

**Wolfeboro Board of Selectmen  
Meeting Minutes  
Approved  
December 17, 2014**

**Members present:** Chairman Linda Murray, Vice-Chairman Sarah Silk, Dave Bowers, Dave Senecal, and Brad Harriman.

**Staff present:** Town Manager David W. Owen, Finance Director Pete Chamberlin, Director of the Municipal Electric Department Barry Muccio, Department of Public Works Director Dave Ford, Fire Chief Philip Morrill and Recording Secretary Amelia Capone-Muccio.

Chairman Murray opened the meeting at 6:30 PM.

**Non-Public Session**

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

**Consideration of Minutes**

➤ **12/3/14 Special Meeting**

Ms. Silk amended page two, the last motion to include the following in the motion “(\$500 from Paul Whelan Jr. and \$5,000 from Victor Drouin)”. She amended page six, the fourth paragraph to add the following after the word account “which is historically not bonded”.

Chairman Murray amended page six, the last paragraph to change \$98,000 to \$99,000.

**Member Dave Senecal moved the Wolfeboro Board of Selectmen approve the minutes of the December 3, 2014 as amended. Sarah Silk seconded. Members voted and being all others in favor, the motion passed.**

**Public Input**

Josephine Amatucci addressed the Board and stated we the Town have a very serious problem with this Board of Selectman and the Town Manager. Linda Murray is refusing to admit that the Selectmen have equal jurisdiction with the Police Commission over addressing Police misconduct. She does have jurisdiction and is refusing to address this issue under her code of silence and because of this attitude with this Town, three criminal cops are walking our streets without being accountable for their serious, serious crimes. The citizens of this Town have a legitimate interest in knowing the Town’s responsibility in Police misconduct, she had to tell the responsibility and I know she does have the responsibility because under the Grievance procedure, that they signed this contract with the Police Union, they do have jurisdiction over the Police with the Police Commissioner’s without limitations. That means, never mind, see my lawyer, never mind we have no jurisdiction, never mind there is a civil lawsuit going on. It has nothing to do with their powers, their rights, their authorities, their duties and responsibilities to warn, reprimand, suspend, demote, discharge and take over all

disciplinary actions against all employees including the Police. So she demands that this Town admits they have they have jurisdiction and accept my complaint and look into those three felony Police Officers, I demand it! By the next time they have a meeting they better have an answer!

## **Public Hearings**

### **A. Public Hearings for Bond Issues over \$100,000**

Chairman Murray opened the public hearing on Article B 74 and 80 Lehner Street acquisition and read the notice as posted. (See attached)

Being no one to speak for or against the article, Chairman Murray closed the public hearing. Mr. Harriman stated as he has expressed before, he would rather not bond smaller financial articles.

Chairman Murray stated she feels this is a long-term asset of the Town for the future tax payers to use over the next 20 years.

Ms. Silk stated she is not in favor of paying more than the value of the property.

Mr. Senecal stated he would prefer to see this as a ten-year bond.

Mr. Bowers agreed he would prefer it as a ten-year bond.

**It was moved by Dave Bowers and seconded by Dave Senecal to approve the 2015 Bond Issue not to exceed the amount of One hundred twenty thousand dollars (\$120,000) for the purpose of acquiring for general government use the properties at 74 Lehner Street (Tax Map 218, Lot 6) and 80 Lehner Street (Tax Map 218, Lot 7) which are located directly adjacent to the Foss Field Recreational Complex, and demolishing and removing the buildings on these properties, all for purposes of eliminating blight from the community and consolidating the Town's holdings adjacent to Foss Field, and to authorize the Selectmen to purchase said property. Members voted and being all in favor the motion passed.**

Chairman Murray opened the public hearing on Article E Stonehenge Road.

Charlie Gaudet addressed the Board as a representative for the residents of Stonehenge Road who are going to pay for the upgrades to the road through betterment assessments.

Being no others to speak for or against the article, Chairman Murray closed the public hearing.

Ms. Silk questioned if all the language is included as recommended by the Town Attorney, as it seems some is missing.

Mr. Owen replied it appears some of the language is missing and he would make the correction.

Brad Harriman recused himself from discussion and vote on this article.

**It was moved by Dave Senecal and seconded by Dave Bowers to approve the 2015 Bond Issue not to exceed the amount of Eighty Thousand (\$80,000) for the layout, design, and construction of Stonehenge Road over existing private rights-of-way as a Town Road Pursuant to RSA Chapter 231, Laying Out Highways, Sections 28-33, this project will be subject to betterment assessments. Members voted, Brad Harriman abstained and being all in favor the motion passed.**

Chairman Murray opened the public hearing for Article J for repairs to Libby Museum.

Being no one to speak for or against the article, Chairman Murray closed the public hearing.

Chairman Murray noted a comment from the Chamber of Commerce member to why they would bond such a low amount.

**It was moved by Sarah Silk and seconded by Dave Senecal for the 2015 Bond Issue in the amount of Two Hundred Thousand dollars (\$200,000) for the purpose of making needed repairs and upgrades to the structure of the 100 year old Town-owned Libby Museum building to address the failing ceiling, excessive moisture and other structural issues. Members voted and being none opposed, the motion passed.**

**B. Public Hearing to Accept Workers Compensation Credits as Unanticipated Revenue in 2014.**

Chairman Murray opened the public hearing.

Pete Chamberlin, Finance Director, addressed the Board to state as recommended by the Town's auditor, excess surplus funds from Worker's Compensation needs to be returned to the Town.

**It was moved by Dave Bowers and seconded by Brad Harriman to approve the acceptance of credits from the Town's Workers' Compensation insurer, Primex, of the amount of \$77,315.79 in 2013 and \$50,147.49 in 2014, for a total of \$127,463.28, as unanticipated revenue in 2014.**

**Temporary Event Permit Public Hearings**

**A. Lakes Region Conservation Trust**

Chairman Murray opened the public hearing.

Robin Allen Burke addressed the Board and stated the event is a snow shoe race with the proceeds to go to the Kingswood Cross-country Ski Team.

Being no others to speak for or against the permit, Chairman Murray closed the public hearing.

Chairman Murray noted the notes on the permit.

Ms. Allen Burke replied that since she submitted the request she does not feel that much parking will be needed and they have adequate space to cover it.

Mr. Owen noted the insurance certificate is needed.

Ms. Allen Burke replied that she has contacted the insurance company and will bring in the certificate as soon as she gets it.

**It was moved by Sarah Silk and seconded by Dave Bowers to approve the issuance of a Temporary Event Permit to the Lakes Region Conservation Trust to hold a Snow Shoe Race on February 15, 2015 from 8:00 AM- 3:00 PM at Sewall Roads, contingent upon receiving an insurance certificate. Members voted and being none opposed, the motion passed.**

## **B. Wolfeboro Area Chamber of Commerce First Night**

Chairman Murray opened the public hearing.

Mary DeVries addressed the Board and explained the request is for First Night events starting with day time events to the fireworks and evening events. She stated children 10 and under do not need an admission button to attend the events. She provided a copy of the flyer, Wolfeboro a Winter Wonderland, which features the events and is available at all button sale locations.

Being no others to speak for or against the permit, Chairman Murray closed the public hearing.

**It was moved by Sarah Silk and seconded by Dave Bowers to approve the issuance of a Temporary Event Permit to the Wolfeboro Area Chamber of Commerce to hold First Night Wolfeboro on December 31, 2014 from 10:00 AM to Midnight at various locations throughout town. Members voted and being none opposed, the motion passed.**

## **Bulk Vote**

### **A. Weekly Manifests:**

1. Manifest dated December 12, 2014
2. Manifest dated December 19, 2014

### **B. Property Tax Refunds/ Abatements**

- i. Abatement/ refund #19 Tax Map 219, Lot 7
- ii. Abatement/refund #20 Tax Map 256, Lot 2

### **C. Notice of Intent to Cut Wood or Timber**

#### **Approvals**

- i. North Wakefield Road Tax Map 90, Lots 1 and 2
- ii. New Garden Road Tax Map 234, Lot 24

### **D. Supplemental Warrant-Property Tax Levy \$1,561.00**

**E. Accept a Gift of Less than \$5,000-to accept \$4,336.96 from a generous benefactor to pay the cost of the Town Employees Holiday dinner event.**

Chairman Murray requested to vote on Abatement/refund #20 separately due to a conflict.

Mr. Owen noted he provided revised information for item E.

**It was moved by Linda Murray and seconded by Sarah Silk to remove item A ii. Abatement/refund #20. Members voted and being none opposed, the motion passed.**

**It was moved by Sarah Silk and seconded by Dave Senecal to accept the Bulk Vote items A-E (excluding the item removed). Members voted, Dave Bowers abstained and being none opposed, the motion passed.**

**It was moved by Sarah Silk and seconded by Dave Senecal to approve item A ii. Abatement/refund #20. Members voted, Linda Murray-abstained and being none opposed, the motion passed.**

### **New Business**

**A. Monthly Budget and Expenditures and Revenue Report.**

Pete Chamberlin addressed the Board to review the monthly budget and expenditures and revenues report. He noted the overall budget is in good shape and he has been in discussion with the Municipal Electric Department Director and Public Works Director who both are holding off on projects to allow funds available if needed.

Chairman Murray noted that the reason the electric budget is being monitored is due to the higher generation cost of purchase power and the way the Town has changed purchasing power to the day-a-head market.

Mr. Chamberlin replied yes, both the electric and public works budget are weather dependent, and because of an old state law they cannot over expend the budget.

**B. 2015 Default Budget**

Pete Chamberlin addressed the Board and provided a revised figure of \$24,341,313, which includes an amount to fund the agencies under the default budget.

Chairman Murray questioned if such would need to be revised if they add the additional items from tonight.

Mr. Chamberlin replied no, two of them are not affected by this and the other agency was not funded this year.

**It was moved by Sarah Silk and seconded by Dave Senecal to approve and sign the 2015 Default Budget totaling \$ 24,236,771. Members voted and being none opposed, the motion passed.**

### **C. Revisions to 2015 Operating Budget.**

#### **i. Agencies Budget-Wolfeboro Meals on Wheels**

Mr. Owen stated Meals on Wheels has requested to reduce their 2015 request by \$1,500.

**It was moved by Sarah Silk and seconded by Dave Senecal to approve reducing the budget of the Wolfeboro Area Meals on Wheels by \$1,500 to \$7,500. Members voted and being none opposed, the motion passed.**

#### **ii. Fire Department Budget- Purchase Chief's Vehicle**

Mr. Owen stated the Budget Committee recently heard the presentation of the Fire Department Budget and questioned why they would not be purchasing the Chief's vehicle out of the Capital Reserve fund for Fire apparatus and he felt such was a good suggestion. Upon discussing this with the Finance Director, it is determined to reduce the operating budget by \$19,500 by making the purchase out of the Capital Reserve Fund. He noted that this will also speed up the purchase of the vehicle which comes a good time since the Chief has been informed the current vehicle will not pass inspection in March.

Chairman Murray agreed this is good idea, but they do need to raise the appropriation in the Capital Reserve Fund in the future to accommodate this purchase.

Ms. Silk replied if they don't raise the amount it will just delay other purchases.

Chairman Murray disagrees with that idea.

**It was moved by Dave Senecal and seconded by Brad Harriman to approve revising the Fire Department's Capital Outlay budget by deleting funding for the first year of a 3-year lease/purchase for the replacement of the Chief's Command vehicle, thus reducing the 2015 Town Operating Budget by \$19,500 and to authorize the purchase of the Chief's Command vehicle through the Fire Trucks and Apparatus Capital Reserve Fund. Members voted and being none opposed, the motion passed.**

#### **iii. End 68 Hours of Hunger**

Mr. Owen stated this is a late request and the Budget Committee suggested it be heard by the Board of Selectmen first.

Amy Capone-Muccio, Welfare Director, addressed the Board to state the End 68 Hours of Hunger Committee is requesting \$3,000 from the Town of Wolfeboro to support the program that feeds children 6<sup>th</sup> grade and under in the Governor Wentworth School District over the weekend. She noted that over 60 children are receiving the food on a weekly basis and Ossipee has approved \$4,000 and Tuftonboro has approved \$2,000 to support the program.

Chairman Murray noted this program is separate from the Knights Against Hunger that does the same thing for the High School and Middle School students as it is run by High School students.

**It was moved by Dave Senecal and seconded by Sarah Silk to approve amending the 2015 Agencies budget by adding \$3,000 for the End 68 Hours of Hunger program. Members voted and being none opposed, the motion passed.**

#### **iv. Electric Department Capital Outlay Request**

Mr. Owen stated due to the recent issues with the Town wide power outages the Director of the Electric Department made a request to purchase an all-terrain vehicle to patrol the lines and he supports such request.

Barry Muccio, Director of the Electric Department, addressed the Board to explain the most recent outage events were from the sole power source to the Town of Wolfeboro and although both outages were not on Wolfeboro's side, the lineman still have to patrol our side of the line. He feels that purchasing an all-terrain vehicle to patrol this area would help speed up some of the response time. He noted that the most recent events turned out to be on Public Service's side of the line and they are traveling from Chocorua which delays the response time.

Ms. Silk stated she thinks this is a great idea and noted that the public can call the Electric Department during the power outages at 569-6975.

Mr. Muccio clarified that during large power outages like the ones that occurred recently, the Department staffs the office to take phone calls.

Chairman Murray stated so if it is specific to a neighborhood outage there may not be staff taking calls, but there would be in a Town-wide outage. She suggested the Department run an article to explain this to the public.

Mr. Muccio agreed the Department needs to clarify the outage process and is even considering its own Facebook page since there is a lot of response to the postings of outages on the Police Department Facebook page.

Ms. Silk questioned if the all-terrain vehicle will have wheels.

Mr. Muccio replied it will have wheels in addition to the tracks but they plan to leave the tracks on and trailer it to the site. This cost includes a trailer.

Mr. Harriman questioned if the Town maintains the 390 line.

Mr. Muccio replied there is a section in Wolfeboro that is ours to maintain although they typically pay Public Service to continue onto Wolfeboro's section for maintenance as they do not have the equipment to do that.

Mr. Harriman questioned if both outages were in Public Service's right of way.

Mr. Muccio replied both outages were in their section, they both were large pine trees about 80 feet tall falling into the line's right of way.

**It was moved by Sarah Silk and seconded by Brad Harriman to approve the Electric Department's request to amend the 2015 Town Budget by adding the capital outlay item**

**for the acquisition of an all-terrain vehicle by the Electric Department at a cost of \$34,000 to be funded by the Electric Fund. Members voted and being none opposed, the motion passed.**

Tom Beeler of the Granite State News noted that when he called the Department during the outage last week as he was trying to get the paper out, he actually got Mr. Muccio on the line.

#### **D. Funding of Historic Preservation Compliance Review for Emergency Generator Grant Application**

Mr. Owen stated this item pertains to grant money to put a generator in at the renovated Town Hall. He explained the construction will be the 50% hard match for the funds, but they cannot submit an application without doing a Historical and Environmental Assessment as a pre-condition to qualify. He stated this will cost \$3,000 and he recommends using the Board of Selectmen's miscellaneous operating expense funds since they are almost through the year with few expenditures from those funds.

Ms. Silk stated since they are pretty much at the end of the year it seems reasonable to use these funds for this.

**It was moved by Dave Senecal and seconded by Sarah Silk to approve using the \$3,000 from the Selectmen's Miscellaneous Executive Operating Expense budget to fund a Historical and Environmental Review in conjunction with a grant application for FEMA funds for an emergency generator for the Town Hall. Members voted and being none opposed, the motion passed.**

Tom Beeler of the Granite State News questioned the amount of the grant.

Mr. Owen replied it depends on the cost of the generator but based on the size of the generator they are looking into for the Town Hall, it will cost upwards of \$50,000.

#### **E. Final Review of 2015 Financial Warrant Articles**

Mr. Owen provided a revised list of the 2015 Financial Warrant Articles.

The Board reviewed the list and revised the order.

#### **F. Revision of the Personnel Policy**

Mr. Owen explained that he made a the amendment to the Town's Personnel Policies to reflect the changes in employee's and Town health insurance contributions as negotiated, but unfortunately he made an error in the draft which needs to be corrected.

**It was moved by Sarah Silk and seconded by Dave Senecal to Amend Section 5-Benefits. Subsection E. Medical and Insurance Benefits and Appendix B so that they read as follows:**



**SECTION 5—BENEFITS**  
**Subsection E. Medical and Insurance Benefits**

Effective January 1, 2013, the Town will offer the following health insurance plans or their equivalents to its full-time employees:

- |                             |                              |
|-----------------------------|------------------------------|
| A. SchoolCare Open Access + | Single, 2-Person, and Family |
| B. SchoolCare HMO           | Single, 2-Person, and Family |
| C. SchoolCare POS (OA)      | Single, 2-Person, and Family |

The Town and employee contributions toward the costs of these health insurance plans is set as follows:

Effective July 1, 2015: SchoolCare Open Access +	Town pays 91.5% of cost of School Care HMO Plan, employee pays balance of costs
SchoolCare HMO	Town pays 91.5% of costs, employee pays 8.5%
SchoolCare POS (OA)	Town pays 91.5% of cost of School Care HMO plan, employee pays the balance of cost.

The Town and employee contributions toward the cost of employee dental insurance are set at 91.5% and 8.5%, respectively, of the cost of SchoolCare Dental Option 1 or Dental Option 2 for Single, 2-Person, and Family plans.

Effective July 1, 2016: SchoolCare Open Access +	Town pays 90% of cost of School Care HMO Plan, employee pays balance of costs
SchoolCare HMO	Town pays 90% of costs, employee pays 10%
SchoolCare POS (OA)	Town pays 90% of cost of SchoolCare HMO plan, employee pays the balance of cost.

The Town and employee contributions toward the cost of employee dental insurance are set at 90% and 10%, respectively, of the cost of SchoolCare Dental Option 1 or Dental Option 2 for Single, 2-Person, and Family plans.

**APPENDIX B**

It is proposed to replace the current APPENDIX B, with a new APPENDIX B, to read as follows:

**APPENDIX B**

Effective July 1, 2015

<u>Plan</u>	<u>Town Contribution</u>	<u>Employee Contribution</u>
SchoolCare POS(OA)	91.5% of SchoolCare HMO	balance
SchoolCare HMO	91.5%	8.5%
SchoolCare Open Access+	91.5% of SchoolCare HMO	balance
SchoolCare Dental Option 1 or Dental Option 2	91.5%	8.5%

Effective July 1, 2016

<u>Plan</u>	<u>Town Contribution</u>	<u>Employee Contribution</u>
SchoolCare POS(OA)	90% of SchoolCare HMO	balance
SchoolCare HMO	90%	10%
SchoolCare Open Access+	90% of SchoolCare HMO	balance
SchoolCare Dental Option 1 or Dental Option 2	90%	10%

**Members voted and being none opposed, the motion passed.**

#### **G. Town 2014 Town Report Covers**

The Board reviewed photo options for the Town report covers and decided on cropping the photo of the scaffolding on the Town Hall done by a staff member at Brewster Academy for the cover and using a few of the construction demolition photos for the back.

#### **H. 2014 In Memorium**

The Board discussed the list provided of those who have passed in 2014 that were Town employees or members of Boards as well as two significant people from the Community. The Board discussed the options and decided to dedicate the 2014 Town report to Harrison Moore, a community historian and have an in memoriam section for the rest including William Todesco who ran a Hot Dog cart downtown for a number of years.

#### **I. Planning of the Videotaped presentations of the Warrant Articles with WCTV**

The Board determined to hold the videotaping session on January 14<sup>th</sup> at 1:00 PM at the WCTV studio. The PowerPoint deadline to be completed by staff for review of the Board is January 9<sup>th</sup>. The Board determined to put the Voter's Guide in the last week of February issue of the Granite State News.

#### **Any Other Business**

Chairman Murray stated the Budget Committee will be reviewing Warrant Articles at their December 18<sup>th</sup> meeting at 6:00 PM at the Wolfeboro Public Library. December 30<sup>th</sup> will be the Budget Committee's final review of the Budget at 6:00 PM at the Library and they will hold their public hearing on January 13<sup>th</sup> at 7:00 PM at the Library.

Ms. Silk noted that Victor Drouin had indicated he was going to donate \$5,000 towards the Abenaki Ski Lodge in lieu of compensation for the boundary line adjustment, but he doubled it to \$10,000. She gave a big Thank You to Mr. Drouin!

#### **Town Manager's Report**

Mr. Owen stated the following:

- He provided an update on the construction of Town Hall noting a change order of \$20,000 for the south gable dormer that was mistakenly labeled in the specs as not required work, but is required work. He provided the latest financial report. He noted that Pella windows and CCI are currently discussing the window options. The partition walls have started and repointing work is ongoing. There will be no construction meetings during the holidays.
- The Lake Wentworth Watershed received a \$120,000 grant for phase II.
- There was an ice time issue with Pop Whalen that was addressed by Ethan Hipple with regards to complaints of parents of the Kingswood Hockey Team were he met with the parents to discuss options.
- American Tower has purchased the lease for the cell phone antennas on the Water Tower from Green Mountain Communications, but the Town will receive the same amount as previously agreed.
- The Josiah Brown Scholarship deadline is December 31<sup>st</sup>.
- Three Highway Crew members, Doug Lemery, Benjamin Berry and David Alden have completed programs for the UNH Road Scholar program.
- Chris Dumont, the executor for the parcels at 74 & 80 Lehner Street, understands the purchase for the parcels cannot take place until the Town vote, but has agreed to consider a purchase and sale agreement and Mr. Houseman is having an asbestos survey done on the buildings.

### **Committee Reports**

Mr. Harriman stated he attended the Friends of the Libby meeting which discussed the unveiling of the moose display next summer. He also attended the WCTV meeting and the Planning Board meeting.

Mr. Bowers attended the Board of Trustees meeting for the Library which is discussing the expansion project. He noted they have also switched to Fidelity to manage their funds.

Chairman Murray attended the Chamber's Executive Board meeting, the EDC meeting, Town Hall construction team meeting and the Planning Board meeting.

Ms. Silk attended the Friends of Abenaki meeting which needs \$135,000 to meet their portion of the lodge construction goal. The quilt groups who use the Community Center thank the Parks & Recreation Department for the new tables and she attended the LRHHPF meeting, noting Wolfeboro increased attendance from 60% to 70%.

Mr. Senecal reported he has been attended ongoing Budget Committee meetings.

### **Public Comment**

None.

### **Questions from the Press**

*Being no further business before the Board, the members of the Board wished the Citizens of Wolfeboro a Merry Christmas and Happy New Year. Chairman Murray entertained a motion to enter non-public session.*

**Member Dave Bowers moved the Wolfeboro Board of Selectmen to enter non-public session at 8:45PM to discuss litigation. Sarah Silk seconded. Roll call vote: Sarah Silk-yes, Dave Senecal-yes, Dave Bowers-yes, Brad Harriman-yes, and Linda Murray-yes, the motion passed.**

The Board re-entered public session at 8:55 PM.

Chairman Murray stated the non-public session minutes of December 17<sup>th</sup>, 2014 were sealed by a 2/3rds 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 8:56 PM. Member Sarah Silk seconded. Being none opposed, the motion passed.**

Respectfully submitted,  
**Amelia Capone-Muccio**  
Recording Secretary