

**Wolfeboro Board of Selectmen
Meeting minutes
Unapproved
September 1, 2010**

Members present:

Chairman Linda Murray, Vice-Chairman Sarah Silk (arrived at 6:40 PM), Chuck Storm, Dave Senecal and Marge Webster

Staff present:

Town Manager David W. Owen, Parks and Recreation Director Ethan Hipple, Planning and Development Director Rob Houseman, Finance Director Pete Chamberlin and Recording Secretary Amelia Capone-Muccio

Chairman Murray called the meeting to order at 6:30 PM in the Wolfeboro Public Library.

Non-Public Session RSA 91-A: 3II

Mr. Owen stated a non-public session is needed to discuss litigation and minutes.

Consideration of Minutes

➤ ***August 18, 2010***

Chairman Murray amended page four, the first sentence in the second paragraph to delete "and increase from past payments" and replace it with "an increase of about \$3,000 more than last year".

Ms. Silk made the following amendments:

- Page six, third paragraph from the bottom to add "*majority of*" before the word voters and add the following sentence "*She asked if they were represented or heard at the Planning Board meeting*".
- Page seven, the third paragraph to add the following sentence, "*She questioned if it was for current signs, signs taken down and new signs*".
- Page seven, the fourth paragraph from the bottom to add, "*lack of*" before the word communication.

Member Marge Webster moved the Wolfeboro Board of Selectmen accept the minutes of August 18, 2010 as amended. Chuck Storm seconded. Members voted, being none opposed the motion passed.

Public Input

Tom Bickford stated the Board should direct the Town Manager to make the Agenda more clear as to the subject matters to be discussed at the meetings to allow the public to understand what subjects would be discussed, for example the last meeting Agenda stated "Repudiation of Contract", not Repudiation of the Firefighters contract. If such were clearer he would have liked to attend that meeting.

Paul Jenne questioned if now would be the time discuss the sign ordinance.

Chairman Murray questioned if the Board would take public input during the discussion and they agreed to take public input during that discussion.

Public Hearing

➤ *Cable TV Franchise Renewal Public Hearing*

Chairman Murray opened the Public Hearing.

Mr. Owen stated that representatives of the Cable TV Advisory Committee will present their recommendation in a PowerPoint presentation (See attached handout #1) and representatives of Metrocast Cablevision are here to answer any questions as well.

Bill Saunders Chairman of the Cable TV Advisory Committee joined the Board and reviewed the presentation. He stated the Committee members also include John Corf, Allan Bailey, and David Wells, with Peter Pijoan and Dave Owen as staff.

DISCUSSION:

Chairman Murray stated she would like to add to the motion that Franchise Agreement would be subject to the Board of Selectmen's approval.

Ms. Webster stated her only concern is there are still a lot of areas in Wolfeboro that are not covered by Metrocast and in today's society it is becoming important for children to have access to the internet for school.

Mr. Owen replied they are aware that is one of the major issues with the current agreement and will work with Metrocast on that concern.

Mr. Saunders stated they did have a preliminary meeting with Metrocast outlining some of the concerns so they are aware that will be one of the areas of concern.

Chairman Murray opened the discussion to public comment.

Cindy Scott, Library Director, stated that they have had good service with Metrocast in the past but had a recent incident where the IP address was interrupted and has yet to receive the response she requested in writing back from Metrocast. She explained the interruption in the IP address is extremely important, as such is needed for the catalog system.

Dave Strauch, resident of Brown's Ridge Road, stated that his area has been overlooked for service and they did not receive a copy of the survey since their area is serviced by NH Co-op.

Chairman Murray apologized for such and asked the Town Manager see that those residents receive a copy of the survey.

Susan Strauch, resident of Brown's Ridge Road, stated that they have been wanting service in their area for years, she would like to enjoy the benefits of high speed internet and feels her neighbors would as well.

Tom Bickford questioned what leverage the town would have on negotiating the Franchise Agreement, as it seems they will already be awarded the contract.

Mr. Owen replied based on the provisions of the Federal Telecommunications Act, Municipalities have very little leverage.

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

Ms. Silk expressed her concerns of hearing from residents of the Brown's Ridge Road area regarding lack of coverage for years and if they have utility poles out there why can't they get the service. She also stated the charts in the report vs. the survey do not coincide. She also shares Ms. Scotts' frustrations on the service, as she understood all town services should not be charged.

Mr. Owen replied the charts were done by WCTV as a guide rather than just providing raw data. He stated regarding the free services, the town is receiving the services listed at the time of the agreement and subsequent a side agreement that was made because the I NET system was not built, the town is receiving all the services agreed upon.

Moir Campbell, General Manager of Metrocast, joined the Board and stated they currently have 20 buildings receiving video and/or high-speed data, but it would helpful to have a list of the locations they would like to add.

Ms. Silk stated page 23 of the Franchise Agreement Section 7.7 (b) states additional drops shall be provided.

Mr. Owen clarified that was for the I NET that was never built.

Ms. Silk questioned if they have a map of the lines.

Jeff Drapeau, General Manager of Metrocast, provided an updated map of the lines.

Chairman Murray stated she has two homes that are not hooked to Metrocast and she called for service and was told it would take 6-8 months for hook up.

Mr. Drapeau replied that it is a process to get pole licensing and that is a 3-4 month process.

Chairman Murray stated she called two years ago and hasn't heard anything since.

Ms. Silk questioned if they received a copy of the complaint logs.

Mr. Owen replied that they received a compilation of the complaints, as the logs were personal records.

Ms. Webster questioned the number of customers in Wolfeboro without service.

Mr. Drapeau explained the current Franchise Agreement states there must be 20 homes per mile to provide service.

Mr. Owen stated the Town plans to propose to modify that in the new agreement.

Chairman Murray questioned if the Board feels comfortable with the presentation and would like to entertain the motions.

Member Chuck Storm moved the Wolfeboro Board of Selectmen to find that Metrocast Cablevision, Inc. has satisfactorily performed and met its obligations to the Town of Wolfeboro and its residents under the current, soon-to-expire franchise agreement. Marge Webster seconded. Members voted, being none opposed the motion passed.

Member Marge Webster moved the Wolfeboro Board of Selectmen to authorize the Cable TV Advisory Committee to issue a Request for Proposal to Metrocast for a renewal of the franchise agreement. Chuck Storm seconded. Members voted, being none opposed the motion passed.

Member Chuck Storm moved the Wolfeboro Board of Selectmen to authorize the Cable TV Advisory Committee, upon receipt of Metrocast's proposal, to negotiate the terms of a successor franchise agreement, subject to satisfactorily addressing the Town's issues and concerns as listed above subject to Board of Selectmen approval. Sarah Silk seconded. Members voted, being none opposed the motion passed.

Ms. Silk stated she would like surveys sent to those who did not receive them.

Mr. Owen replied he would.

Bulk Vote

A. Property Tax Credit/Exemptions

- | | | |
|------|--------------------------|-----------------------|
| i. | 2 Cricket Hill Road | Tax Map 202, Lot 23 |
| ii. | 55 Beach Pond Road | Tax Map 145, Lot 37 |
| iii. | 13 Eagle Trace | Tax Map 243, Lot 42 |
| iv. | 7 Point Breeze Road | Tax Map 236, Lot 29 |
| v. | 17 King Pine Road | Tax Map 206, Lot 19-1 |
| vi. | 134 North Wolfeboro Road | Tax Map 34, Lot 5 |

B. MS-1 Extension Request Form

Ms. Silk questioned the extension of the MS-1.

Mr. Owen replied it will take a couple of weeks to get done.

Ms. Silk stated she is disappointed it won't be done on time.

Chairman Murray questioned Tax Map 145, Lot 37 disability and elderly exemption and would like to table it for clarity.

Member Sarah Silk moved the Wolfeboro Board of Selectmen table Bulk Vote item ii. Tax map 145, Lot 37 until the next meeting. Linda Murray seconded. Members voted and being none opposed the motion passed.

Member Sarah Silk moved the Wolfeboro Board of Selectmen approve the Bulk Vote items as listed above except Tax Map 145, Lot 37. Marge Webster seconded. Members voted and being none opposed the motion passed.

New Business

A. Lake Wentworth and Crescent Lake Watershed Plan

Jack O'Connell joined the Board to provide an update on the Watershed Plan and to seek a letter of support from the Board. He explained that the process started a year ago when they discovered as the 9th largest lake in NH, that they were the second lake without a watershed plan. He explained they held an open seminar and from that they formed a steering committee for guidance and oversight of the plan. He explained they meet with DES monthly and they are impressed with their efforts. He stated that this is the best way to preserve Lake Wentworth. He stated that Rob Houseman has volunteered to assist the Committee and will provide the soft match hours to support the program.

Mr. Senecal questioned the amount of the DES grant.

Rich Massey replied the pool of funds is around \$500,000 and would be divided out to selected candidates.

Mr. O'Donnell replied they would probably receive around \$65,000.

Ms. Silk pointed out the scope of such a large project, more than 37 square miles of area, 4000 plus acres of surface water, 617 acres of wetlands, 15 plus miles of shorelines on Lake Wentworth and Crescent Lake, 17 islands, and 11 year-round tributary streams, each comprising its own sub watershed.

Chairman Murray stated that she listened to a presentation on how dirt roads affect the quality of the water and feels this is a step in the right direction and looks forward to the same plan for the big lake.

Member Marge Webster moved the Wolfeboro Board of Selectmen to support the grant application of the Lake Wentworth Foundation to develop the Lake Wentworth and Crescent Lake watershed plan and to authorize the Board's chairman to sign a letter of support for this project to the NH DES. Sarah Silk seconded. Members voted and being none opposed the motion passed.

B. Pop Whalen Ice Arena Rates for 2010-2011 Season

Ethan Hipple joined the Board for discussion and in anticipation of opening the rink October 4th they are working on booking the ice times. He provided an increase based on a formula of the number of hours of past history, total expenses and projected income. He stated the surplus in this account varies from year to year and based on the proposed 2011 budget, which includes the parking lot upgrades and the bond payment for the ADA upgrades, he is requesting a small increase in the rates. He provided the Board with a breakdown of the proposal and requests to increase the rates \$5 per hour across the board.

Chairman Murray questioned the projection of a surplus for 2010.

Mr. Hipple replied he hopes to have a profit and will work with the Finance Director to inquire on such.

Mr. Owen pointed out they also need to look at replenishing the fund balance that was drawn down for the replacement of the dasher boards a few years ago as they have some large projects in the horizon.

Chairman Murray stated they showed a loss in 2008 and 2009, and questioned making the increase to prevent the loss, as it would not be enough to add to the fund balance.

Member Marge Webster moved the Wolfeboro Board of Selectmen to approve the Pop Whalen Ice Rental Rates and Ice Program Rates for the 2010-2011 seasons as proposed. Dave Senecal seconded. Members voted and being none opposed the motion passed.

C. Abenaki Ski Area Rates for 2010-2011

Mr. Hipple stated he is proposing a slight increase for the new season and they have added the ability for groups, such as Brewster or Kingswood, to rent the ski slope.

Chairman Murray questioned if the ski patrol would be paid time and half as they are typically firefighters.

Mr. Hipple replied some of them will be paid at an overtime rate.

Member Marge Webster moved the Wolfeboro Board of Selectmen to approve the Abenaki Ski Area Rates for the 2010-2011 seasons. Sarah Silk seconded. Members voted and being none opposed the motion passed.

D. Revised Welfare Guidelines

Member Chuck Storm moved the Wolfeboro Board of Selectmen to table the discussion on the Welfare Guidelines to the next meeting. Dave Senecal seconded. Members voted, and being none opposed the motion passed.

Ms. Silk asked for clarity on the reason for tabling the discussion.

Ms. Webster replied they are awaiting some additional forms that other town's use that will require applicants to produce income tax and bank statements.

E. Firefighters New Compensation Plan

Mr. Owen stated at the Board's August 4th meeting they voted to repudiate the Firefighter's contract and put those employees on the town's personnel plan effective the first payroll in October and he has provided the Board with a new firefighter's compensation plan.

Ms. Silk pointed out 9 employees would be getting a raise the lowest being thirty cents per hour and the highest a dollar per hour.

Ms. Webster questioned how the pay for these employees compares to surrounding communities.

Mr. Owen replied that based on the 2008 pay and classification study the minimum recommendation for a firefighter was \$14.18 per hour and we are paying \$12.83 per hour.

Chairman Murray stated that a 3% raise in this economy is good and they are in line with the rest of the employees.

Member Sarah Silk moved the Wolfeboro Board of Selectmen to amend the Town's Personnel Policy by including the new Firefighter Compensation Plan as Appendix D of the Town's Personnel Policy, and to

direct Town staff to place firefighter employees in the new Firefighter Compensation Plan at the step and rate that is nearest to but higher than their current hourly rate. Dave Senecal seconded. Members voted and being none opposed the motion passed.

F. Sign Enforcement Moratorium-memo from Planning Board

Chairman Murray made the following statement:

After the August 18th Selectmen's meeting, I e-mailed the Chairman of the Planning Board to see if the two of us could sit down and talk about how a request from the Planning Board would come to the Board of Selectmen in the future.

I received an e-mail back from Kathy Barnard saying that the Planning Board had made no request. I would like to read the e-mail from her to allow the public to hear her response. The Board of Selectmen was very critical of the Planning Board's alleged request. (See attachment #2)

I would also like to clear up a rumor that two of the Selectmen are trying to remove the Temporary non-enforcement of the "sandwich" board signs moratorium. This is not so.

I would like to read to the public my e-mail, which was included in the Board of Selectmen's packet so every Selectman was notified of my intended motion. I felt it was very important for me to provide my fellow Board members with my motion so they would have time to think about what I was suggesting. An informed Board makes better decisions. (See attachment #3)

As I re-read Mark Puffer's opinion, I will suggest the following new motion (amending the 8/18/10 motion) on the temporary moratorium on the sign ordinance as follows: that the Board of Selectmen puts a temporary non-enforcement moratorium on the "sandwich" board signs 2 X 3 feet and allow them in front of a business or property no more than two signs per location. All "sandwich" board signs must allow four feet of free sidewalk for wheelchair (ADA) accessibility. The moratorium will be in effect from August 18, 2010 to October 31, 2010 and the Town reserves the right to enforce the ordinance in the future.

I would like to explain my reasons for changing the motion as follows:

- 1. The Town Attorney first recommended in his opinion letter to the BOS was that the Town needed to reserve its right to enforce the ordinance in the future. (the last sentence of my new motion will be worded as follows: the town reserves the right to enforce the Ordinance in the future) the Town Attorney's opinion was handed out at the BOS meeting while the discussion was going on, which precluded the BOS from reading the opinion.*
- 2. Correcting the date from October 30th to October 31st.*
- 3. Remove the word approximately because it is not clear what is meant by approximately. I want it clear to everyone that the sign moratorium will cover 2 X 3 a-framed/sandwich board signs.*
- 4. Based on the ADA requirement for sidewalk width, which was included in the BOS packet, I will change the wording from "not to impede the sidewalk" to "all sandwich board signs must allow for 4 feet of free sidewalk for ADA accessibility". The requirement for people using crutches is 42 inches and the requirement for people traveling with service animals is 48 inches. In the minutes Sarah Silk questioned how this would work with the ADA requirements. The town needs to be very careful that it follows as many ADA requirements as possible since it is negotiating a settlement lawsuit on the Town's non-compliance of ADA regulations with the US Attorney General.*

5. Even though the Planning Board did not request the moratorium and I am disappointed that inaccurate information was provided to the BOS, I feel it is in the best interest of the community for the BOS to leave the moratorium in force.

Ms. Silk made the following statement:

I feel the process of the moratorium was flawed in such a manner that it is an embarrassment to the BOS. I personally want to apologize to the majority of the voters that passed the sign ordinance believing their voices would not go unheeded, and the businesses of Wolfeboro that can't help but have misgivings as to what is allowed and what is not allowed by the moratorium. I apologize to the Planning Board and its Chairman for criticizing the way the moratorium came to the BOS with its lack of parameters to clarify enforcement, lack of direction for moratorium duration, lack of status details for whether it was to address signs up now, included signs up previously, signs that might go up never having previously existed, lack of attendance by Planning Department or Planning Board at the BOS meeting to present the moratorium request, or answer questions, or clarify missing details, lack of definitive sign size, and lack of ADA clear passage requirements. I apologize to the residents for the inability of myself, as a BOS member to recognize when a fellow member failed to differentiate between personal enthusiasms and the responsibilities of the office of the Selectmen and the position of a Planning Board member. Concept is not without merit, it encourages businesses and the public to become involved in giving direction to the Planning Department and the Planning Board concerning any changes they may or may not want to the sign ordinance prior to the deadline for warrant articles. I believe the motion needs more direction regarding ADA requirements for sidewalk clear passage for wheel chairs, walkers, canes and people with service dogs. Are the signs addressed just the ones placed on town or state R.O.W. or on property owned by the businesses as well. Are the signs covered by the moratorium signs, which are out when the business is open, or 24/7. Are the signs 2' X 3' free standing only (is it perfectly clear that reader board signs are not attached, as required by ordinance, to the building will be subject to standard enforcement protocol). Again I offer my apologies to the Planning Board for the gross misrepresentation of facts by a BOS member precipitating a breach of trust between the Boards.

Ms. Webster stated she is disappointed and has a real problem with throwing a fellow Board member under the bus. She stated as a tourist town the businesses need the support and a-frame signs help their business. She doesn't see the harm in having the moratorium from August 18 to October 31, 2010.

Chairman Murray stated they are clarifying their statements that were very critical at the last meeting and feels the public has the right to know what happened.

Member Linda Murray moved the Wolfeboro Board of Selectmen to amend the August 18, 2010 motion on the temporary moratorium on the sign ordinance as follows: that the Board of Selectmen put a temporary non-enforcement moratorium on the "sandwich board" signs 2 X 3 feet and allow them in front of a business or property no more than two signs per location. All "sandwich board" signs must allow for 4 feet of free sidewalk for ADA accessibility. The moratorium will be in affect from August 18, 2010 to October 31, 2010 and the town reserves the right to enforce the Ordinance in the future. Sarah Silk seconded.

DISCUSSION:

Mr. Senecal questioned clarity on the ADA requirements.

Ms. Silk pointed it out in the information provided.

Chairman Murray opened the discussion for public comment.

Jerome Holden owner of JC Signs questioned how they would fix the ordinance in less than a month and questioned if such changes would need to go before the voters in March.

Mr. Storm stated that the intent of the moratorium was to allow the Planning Board time to review the ordinance.

Mr. Holden questioned why they could not leave the a-frame signs up as there are businesses that are open year round.

Chairman Murray replied that having them on the sidewalks in the winter months would make the sidewalk maintenance more difficult.

Mr. Holden stated people have put them out in the past and there hasn't been a problem. He also expressed several other concerns about the sign ordinance that need addressing.

Mr. Senecal stated that although he makes good points, these concerns need to be directed to the Planning Board as they will be the ones making revisions to the ordinance. He stated the purpose of the moratorium was to help offset the current issues.

Chairman Murray stated if the town has a sign ordinance it should be enforced and if it is not working then it should be changed.

Ms. Webster stated they should be fair and equitable and feels the businesses should discuss their concerns with the Planning Board, she also pointed out that it seems people are not always reading those first few articles on the ballot.

Paul Jenne stated that they asked at the Planning Board meeting who had the authority and they left that meeting feeling Mr. Storm was endorsed to discuss such with the Board of Selectmen. He hopes the Board will keep the moratorium in place until October 31st.

Michelle Fabricant questioned if there are "a-frame" signs out on November 1st, what will happen.

Chairman Murray replied they will be enforced.

Barbara Bridges stated her busiest month is December for the Christmas holiday and questioned if the moratorium could be extended to December 31st.

Chairman Murray stated they have concerns about plowing the sidewalks.

Mrs. Bridges replied she feels the business owners are responsible enough to know to bring in the signs during the inclement weather.

Bob Furlton of Back Bay Rehab stated he appreciates the moratorium, but it is not enough for the permanent business and it is up to the owners to take care of their signs.

Franzes Aside of the Folk Center stated Christmas is a big part of their season and would like an extension and if it becomes a problem they could address it.

Diane Trembly of Winni Paw stated that if she doesn't have her sign out people don't see her business and know she is open.

Being no further comments, Chairman Murray closed the public comments.

Member Marge Webster moved to amend the motion to extend the moratorium to December 31, 2010. Dave Senecal seconded.

Mr. Senecal understands the request for the extension, but feels the situation needs to be corrected and feel October is a reasonable amount of time for the Planning Board to address it.

Chairman Murray agreed and stated that if the Planning Board meets and requests them to extend it she would then be more than willing to do so.

Mr. Senecal stated the business owners need to go to the Planning Board to address this matter.

Ms. Silk stated the need not forget the correct process and it is not their job to rollover the Planning Board, but to assist them.

Ms. Webster replied that the intent was not to rollover the Planning Board; it was to help the businesses who are responsible adults. She encourages the business owners to attend the Planning Board meeting.

Members voted on the amended motion, Marge Webster and Chuck Storm in favor, all others opposed, the motion failed.

Members voted on the original motion, Marge Webster-abstained, all others in favor the motion passed.

G. Amendment to Selectmen's Rules of Procedure

Chairman Murray stated she would like to propose the following change to section II A. Responsibilities of members 2. to read as follows: *One Selectman has no authority and can not speak for the Board, except when representing the voted position of the Board. Members of the Board have authority only when all actions are voted on by the majority of the Board at a public meeting that complies with the Right to Know Law RSA 91-A. The Board shall not be bound by any action or statement of any individual Board member except when such statement or action is pursuant to instructions voted on by the Board.*

Member Linda Murray moved the Wolfeboro Board of Selectmen to amend the Board of Selectmen's rules of procedures Section II A. Responsibilities of members as stated above for approval at the next Board of Selectmen's regular meeting. Sarah Silk seconded. Members voted and being none opposed, the motion passed.

H. September 14th Election coverage

The Board determined Mr. Senecal, Mrs. Murray and Ms. Webster would be present all day. Ms. Silk would cover the afternoon and Mr. Storm would cover the morning.

Any Other Business

Ms. Silk stated the following:

She referenced a recent article in the Laconia Sun discussed the Waste Water treatment facility in Franklin NH and its problems of capacity.

She stated she has had some complaints regarding dog defecation at the Farmer's Market and that people should be sure to clean up after their pets.

She questioned if the Board would like to reschedule their 9/22 meeting to allow them to attend the 35th Annual Law Lecture. The Board agreed to move their meeting to 9/20/10.

Chairman Murray thanked Bob Shilo and Christopher Nayak on their help with the Lake Host program and asked Mr. Owen to send them a letter of thanks on the Board's behalf.

Town Manager's Report

Mr. Owen stated the following:

- The RFP for Assessing Services has been provided in your packet and at this point he does not see the need to hire a full time Assessor. The Board agreed to authorize the Town Manager to issue a RFP for Assessing Services.
- He suggested the Board consider spending \$1,000 from the Board's miscellaneous fund for the architect to assist in developing an interim plan for town offices during construction of the Brewster Memorial Hall building.
- He has met with the contractor and architect working on the Public Safety Building and Pop Whalen ADA improvements and those projects are coming along on schedule.
- He will be out of the office tomorrow afternoon.

DISCUSSION:

Chairman Murray questioned the status of the Town Hall project.

Mr. Owen replied the architect has forwarded the plans to the contractor CCI for cost estimates with the intent for an update by the Friends at the September 15th Board meeting.

Ms. Silk questioned the status of repairs as voted in March.

Mr. Owen replied they are in the process of bidding out, but had issues with locating slate roof contractor as well AG Architects busy working on several town projects.

Ms. Webster questioned the meetings of the Brewster Hall group.

Mr. Storm replied they haven't met in months.

Ms. Webster stated that she is not happy with only seeking one estimate; she is a firm believer in two estimates.

Member Dave Senecal moved the Wolfeboro Board of Selectmen to expend \$1,000 from the Selectmen's Miscellaneous Expense account for plans for the proposed move of the Town Offices for temporarily. Chuck Storm seconded. Members voted, being none opposed, the motion passed.

Committee Reports

Ms. Silk reported the following:

- She attended a Medicine Collection in Newbury, NH and they had a really good turnout.
- DEA is holding a drug collection on September 25 at the local Police Stations.

Chairman Murray reported the following:

- The Milfoil Committee will be addressing the re-growth in Back Bay and Wolfeboro Bay on September 14th.
- The 250th Encampment was a success with over 1,000 people attending.
- The CIP Committee has put a hold on its review until the cost figures for the town building evaluations come in.
- The annual Nick Fest was a success.

Mr. Owen stated the Milfoil Joint Board authorized the purchase of a pontoon boat and trailer.

Chairman Murray stated for the publics and town's information, there are geese on Lake Wentworth and they may need to address that further in the future.

Chamber of Commerce

None

Questions from the Public

None.

Questions from the Press

Tom Beeler of the Granite State News questioned the location of the geese.

Chairman Murray replied in the area of Epiphany Farm.

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

Member Marge Webster moved the Wolfeboro Board of Selectmen to enter non-public session at 9:03 PM to discuss non-public minutes and litigation. Sarah Silk. Roll call vote: Marge Webster-yes, Sarah Silk-yes, Chuck Storm-yes, Dave Senecal-yes and Linda Murray-yes, the motion passed.

The Board re-entered public session at 9:20 AM.

Chairman Murray announced that the Board sealed the minutes of the September 1, 2010 non-public session with a 2/3rd vote as required by law.

Being no further business before the Board, Chairman Murray entertained a motion to adjourn.

Member Dave Senecal moved the Wolfeboro Board of Selectmen to adjourn at 9:21 PM. Member Sarah Silk seconded. Being none opposed, the motion passed.

Respectfully submitted,

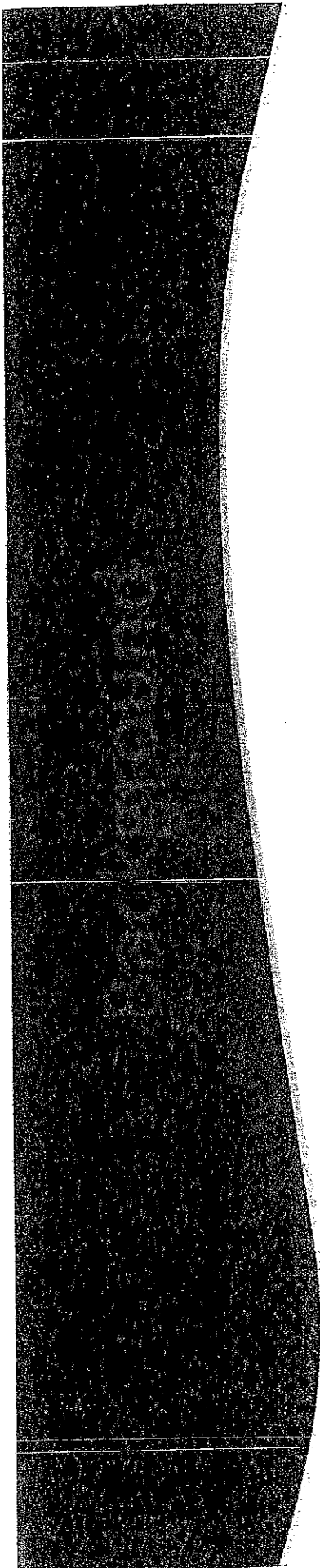
Amelia Capone-Muccio

Amelia Capone-Muccio

Cable TV Franchise Renewal 2011

Town of Wolfeboro

cellar house #1 0-1-005

- 
- Cable TV Franchise Expires June 11, 2011
 - Town of Wolfeboro has developed a process to prepare for, negotiate, and execute a new franchise agreement with Metrocast
 - A Cable TV Advisory Committee will assist the Town Manager in franchise renewal process

Renewal Activities

- Solicit public feedback on Metrocast performance under current franchise
 - Survey in Electric Bills – 11/09
 - September 1st - Public Hearing as required by State and Federal Statutes
 - Benchmark franchise agreements for similar sized towns
- The venue for the public hearing regarding franchise contract is Board of Selectman meeting
- Subsequent issue of a formal Request for Proposal (RFP) to Metrocast

Renewal Activities – cont'd

- Assess survey/public feedback of Metrocast performance under current franchise
 - Survey in Electric Bills – 11/09
 - 864 Survey Responses
 - Results available in electronic format
 - Generally high levels of satisfaction with Metrocast's service
- Cable TV Advisory Committee has developed a timeline for assessment, public hearing, and required public hearing process

Renewal Activities – cont'd

- Metrocast will submit a formal proposal in response to the RFP – on or before 10/4/2010
- CATV Committee will Analyze Metrocast proposal and Finalize Town Negotiation Agenda
- Negotiations between Town and Metrocast – November 2010 to March 2011

Renewal Activities – cont'd

- Final Terms established and reviewed by Town Counsel – No later than April 2011
- Submit New Franchise Agreement to BOS for Approval and Sign new agreement – May 2011

Key Renewal Considerations

- Public Responses to Survey and Public Hearing
- Expansion to/availability of cable service to all areas of the town
- Franchise Fee \$1.
- Metrocast performance and support of public access channels (Wolfeboro and New Durham)
 - Equipment Grants -- At start of new term and on-going/annual grants

Key Renewal Considerations – Cont'd

- Term of new contract
- Local/Public Channel access for all subscribers, not just certain tiers
- Free Internet access for all Town Departments
- 2-Way Fiber from WCTV studios to Library, Town Hall, Middle School, New School Auditorium and Elementary Schools

Proposed Motions for BOS

Consideration

- To find that Metrocast Cablevision, Inc. has satisfactorily performed and met its obligations to the Town of Wolfeboro and its residents under the current, soon-to-expire franchise agreement, and
- To authorize the Cable TV Advisory Committee to issue a Request for Proposal to Metrocast for a renewal of the franchise agreement, and
- To authorize the Cable TV Advisory Committee, upon receipt of Metrocast's proposal, to negotiate the terms of a successor franchise agreement, subject to satisfactorily addressing the Town's issues and concerns as listed above.

Cable TV Franchise Renewal

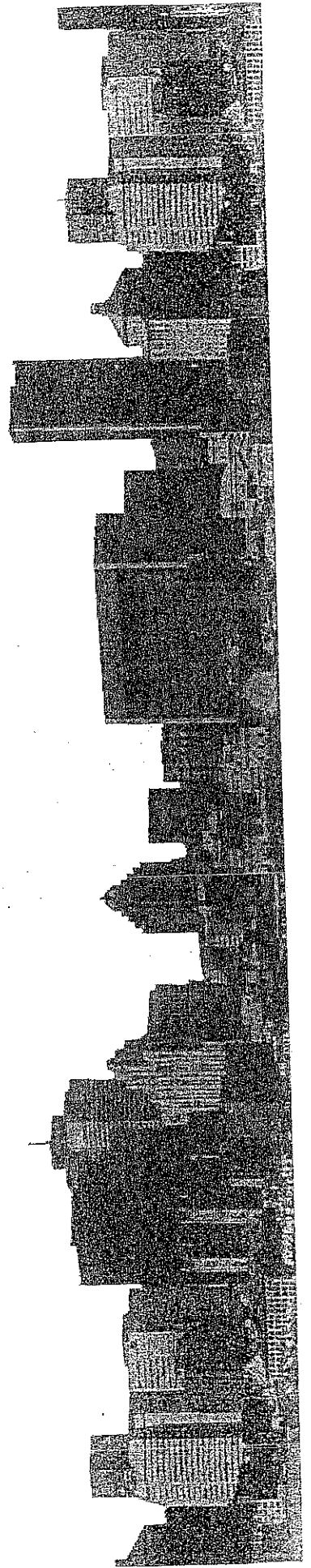
Questions?

Feedback?

Proposed Motions for BOS

Consideration

- To find that Metrocast Cablevision, Inc. has satisfactorily performed and met its obligations to the Town of Wolfeboro and its residents under the current, soon-to-expire franchise agreement, and
- To authorize the Cable TV Advisory Committee to issue a Request for Proposal to Metrocast for a renewal of the franchise agreement, and
- To authorize the Cable TV Advisory Committee, upon receipt of Metrocast's proposal, to negotiate the terms of a successor franchise agreement, subject to satisfactorily addressing the Town's issues and concerns as listed above. *Subject to BOS approval*



August 26, 2010

To: Wolfeboro Board of Selectmen

Linda Murray, Chairman

Sarah Silk, Vice Chairman

Marge Webster

David Senecal

Chuck Storm

From: Kathy Barnard, Chairman
Wolfeboro Planning Board

RE: Sign Moratorium

At the August 18, 2010 Board of Selectmen's meeting Selectman Chuck Storm reported to you that the Planning Board had asked him to request that the Board of Selectman put a temporary moratorium on the enforcement of the sign ordinance. This was not the case.

Some business owners and operators did attend the August 17, 2010 Planning Board meeting to discuss the sign ordinance and issues they have with the ordinance.

At the beginning of the meeting I explained to the audience that the Planning Board was responsible for proposing changes to the zoning ordinance and we would like to hear any suggested changes they might have. I also indicated that the Planning Board was interested in hearing from others, such as the Chamber of Commerce. After obtaining input from the public at future meetings and forums, the Planning Board would then determine what changes (if any) should be proposed to the sign ordinance. The Planning Board members then listened to the suggestions and concerns expressed, but did not have any in depth discussion or take any action regarding signs.

The Planning Board did not request that the Board of Selectmen consider imposing a moratorium on sign enforcement.

If the Planning Board had collectively made that decision, I would have sent you a written memo outlining the Planning Board's concerns and recommendations for such an action, in accordance with the Planning Board's Rules of Procedures revised and adopted on June 15, 2010.

I have attached the August 17, 2010 Planning Board minutes to further clarify this issue.

CC: David Owen, Town Manager

Robert Houseman, Director of Planning and Development

Planning Board Members

Attachment #2
9-1-10
B.O.S.

Dave Owen

From: Linda T. Murray [murray@worldpath.net]
Sent: Wednesday, August 25, 2010 1:56 PM
To: David Owen
Subject: Town Attorney's Opinion on non-enforcement.

David,

As I re-read Mark Puffer's opinion, I will suggest the following new motion on the temporary moratorium on the sign ordinance as follows: that the BOS put a temporary non-enforcement moratorium on the "sandwich board" signs 2 x3 feet and allow them in front of a business or property no more than two signs per location. All sandwich board signs must allow for 4 feet of free sidewalk for wheelchair accessibility. The moratorium will be in affect from August 18, 2010 to October 31, 2010 and the Town reserves the right to enforce the Ordinance in the future.

Is there anything else which will make the motion clear? Does Rob want anything else added at this time?

Linda

Attachment #3
B.O.S.
9-1-10