Planning Board as follows: renaming Article 10.0 from Small Wind Energy Systems Ordinance to Energy Systems Ordinances, renaming Section 10.1 to Small Wind Energy Systems Ordinance (previously 10.0), and adding a new Section 10.2, that establishes a Solar Facilities Ordinance that will accommodate solar energy collection systems and distributed generation resources in appropriate locations throughout Town, while protecting the public's health, safety, and welfare? The ordinance facilitates the State and National goals of developing clean, safe, renewable energy resources in accordance with the enumerated polices of NH RSA 374-G and 362-F that include national security and economic and environmental sustainability. The solar collection system ordinance will be enacted in accordance with NH RSA 674:17(I)(j) and the purposes outlined in NH RSA 672:1-III-a as amended.

(Recommended by the Planning Board 7 Yes 0 No)

YES 625 NO 166

Saturday, May 15, 2021

Moderator Paul Punturieri called the meeting to order at 9:33 am in the Moultonborough Academy Auditorium. He stated that there was a second group of voters in the Academy gym. They were connected to the auditorium via video conference. The Moderator then recognized Armed Forces Day and thanked our military members. There was a round of applause. This was followed by the Pledge of Allegiance and the Moderator's announcements which included the rules for the meeting, the results from ballot voting on Tuesday, May 11th, and gratitude to the team at the Academy and the town's facilities team for the set-up and technology that made the day possible. The Moderator also explained that he would be allowing some non-voters to speak on a couple of articles unless there was an objection from the Legislative Body. No objections were made.

Seated on stage were Julia Marchand, Town Clerk; Select Board Members: Jean Beadle, Chuck McGee, Chair Kevin Quinlan, Joel Mudgett, Jim Gray; Charlie Smith, Town Administrator; Steven Whitley, Town Counsel.

Voting began with the Moderator introducing Article 3.

ARTICLE 3

To see if the Town will vote to (a) raise and appropriate the sum of Nine Hundred Fifty-Six Thousand Dollars (\$956,000) and to deposit Nine Hundred Fifty Thousand Dollars (\$950,000) in the Roads Improvements Capital Reserve Fund and Six Thousand Dollars (\$6,000) in the Town-wide Information Technology Capital Reserve Fund and (b) meet said appropriation by using Nine Hundred Fifty-Six Thousand Dollars (\$956,000) from the unassigned fund balance as of December 31, 2020.

Capital Reserve Funds	Budget
Road Projects (Road Improvements CRF)	\$950,000
IT Hardware & Software (Town-wide Information Technology CRF)	\$6,000
Total	\$956,000

(Recommended by Selectmen 5 Yes 0 No)
(Recommended by Advisory Budget Committee 5 Yes 0 No)

Article 3 was moved by Selectwoman Beadle and seconded by Selectman McGee.

The article was voted in the affirmative by a show of voter cards.

ARTICLE 4

To see if the Town will vote to (a) raise and appropriate the sum of Forty Thousand Dollars (\$40,000) and to deposit the same in the Milfoil Control Maintenance Trust Funds and (b) meet said appropriation by using Forty Thousand Dollars (\$40,000) from the unassigned fund balance as of December 31, 2020.

Expendable Trust Funds	Budget
Milfoil Management (Milfoil Control)	\$40,000
Total	\$40,000

(Recommended by Selectmen 5 Yes 0 No)
(Recommended by Advisory Budget Committee 5 Yes 0 No)

Article 4 was moved by Selectman McGee and seconded by Selectman Quinlan.

The article was voted in the affirmative by show of voter cards.

ARTICLE 5

To see if the Town will vote to (a) raise and appropriate the sum of Three Hundred Sixty Thousand Five Hundred Dollars (\$360,500) for a program of Capital Improvements and expenditures and equipment as generally illustrated below and to (b) meet said appropriation by a withdrawal of Two Hundred Ninety Thousand Dollars (\$290,000) from the Municipal Building Fund and Seventy Thousand Five Hundred Dollars (\$70,500) from the Municipal Building Fund.

Department/Project	Budget
Lee's Mill Retaining Wall	\$290,000
DPW – Facilities Building Repairs	\$70,500
Total	\$360,500

(Recommended by Selectmen 5 Yes 0 No)
(Recommended by Advisory Budget Committee 5 Yes 0 No)

Article 5 was moved by Selectman Quinlan and seconded by Selectman Mudgett.

The article was voted in the affirmative by a show of voter cards.

ARTICLE 6

To see if the Town will vote to (a) raise and appropriate the sum of One Hundred Sixty Three Thousand Six Hundred Sixty Nine Dollars (\$163,669) for a program of Capital Improvements and expenditures and equipment as generally illustrated below, and to (b) meet said appropriation by a withdrawal of Sixty Thousand Five Hundred Dollars (\$60,500) from the Fire Fighting Equipment Fund, Thirty Three Thousand Seven Hundred Fifty Dollars (\$33,750) from the Appraisal Capital Reserve Fund, Sixteen Thousand (\$16,000) from the Town-wide Information Technology Fund (IT Hardware & Software) and Fifty-Three Thousand Four Hundred Nineteen Dollars (53,419) from the unassigned fund balance as of December 31, 2020.

Department/Project	Budget
Fire Dept – ¾ Ton Utility Pick Up Truck (Fire Fighting Equipment CR)	\$60,500
Cyclical – Property Inspections (Appraisal CR)	\$33,750
IT Hardware & Software (Town-Wide Information Technology CR)	\$16,000
Police Dept Cruiser (Fund Balance)	\$53,419
Total	\$163,669

(Recommended by Selectmen 5 Yes 0 No)

(Recommended by Advisory Budget Committee 5 Yes 0 No)

Article 6 was moved by Selectman Mudgett and seconded by Selectman Gray.

The article was voted in the affirmative by a show of voter cards.

ARTICLE 7

To see if the Town will vote to raise and appropriate the sum of One Million One Hundred Thousand Dollars (\$1,100,000) for a program of Road Improvements with said amount to come from the Road Improvements Capital Reserve Fund.

Road Improvements:	Budget
REHABILITATE/RECONSTRUCT	\$576,000
HOT MIX ASPHALT OVERLAY	\$313,000
ASPHALT RUBBER SAM	\$126,000
CRACK SEALING	\$22,000
ENGINEERING	\$30,000
3% CONTINGENCY	\$33,000
Total	\$1,100,000

[Note: Inclusion of any road or intersection on this list was based upon a condition assessment and budget estimate prepared in November of 2020. It is no guarantee of work being undertaken on the identified roadway. Final construction decisions are made upon the acquisition of needed easements or right of way, detailed engineering and actual bids received with work deletions or additions based upon the final bids.]

(Recommended by Selectmen 5 Yes 0 No)

(Recommended by Advisory Budget Committee 5 Yes 0 No)

Article 7 was moved by Selectman Gray and seconded by Selectwoman Beadle.

This article was voted in the affirmative by a show of voter cards.

ARTICLE 8

To see if the Town will vote to raise and appropriate, subject to any and all changes made at this meeting, the sum of Twelve Million Five Hundred Fourteen Thousand Nine Hundred Thirteen Dollars (\$12,514,913) to pay the expenses of General Government, Public Safety, Public Works (including Highways, Cemeteries, Buildings and Grounds, and Transfer Station), Human Services, Culture and Recreation, and Land Use Services.

(Recommended by Selectmen 5 Yes 0 No)
(Recommended by Advisory Budget Committee 5 Yes 0 No)

Article 8 was moved by Selectwoman Beadle and seconded by Selectman McGee followed by a short discussion.

This article was voted in the affirmative by a show of voter cards.

At this time, the Chair of the Library Board of Trustees, Jane Harrington, introduced the new Director of the Library, Deb Hoadley. Ms. Hoadley greeted the group, highlighted the library's response to COVID-19, shared some library updates and upgrades, and thanked the Trustees and library staff for their support and for meeting the challenges this year has brought. Article 9 was then introduced by Ms. Harrington.

ARTICLE 9

To see if the Town will vote to raise and appropriate the sum of Nine Hundred Five Thousand Eight Hundred Thirty-Four Dollars (\$905,834) to pay the expense of operating the Public Library.

(Recommended by Selectmen 5 Yes 0 No)
(Recommended by Advisory Budget Committee 5 Yes 0 No)

Article 9 was moved by Selectman McGee and seconded by Sandra Kelly.

This article was voted in the affirmative by a show of voter cards.

ARTICLE 10

To see if the Town will vote to establish a Library Building Capital Reserve Fund under the provisions of RSA 35:1 for the purpose of repairs and maintenance of the library building, and to raise and appropriate the sum of Ten Thousand Dollars (\$10,000) to be placed in this fund and to further appoint the Library Board of Trustees as agents to expend from this fund.

(Recommended by Selectmen 5 Yes 0 No)
(Recommended by Advisory Budget Committee 5 Yes 0 No)

Article 10 was moved by Jane Harrington and seconded by Scott Bartlett.

This article was voted in the affirmative by a show of voter cards.

ARTICLE 11

To see if the Town will vote to raise and appropriate the sum of One Hundred Forty Thousand Seven Hundred Fifty-Seven Dollars (\$140,757) for the purpose of funding the outside agencies listed below. Said amount to come from taxation.

Central NH VNA & Hospice	\$7,500
Tri-County Community Action Program	\$13,650
Lakes Region Food Pantry	\$11,250
Loon Preservation Committee	\$1,500
Winnipesaukee Wellness Center	\$15,000
Moultonborough/Sandwich Meals on Wheels Program	\$42,000
Inter-Lakes Day Care Center, Inc.	\$2,025
Interlakes Community Caregivers, Inc	\$3,450
Lakes Region Visiting Nurse Association	\$37,500
Starting Point	\$4,282
Moultonborough Historical Society	\$2,600
Total	\$140,757

(Recommended by Selectmen 5 Yes 0 No)

(Recommended by Advisory Budget Committee 5 Yes 0 No)

Mary-Ellen Bridges asked the Select Board to consider adding funds for the Red Hill Fire Tower Association to this article. The Moderator explained that adding to the warrant is not allowed and this was confirmed by Town Counsel. The Moderator and Selectman Quinlan encouraged Mary-Ellen to reach out to the Select Board for this matter to be addressed at a Select Board meeting. There was some other discussion on the consolidation of certain articles.

Article 11 was moved by Selectman Mudgett and seconded by Glenn Davis.

This article was voted in the affirmative by a show of voter cards.

ARTICLE 12

To see if the Town will vote to raise and appropriate the sum of Two Thousand Six Hundred Ninety-Four Dollars (\$2,694.00) to support the Red Hill Outing Club.

This Article is by Petition

(Recommended by Selectmen 5 Yes 0 No)

(Recommended by Advisory Budget Committee 5 Yes 0 No)

Article 12 was moved by Selectman Mudgett and seconded by Selectman Gray.

This article was voted in the affirmative by a show of voter cards.

ARTICLE 13

To see if the Town will vote to raise and appropriate the sum of Seven Thousand Five Hundred Dollars (\$7,500.00) to support the Sandwich Children's Center.

This Article is by Petition

(Recommended by Selectmen 5 Yes 0 No)
(Recommended by Advisory Budget Committee 5 Yes 0 No)

Article 13 was introduced and moved by Justin Rider then seconded by Selectman Mudgett.

This article was voted in the affirmative by a show of voter cards.

At this point the Moderator recognized and thanked Barbara Wakefield for her long service to the Town of Moultonborough as Town Clerk. He noted that this was the first time in 27 years that she was not on the stage for Town Meeting. There was a round of applause from the audience.

ARTICLE 14

To see if the Town will raise and appropriate the sum of Sixty Thousand Dollars (\$60,000) to support a Watershed Management Plan for Lake Kanasatka to be allocated to the Lake Kanasatka Watershed Association.

This Article is by Petition

(Recommended by Selectmen 0 Yes 5 No)
(Recommended by Advisory Budget Committee 1 Yes 4 No)

Article 14 was moved by Jane Nash and seconded by Sandra Kelly. Ms. Nash explained the article. Many individuals spoke in favor of the article. Jim Hoburg asked the Select Board why they did not recommend the article. Select Board members Mudgett, Quinlan, and Beadle each gave their reasoning. After a lengthy discussion, Selectmen Mudgett and Quinlan said they would be voting in favor of Article 14. Selectman Quinlan called the question.

This article was voted in the affirmative by a show of voter cards.

ARTICLE 15

As per NH RSA 41:14-a, we the undersigned duly registered voters of Moultonborough, NH hereby petition the Board of Selectmen to place the current proposal or any proposed sale of any portion of 970 Whittier Highway, Moultonborough, NH 03254, known as the Taylor Property, on the Warrant for the 2021 Moultonborough town meeting;

This Article is by Petition.

Proposal:

To see if the Town will authorize the Selectmen to sell a portion of the former Adele Taylor property located at 970 Whittier Highway that will include the former Taylor house and approximately 1.5 acres of land for a sale price of \$62,700.

(Recommended by Selectmen 5 Yes 0 No)

(Recommended by Advisory Budget Committee 5 Yes 0 No)

At this time, the Moderator announced that since there is no current proposal, the Select Board would like to table Article 15. A motion to table the article was made by Selectman Quinlan and seconded by Selectman McGee. A lengthy discussion followed regarding the original article. Selectman Quinlan read a letter from Huggins Hospital which offered the voters some context about why the article is being tabled. More discussion ensued. A Point of Order was made by Eric Taussig that the motion on the floor is to table the article, not discuss destruction of the Taylor house. After further discussion about the future of the property, the Moderator calls the question to table the article.

The motion to table Article 15 was voted in the affirmative by a show of voter cards.

ARTICLE 16

To see if the town will vote to raise and appropriate the sum of \$250,000 from taxation for the purpose of directing the Selectmen to complete a full site study and design and engineering plan for constructing a building or buildings to serve as a Community Center (defined herein as “A place where community members of all ages can meet for social, educational and recreational activities”). Building(s) will include, but will not be limited to, function space, a commercial kitchen, program space, offices, storage, and a full gymnasium with indoor walking track, and certain outdoor improvements to the surrounding grounds, contingencies and to determine all other costs associated with the project to be located on the Town owned property known as the former Adele Taylor property, Tax Map 52 Lot 14.

The Selectmen will contract with qualified 3rd party professionals for a site study to include, but not be limited to:

- Confirmation of boundary lines
- Wetlands Delineation
- Excavation review of most favorable area of the parcel for construction
- Perc testing and other testing as required for a septic design
- Complete traffic study of the Village portion of Rte. 25 to assess traffic impact of the Community Center Project.

The Selectmen will also contract with 3rd party qualified professionals to create a design and engineering plan to include, but not be limited to:

- Modifications to the current Community Center design by Stewart Architects to include separation of the function hall side of the building from the Recreation Department offices, programs rooms, and gymnasium side of building, and to incorporate a full walking track into the design.
- Allow for investigation of alternative, lower cost, building materials for the gymnasium portion of the Community Center, such as steel structure.
- Allow for the investigation and design of open green space as part of the overall project design to be used as a Town Common.

- Investigation into the possibility of the Taylor Home to be incorporated into the Community Center project.

Upon completion of the above deliverables, the Selectmen will send the design and full detailed description of the project to no less than three (3) construction firms for competitive bids on the project.

Completed site plan, design and engineering plan, and construction costs will be presented to the town no later than January 1st, 2022 in the form of a written report that will include the results and costs of the entire site plan, and design and engineering plan, along with the competitive bids received. The Board of Selectmen will be authorized to make a determination which of the competitive bids best meets the needs of the Community.

Any funds remaining after the above elements of this Warrant Article are satisfied, to be placed in the Municipal Building Capital Reserve Fund.

This Article is by Petition

(Recommended by Selectmen 0 Yes 5 No)

(Recommended by Advisory Budget Committee 0 Yes 5 No)

Kim Johnson moved Article 16 which was seconded by Rachel Keyser. Ms. Johnson then added a Point of Order with her intention to amend the article. She asked the Moderator if she should read the Article as it is in the Warrant or proceed to the proposed Amendment. The Moderator asked the voters if they would like a reading of the Article and they declined a reading. The Moderator allowed Ms. Johnson to proceed with reading the proposed amendment which reads as follows:

To see if the town will vote to raise and appropriate the sum of seventy-five thousand dollars (\$75,000) from taxation, for the purpose of directing the Selectmen to complete a full site study and design and engineering plan for constructing a building or buildings to serve as a Community Center (defined herein as "A place where community members of all ages can meet for social, educational and recreational activities"). Building(s) will include, but will not be limited to, function space, a commercial kitchen, program space, offices, storage, and a full gymnasium with indoor walking track, and certain outdoor improvements to the surrounding grounds, contingencies and to determine all other costs associated with the project to be located on the Town owned property known as the former Adele Taylor property, Tax, Map 52, Lot 14.

The Selectmen, will contract with qualified 3rd party professionals for a site study to include, but not be limited to:

- Confirmation of boundary lines
- Wetlands Delineation
- Excavation review of most favorable area of the parcel for construction
- Perc testing and other testing as required for septic design
- Complete traffic study of the Village portion of Rte. 25 to assess traffic impact of the Community Center project

The Selectmen will also contract with 3rd party qualified professionals to create a design and engineering plan to include, but not be limited to:

- *Modifications to the current Community Center design by Steward Architects to include separation of the function hall side of the building from the Recreation Department offices, program rooms, and gymnasium side of the building, and to incorporate a full walking track into the design.*
- *Allow for investigation of alternative, lower cost, building materials for the gymnasium portion of the Community Center, such as steel structure.*
- *Allow for the investigation and design of open green space as part of the overall project design to be used as a Town Common.*
- *Investigation into the possibility of the Taylor Home to be incorporated into the Community Center project.*

Upon completion of the above deliverables, the Selectmen will send the design and full detailed description of the project to at least one construction management firm for project cost estimation.

Completed site plan, design and engineering plan, and construction cost estimate will be presented to the town no later than January 1st, 2022, or in the even Town Meeting is moved to May, March 1st, 2022, in the form of a written report that will include the results and costs of the entire site plan, and design and engineering plan, along with the estimate received.

Any funds remaining after the above elements of this Warrant Article are satisfied, to be placed in the General Fund.

Ms. Johnson noted that the changes from the original article are as follows: The amount is being amended down to \$75,000, the requirement to send the design to three firms is eliminated, the amendment adds that if Article 17 passes that the date the Select Board would need to bring this before the town would be March 1st, and that any additional monies would be deposited into the General Fund. Dan Collins seconded Ms. Johnson's motion to amend the article. The amendment was voted in the affirmative by a show of voter cards.

Kim Johnson presented the amended Article 16. A lengthy discussion ensued. Mike Lancor asked Town Counsel if the article could be amended to read "Town-Owned Property" instead of naming a specific property. The Moderator stated that he had spoken to counsel about this already and it would change the intent of the article, so it is not possible. There was further discussion. Nancy Wright called a Point of Order for Town Counsel. She asked: If the town votes in the affirmative on the amended Article 16, does that commit the town to a Community Center on the Taylor property? Steven Whitley confirms that the town would not be committed to a Community Center on the Taylor property if Article 16 were to pass. The Moderator called the question by a count of voter cards.

The Amended Article 16 was voted in the affirmative by a count of voter cards.

YES - 110 NO - 102

ARTICLE 17

To see if the Town of Moultonborough will vote to change the date of Town Meeting to the 2nd Tuesday in May effective May 2022.

(Recommended by Selectmen 5 Yes 0 No)
(Recommended by Advisory Budget Committee 5 Yes 0 No)

The Moderator stated that the School District's Annual Meeting must occur between March 1st and March 25th by statute so if this article is voted in the affirmative then the Town and School Annual Meetings will be separate, but that the Town and School elections will still be held together whether or not Article 17 is voted in the affirmative.

Article 17 was moved by Selectman Mudgett and seconded by Selectman Quinlan. There was some discussion about the article and a question about whether Town Meeting would be on a Tuesday night if this article is voted in the affirmative. The Moderator clarified that if this article is voted in the affirmative, Town Meeting would begin on the second Tuesday of May with ballot voting and that it would be recessed Tuesday at 7 pm until the following Saturday for the business portion of the meeting. Peggy Hoburg asked the Moderator if there is another date that might work better for more citizens. The Moderator stated that the only two options would be March or May. There was some further discussion. When there was no further discussion, the Moderator called the question.

This article was voted in the affirmative by a count of voter cards.

YES – 100 NO - 70

ARTICLE 18

To see if the Town of Moultonborough, NH will vote to authorize the Selectmen to appoint two (2) volunteer representatives from the Town to serve on the Carroll County Broadband “Communications District Planning Committee” for the purpose of drafting a “Communications District Agreement” under NH RSA Chapter 53-G:2 – Communications District Planning Committee; Formation and Responsibilities?

This Article is by Petition

(Recommended by Selectmen 5 Yes 0 No)

(Recommended by Advisory Budget Committee 5 Yes 0 No)

Article 18 was moved by Selectwoman Beadle and seconded by Selectman McGee.

This article was voted in the affirmative by a show of voter cards.

At this time Eric Taussig made a motion to reconsider Article 16 which was seconded by Susan Price. The Moderator asked Town Counsel “Even though the motion might be approved today, do we reconsider it today?” Mr. Whitley confirmed that we do since there was no motion to restrict reconsideration. Laurie Whitley asked the Moderator if someone making a motion to reconsider needs to have new information in order to reconsider an article. The Moderator said anyone can ask for the reconsideration of an article.

There was discussion on the reconsideration. As a Point of Order, Tom Howard asked if the people who made the motion to reconsider and seconded that motion had voted in favor of Article 16. The Moderator confirmed that Mr. Taussig and Ms. Price would have needed to vote in favor of Article 16 in order for them to be able to make a motion to reconsider and second that motion. The Moderator asked Mr. Taussig if he voted in favor of Article 16. Mr. Taussig said he did not, but he made the motion to reconsider because there were two people who voted in violation of the rules because they were without masks. The Moderator stated that there is no provision in the law to take votes away from voters for not wearing a

mask and asked Mr. Taussig if he was withdrawing the motion. Mr. Taussig withdrew his motion to reconsider.

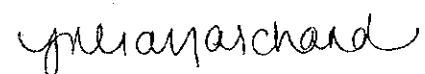
ARTICLE 19

To transact any other business that may legally come before said Meeting.

The Moderator then called for a motion to adjourn. Mr. Borrin made the motion which was seconded by Joe Cormier.

The meeting was adjourned at 12:10 pm.

True Copy Attest:



Julia Marchand, Moultonborough Town Clerk