

**Wolfeboro Board of Selectmen
Meeting Minutes
April 1, 2009**

Members present: Chairman David Senecal, Vice-Chairman Kristi Ginter, Linda Murray, Sarah Silk and Marge Webster

Staff present: Town Manager David W. Owen, Finance Director Peter Chamberlin, Director of Planning & Development Rob Houseman and Recording Secretary Diane Simpson

Chairman Senecal opened the meeting at 7:00 PM in the meeting room of the Wolfeboro Public Library

Non-Public Session RSA 91-A: 3 II

Mr. Owen stated there is a matter of real estate and a matter of litigation that the Board might wish to discuss in a non-public session.

Consideration of minutes

- **March 18, 2009**

Member Silk had a revision on page 2 under Election of Board Vice-Chairman. She asked that the names of those who voted no be listed under the motion: Linda Murray and Sarah Silk. On page 6, third paragraph from the bottom, add the word property before survey so it will read, "Roger noted that there is a property survey...." She also noted that there had been a correction on page 10 and everyone had received a copy of this new page. Member Murray asked that on page 9 under February Monthly Expenditure Report a sentence be added to the 1st paragraph: Mr. Chamberlin noted that the welfare budget needs to be watched.

Member Sarah Silk moved the Wolfeboro Board of Selectmen to accept the minutes of March 18, 2009 as amended. Kristi Ginter seconded. Members voted, and being all in favor, the motion passed.

Public Input

Suzanne Ryan gave out copies of her statement to the board and asked that the Board of Selectmen consider charting a financial outlook for a period of five years for the Town of Wolfeboro. She encouraged them to establish and appoint a blue ribbon financial outlook committee. She also asked them to consider a town-wide building assessment. She felt that the Board should look at all the buildings rather than one building at a time and put together a comprehensive plan and budget that will help prioritize their needs.

Joyce Davis, representing the Friends of Town Hall, handed out her statement that she read to the board. The Friends were pleased with the warrant article to fix and repair the town hall and while it did not receive the 60% to pass, it did show that this was the preferred solution over Varney Road and Lehner Street. The Friends offered their assistance and welcomed the chance to be involved in the process.

Public Hearings

- **Temporary Event Permit**

Chairman Senecal read the public hearing notice:

Kingswood Class of 2009 to hold a Promenade before the Prom on May 9, 2009 from 5:00 PM -7:00 PM at Cate Park and the Wolfeboro Community Bandstand.

Linda Nigro and Elaine Anderson, Senior Class Advisors, represented the Class of 2009. Member Silk noted that the Wolfeboro Parks & Recreation asked that the Class clean up after themselves. Linda and Elaine felt confident that there would be no problem.

Being no others to speak for or against the permit, Chairman Senecal closed the Public Hearing.

Member Kristi Ginter moved the Wolfeboro Board of Selectmen to approve the issuance of a temporary event permit to the Kingswood Class of 2009 to hold a Promenade before the Prom on May 9, 2009 from 5:00-7:00 PM at Cate Park and the Wolfeboro Community Bandstand, seconded by Member Linda Murray. Members voted, and being all in favor, the motion passed.

Bulk Vote

A. Applications for Property Tax Refunds/Abatements

Approvals

Abatement/Refund 40	Tax Map 129, Lot 6
Abatement/Refund 97	Tax Map 63, Lot 13

B. Property Tax Credits/Exemptions

Approvals

16 Scott Road	Tax Map 244, Lot 7
---------------	--------------------

C. Notices of Intent to Cut Wood or Timber

North Line Road	Tax Map 115, Lot 1
-----------------	--------------------

David Owen had an additional Abatement/Refund 16, Tax Map 226, Lot 5

Member Silk moved the Wolfeboro Board of Selectmen approve the bulk vote starting With A. Applications for Property Tax Refunds/Abatements, including Abatement/Refund 16, Tax Map 226, Lot 5; B. Property Tax Credits/ Exemptions; C. Notices of Intent to Cut Wood or Timber, seconded by Marge Webster. Members voted, and being all in favor, the motion passed.

Appointments

Zoning Board of Adjustment

Member Murray asked to step down from the Zoning Board of Adjustment appointment due to a conflict.

Chairman Senecal noted that David Booth had applied to be a member of the Zoning Board of Adjustment for three years.

Member Webster moved the Wolfeboro Board of Selectmen approve the appointment of David Booth to the Zoning Board of Adjustment for three years, seconded by Kristi Ginter. Members voted, and being all in favor, the motion passed.

Chairman Senecal noted that Leonard E. Johnson, Jr. had applied to be an alternate to the Zoning Board of Adjustment.

Member Webster moved the Wolfeboro Board of Selectmen approve the appointment of Leonard E. Johnson, Jr. to the Zoning Board of Adjustment as an Alternate for three years, seconded by Kristi Ginter. Members voted, and being all in favor, the motion passed.

Conservation Commission

Chairman Senecal noted that they had three members apply for three years. Member Silk noted that Randy Tetreault could not attend tonight, but he has been a valuable member on the board.

Member Silk moved the Wolfeboro Board of Selectmen approve the appointment of Randolph Tetreault, Michael Hodder and Lenore Clark to the Conservation Commission for three years, seconded by Kristi Ginter. Members voted, and being all in favor, the motion passed.

Member Silk asked to step down from the Conservation Commission Alternate appointment due to an obvious conflict.

Chairman Senecal noted that Sarah Silk had applied to be an alternate to the Conservation Commission.

Member Linda Murray moved the Wolfeboro Board of Selectmen approve the appointment of Sarah Silk as an Alternate for a three year term to the Conservation Commission, seconded by Kristi Ginter. Members voted; Sarah Silk abstained, and the rest being all in favor, the motion passed.

Historic District Commission

Chairman Senecal read a letter from Todd Fichter to withdraw his name from consideration for one of the two members on the Historic District Commission.

Member Silk moved the Wolfeboro Board of Selectmen approve the appointment of Bruce Fichter, and James Ladd for three years, accept the withdrawal of Todd Fichter, and approve the appointment of Ellen Klimm as an alternate to the Historic District Commission for three years. This motion was not seconded.

Mr. Owen had received a late application from Eric Keim asking for consideration for the alternate position.

Member Silk modified her original motion to read:

Member Silk moved that the Wolfeboro Board of Selectmen approve the appointment of Bruce Fichter and James Ladd for three years, accept the withdrawal of Todd Fichter, and approve the appointment of Ellen Klimm as an alternate to the Historic Commission for three years, seconded by Linda Murray.

Chairman Senecal asked that a motion for each member be made rather than grouping it together to be fair.

Member Silk moved that the Wolfeboro Board of Selectmen approve the appointment of Bruce Fichter to the Historic District Commission for three years, seconded by Linda Murray. Discussion followed.

Chairman Senecal asked Bruce Fichter, who was in the audience, how many years he had been a member of the Commission. He had been for six years and an alternate for two years.

Member Murray questioned a possible conflict of interest and noted that in the Town's Code of Ethics regarding "Conflict of Interest" and when a person has an immediate interest for what they are voting. There was also an article in the "Town and Country" magazine about what a conflict of interest is. Member Murray questioned if there was a conflict of interest with Member Ginter being able to vote for the appointments to the

Historic District Commission. Member Ginter felt she didn't have to step down under the law and that the entire board had encouraged her vote at other times and that she would continue to do so.

Members voted on the above motion: Linda Murray yes; David Senecal yes and Sarah Silk yes; Kristi Ginter no and Marge Webster abstained.

Member Ginter moved the Wolfeboro Board of Selectmen approve the appointment of Ellen Klimm to the Historic District Commission for three years, seconded by David Senecal. Members voted: Kristi Ginter yes, David Senecal yes, Linda Murray yes, Sarah Silk and Marge Webster abstained.

Member Murray moved that the Wolfeboro Board of Selectmen approve the appointment of James Ladd and Eric Keim as alternates to the Historic District Commission, seconded by Kristi Ginter, Members voted, Kristi Ginter yes, David Senecal yes, Linda Murray yes, Sarah Silk and Marge Webster abstained.

Cable TV Advisory Committee

Mr. Owen noted that the Information Systems Advisory Committee is putting forward one of its members, David Wells, as its cross-over/liaison member on the Cable TV Advisory Committee. These committees have an area of overlap and it is a good way to coordinate their work.

Member Silk made a motion that the Board of Selectmen approve the appointment of David Wells to the Cable TV Advisory Committee as well as the being on the Information Systems Advisory Committee as recommended, seconded by Marge Webster. Members voted, and being all in favor, the motion passed.

New Business

A. Board of Selectmen Rules of Procedure

Chairman Senecal suggested that perhaps the Board of Selectmen might try for a trial period changing the meeting times from 7:00PM to 6:00PM. Starting one hour earlier might be helpful and keep meetings shorter.

Chairman David Senecal made a motion that the Board of Selectmen approve on a trial basis to move their meetings from 7:00PM to 6:00 PM, seconded by Kristi Ginter. Discussion followed:

Member Silk noted that her busiest working season is during the summer months and that 6:00PM would not be a suitable time for her. A good compromise for her would be starting at 6:30PM

Member Ginter reminded the Board that they needed to do what was in the best interest for the public and make the new time a trial for 3 months.

Member Murray noted that for Member Silk's sake, the board set the time at 6:30PM as a compromise. She felt it was unfair to exclude a member of the board because her working hours were not going to allow her to attend meetings.

Member Ginter suggested setting time limits for discussion at the meetings.

Chairman Senecal noted that it was the chair's decision to stop a discussion during a meeting and continue it at another meeting.

Member Silk noted that 6:30 PM would be for the summer and that 6:00 PM would be okay for the winter meetings.

Chairman Senecal revised the original motion that the Board of Selectmen approve changing their meeting starting time on a trial basis until September 2009 from 7:00PM until 6:30PM, seconded by Kristi Ginter. Members voted, and being all in favor, the motion passed.

Peter Pijoan noted that the Selectmen's meetings repeat numerous times during the week, all at different times (9AM, 7PM, 1AM) on the Wolfeboro Community TV Channel.

Member Murray made a motion that the Board of Selectmen approve the Rules of Procedure as of today, April 1st, seconded by Kristi Ginter. Members voted, and being all in favor, the motion passed.

B. Issuance of a Hawkers & Peddlars License

Chairman Senecal noted that there was one location left for a vendor in Wolfeboro. David Owen noted that one of the applicants, Toni Miles, had withdrawn her application.

Member Silk noted that we ask vendors to submit their State license # at the time of their application. She suggested that we ask in the application that license be forthcoming after they have been awarded a vending spot so we have it in our files.

Member Silk made a motion that the Board of Selectmen approve to award a Hawkers and Peddlar's license for location #3, on Railroad Avenue, on the south side, near South Main Street to Philip Jackson of Center Sandwich to sell fruit, sorbet, bottled water and natural sodas, pending receipt of his State license, seconded by Marge Webster. Members voted, and being all in favor, the motion passed.

Sarah also asked that it state on the application that their permit will be forthcoming after the vendor provides us with a State license number.

C. Urbanized Shoreland Exemption Application

Rob Houseman noted that the Wolfeboro Planning Board has requested the Board of Selectmen make this application since the area contained in the "urbanized shoreland" is the fully developed mixed-use commercial core of the community. The current and historic density remains the same from 1971 to the present time. Mr. Houseman noted the maps contained in the application; one shows the parcels and the other map shows the 250' set backs. The Public Works Director has asked that the Board include the extended easterly edge to include the upper limits of Foss Field to the drainage canal. It would include the entire Back Bay parcel and would help eliminate permits and assist us with the maintenance of the Russell Chase Bridge Falls Path. We need to have flexibility to maintain it. Member Murray asked if the parcel that the town is purchasing for parking is outside the 250' and Mr. Houseman said yes it is.

Member Ginter made a motion that the Board of Selectmen approve submitting an Urbanized Shoreland Exemption Application to the Department of Environmental Services (DES) as requested by the Planning Board to exempt the core of downtown Wolfeboro and to include the parcel of land being purchased for parking from the requirements of the Shoreland Protection Act., seconded by Sarah Silk. Members voted, and being all in favor, the motion passed.

D. Ambulance Service Contract

Mr. Owen noted the proposal and that it had been stamped confidential and he requested that the Board not state any of the numbers in it during discussion. The previous Board requested that he negotiate with the present ambulance service a price proposal for the upcoming term. There is a significant price increase but you will note that with the comparative prices with surrounding communities that Wolfeboro is in line with the other towns. He needs from this Board permission to continue renegotiating a contract with Lakeside Ambulance or to obtain competitive bids from other ambulance services. He noted that Brian Lord representing Lakeside Ambulance Services is present to answer any questions.

Chairman Senecal noted that he felt that Mr. Owen would prefer to renegotiate with Lakeside Ambulance. Mr. Owen said he had spent a great deal of time during his first year working on issues involving the ambulance services contract with the ambulance service. There have been no complaints that he is aware of since Lakeside Ambulance took over the contract and that the Fire Department is also pleased. The town has a good reliable provider. The town could go out and look for ambulance providers that cost less, but there is no way of knowing if they are reliable.

Member Murray thanked Lakeside Ambulance Service for taking over and noted that the service has essentially been operating at a loss for the Town of Wolfeboro. They stepped up when the town was in trouble. They have provided excellent services without any complaints. With the economy the way it is, it would be good to employ our local people.

Member Webster made a motion that the Board of Selectmen approve waiving the requirements of the Town's Procurement Policy and to authorize the Town Manager to negotiate a new ambulance services contract for the Town with Lakeside Ambulance, seconded by Sarah Silk. Members voted, and being all in favor, the motion passed.

E. Carry Forward Accounts

The Finance Director Peter Chamberlin handed out the revised list of the capital warrant article amounts being carried to 2009 for the Board to review. The list contained all the continuing projects and a list of the monies for each that had been authorized, expended, encumbered and the project balance for each. Peter Chamberlin commented about a few of them: Bay Street Culvert, Pleasant Valley Road Culverts, Restoration of Town Hall, Town Road Reclamation – 2007, Online Credit Cards, WWTP – Effluent Facility Improvements – 2007, Electric System Distribution Improvements – 2008 and the Power Plant Decommission – 2008.

Member Murray had an issue with the Main Street Bridge waterline repair. The project is complete and it can be closed out. Mr. Owen said there is an open purchase order. Her concern is that we carry these older projects and questioned at what time do we close them out since it was a 2006 project. She also noted that we are having some problems with the town revenues. Peter noted that the Town has an extensive list of projects. She would like to see not only the expenses listed but also would like to see the revenues listed. The town is doing well with collecting its taxes this year, but we are down in building permits by about \$21,000. A report for year-end 2008 showed that the Town was down about \$1,300,000 and the Town treasurer was concerned. Member Murray would like to have the Board be proactive rather than reactive. On that note, she would like to see on the financial monthly reports an analysis of expenses and revenues. Perhaps the report could also compare it back 2 and 3 years ago as well as a monthly evaluation of our cash flow.

Member Murray made a motion that the Board of Selectmen request the Finance Director to include in his monthly financial reports the total town revenues which will include prior year's revenues in comparison and a monthly evaluation of the Town's cash position, seconded by David Senecal. Members voted, and being all in favor, the motion passed.

David Owen also expressed his concern about keeping an eye on revenues as well as expenditures. Member Silk noted that some of the grants that the Town applied for may not be awarded. Member Murray made a correction to the Granite State News editorial from last week's paper where it listed the Town's 2007-2008 assessment value – it should have read \$5.8 million, not \$800,000.

F. Warrant for the April 21, 2009 Special Election

This special election is for the State Senate seat that is up for election. The special election procedure is the same as for a regular election. Mr. Owen noted that the ballots would be hand counted by the Board.

Member Webster made a motion that the Board of Selectmen approve and sign the warrant for the April 21, 2009 Special Election, to be held at All Saint's Episcopal Church from 8:00 AM to 7:00 PM., seconded by Sarah Silk. Members voted, and being all in favor, the motion passed.

G. Setting a Work Session Meeting

H. Preliminary Discussion about Town Offices Direction

Chairman Senecal noted that these two items should be discussed as one topic rather than two separate items. He would like to get a group together made up of all the "town hall" committees this year to try to come up with a direction that we can all agree upon. We don't want another year made up of bits and pieces that people don't agree on. We certainly can work together and come up with a common goal that we all agree upon. Perhaps it could be done during a work session as long as a notice is posted that there is a meeting. While it is early to begin, we need to start now rather than later to have something that people can understand.

Member Silk made a motion that the Board of Selectmen approve to open up this part of the meeting to the public for discussion, seconded by Kristi Ginter. Members voted, and being all in favor, the motion passed.

Member Murray asked that a work session be opened up to all the different groups whether it is the Brewster Town Hall or the Town Hall Options committee and not limited to a certain number of people. It was felt that anyone who had an idea should be able to share it at a work session.

Bob Lemaire explained that he had been quiet since the election to not stir things up. He explained that tonight he is just a citizen with the same issues as a year ago. He also agreed that a round table discussion would be helpful whether it is done casually over coffee downtown or at a work session with the Board of Selectmen.

Chairman Senecal noted that he wanted everyone to talk to each other, agree that we need a town hall, an updated building, a functional building, etc.

Member Ginter noted that she would be pleased to sit down as a board member and talk with people on the subject. She felt that Chairman Senecal wanted to have people come together without preconceived divisions and no personal attacks and sit down and discuss the town hall.

Member Murray noted that this is an emotionally charged issue.

Joyce Davis felt that everyone needs to sit back, take a deep breath as everyone is suffering from Town Hall fatigue. People are sick of hearing about the issue. She felt that starting at a low level would be very helpful.

Chairman Senecal put it on the agenda for this meeting so the Board could have some input on what people needed. We need to get people interacting, mixing the factions together and trying to come up with one solution. Perhaps it won't happen this year, but we need to come up with ONE solution. He noted that he was not ready to set any work session times and no one is opposed to anyone getting together for coffee.

Member Murray asked when the Board would do an analysis of the topic. She felt that they needed to do it and come up with a long-range plan and a time line. She hoped that the Board would give themselves enough time to set up a plan.

Member Silk asked if anyone knew the date of the next meeting of the Capital Improvement Committee. Member Murray noted it was on May 15.

Suzanne Ryan has been involved since day one of the Town Hall Restoration Committee and she asked for a sense from the Board as to when they would have a budget for the town buildings. Chairman Senecal noted that the warrant article that had been proposed was to find out what projects people wanted the Board to work on and he noted that it was defeated and there is no money to do what you want us to do unless we get people together to do something. Member Webster noted that the public really does want the issue resolved.

Member Murray asked that Suzanne Ryan's suggestion be on the next Board Agenda. Ms. Ryan had suggested that perhaps there are builders, architects and volunteers in the Town who would come forward with ideas. Chairman Senecal suggested he and Mr. Owen discuss this further and get an article in the paper before the next meeting.

Old Business

Member Silk asked about the Final Revision of Flow Charts. She went over it and there were 3 specific changes that had been discussed and one of them was missing. The change had been listed in the March 4th minutes. It had to do with the responsibilities of the applicant. She asked that the town planner please insert the correct sentence.

Any other business

Member Silk attended a meeting to discuss bringing the Moving Wall here to Wolfeboro, Berlin and Newmarket. It is hoped that the three towns will share the costs. The next meeting is Monday, April 27th at the Masonic Temple. She asked the Board if they had any objections that she attend the meeting on behalf of the Board. There were no objections.

Member Silk made note of a memo and the electric rates of PSNH, Unitil and the Wolfeboro Electric Department. The Town of Wolfeboro is the lowest overall. Sarah asked if anyone was going to attend a meeting for zoning for small wind-power generators on Tuesday, April 7 at 7:00 PM at the Alton Town Hall. Mr. Owen responded that there was a conflict with that meeting and a Planning Board meeting.

It was noted that Brown's Ridge Road will be closed from Monday, April 13 until Monday, June 8th. The road will be closed completely for 8 weeks. Bay Street will hopefully reopen on May 21st.

Member Murray reported that she and Sarah Silk did attend a Primex training session. They learned how to communicate with the public better, by being open, accountable, responsive and accessible to the public. She gave the training materials to Mr. Owen to copy for the rest of the Board.

Town Manager's Report

A copy of the revised electric utilities rate comparison sheet including the chart will be sent to all customers in their electric bill to help them understand about the rate increase and where the town stands next to the other state electric utilities. We did apply for a grant to provide up to five compact fluorescent light bulbs to town residents at no cost to residents and paid through the grant. Member Silk noted that these bulbs do contain mercury and to please segregate them and drop them in appropriate spot at the solid waste facility.

The Town of Wolfeboro received a letter from the State of NH Department of Revenue Administration stating that they had determined a median ratio for the land, buildings, and manufactured housing in Wolfeboro for Tax Year 2008 to be 97.7. Property assessments are in general right on the mark.

Two projects through the American Recovery and Reinvestment Act of 2009 Economic Stimulus funding have been selected by DES for funding through that program.

Town Office received word today of another grant program to fund energy efficiency. It will fund energy audits of buildings and other energy efficiency improvements in fourteen categories. Mr. Owen and Mr. Houseman will be attending a conference next Tuesday, April 7 on the Economic Stimulus funding that might be available to the town.

Mr. Owen has sent an updated report to the Department of Justice regarding the voters decisions during the election on March 19 and informed the Department that it was the decision of the voters not to fund Articles 11, 13 and 20. They have now been officially informed.

As a result of the election results on achieving ADA compliance, Mr. Owen is very concerned about town liability as it not in compliance to the ADA. He has asked all department heads to hold any public meetings in a space other than town hall until the ADA is addressed at Town Hall.

Committee Reports

Member Senecal noted that the Carroll County Transit Authority has been given \$15,000 by the Moultonboro Lions Club. He noted they have received 100% funding for the 8 brand new buses.

Wolfeboro along with Ossipee, Freedom, Effingham and Tuftonboro are part of Region 8 in Southern Carroll County and are working with Memorial and Huggins Hospital and trying to put together a Southern Carroll County Coalition for Public Health. There is a form letter that they would like the Board of Selectmen to sign and send on to Neil Twitchell who is in charge of the State Department of Health and Human Services.

Member Silk moved that the Board of Selectmen approve their signing a letter asking the State Department of Health and Human Services approve the Southern Carroll County Coalition for Public Health through Huggins and Memorial Hospitals, seconded by Marge Webster. Members voted, and being all in favor, the motion passed.

Member Ginter attended the recent Wolfeboro Community TV Committee meeting and they are trying to improve the quality of their tapes and are studying alternative ways to get information out to the public.

Chamber of Commerce: None

Public Input

None

Press

Tom Beeler, Granite State News, asked for a copy of the letter to the Department of Justice. He noted that in the paper tomorrow there is an article about Huggins Hospital discontinuing their maternity unit as of September 30, 2009. GSN does not think it is a good idea. He didn't understand how you can call yourself a community hospital and not have a maternity unit.

Member Murray noted there have been numerous layoffs at different hospitals and that Medicare payments have dropped by 5% and is driving what is going on.

Being no further business before the Board, Chairman Murray entertained a motion to enter into a non-public session.

Member Silk moved the Wolfeboro Board of Selectmen to enter into non-public session RSA 91-A: 3 II to discuss Real Estate and Litigation at 8:22 PM. Marge Webster seconded. Members voted Linda Murray-yes, Sarah Silk-yes, Marge Webster-yes, Kristi Ginter-yes, and Dave Senecal-yes, the motion passed.

The Board re-entered public session at 9:52 PM.

Chairman Senecal announced the Board sealed the minutes of the March 18, 2009 Non-Public Session by a 2/3rd vote as required by law.

Member Sarah Silk moved the Wolfeboro Board of Selectmen adjourn at 10:02 PM. David Senecal seconded. Members voted, and being all in favor, the motion passed.

Respectfully submitted,
Diane W. Simpson
Diane W. Simpson
Recording Secretary