

**Wolfeboro Board of Selectmen
Meeting Minutes
Approved
December 3, 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 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 and personnel.

Consideration of Minutes

➤ **11/19/14**

Member Sarah Silk moved the Wolfeboro Board of Selectmen approve the minutes of the November 19, 2014 meeting as submitted. Dave Bowers seconded. Members voted and being all others in favor, the motion passed.

➤ **11/25/14 Special Meeting**

Chairman Murray amended page one, to underline the motion.

Member Dave Bowers moved the Wolfeboro Board of Selectmen approve the minutes of the November 25, 2014 special meeting as amended. Brad Harriman seconded. Members voted and being all others in favor, the motion passed.

Public Input

Josephine Amatucci addressed the Board and stated she has provided the Board with a copy of documentation from the NH Supreme Court that you can have a criminal and civil case going on at the same time. She stated based on this information she is questioning when the Board of Selectmen would conduct the investigations she has previously requested.

Chairman Murray replied that she understands the importance of this matter to her, but the Board of Selectmen and Town staff is being represented by Town Counsel on all the incidents that happened on May 7th, 2014 and therefor the Board of Selectmen has no response to your request.

Ms. Amatucci replied that being represented by a lawyer has nothing to do with her request for investigations. She stated that answer doesn't make sense as a lawyer does not conduct investigations on employees.

Chairman Murray replied that is the advice of Town Counsel.

Ms. Amatucci stated she would like the Board to do what is right and follow the personnel policy and do the investigation. She stated thanks to them she was put in jail and she wants the issue resolved.

Bulk Vote

A. Weekly Manifests:

1. Manifest dated November 28, 2014
2. Manifest dated December 5, 2014

B. Notice of Intent to cut wood or Timber

- i. Center Street (Route 28) Tax Map 102, Lot 6
- ii. New Garden Road Tax Map 269, Lot 7 and
Tax Map 255, Lot 4

C. Tax Anticipation Note with Meredith Village Savings Bank-\$2,000,000

Chairman Murray noted that the interest for the Tax Anticipation note for one month is 1.63%.

It was moved by Sarah Silk and seconded by Dave Senecal to accept the Bulk Vote items A-C. Members voted and being none opposed, the motion passed.

New Business

A. Disposition of Town-owned property for boundary line adjustments at the Town Electric Generation Building property and Lehner Street.

Mr. Owen stated the required public hearings were held on November 5th and 19th, 2014 and both parties have signed agreements for compensation of a one dollar and donations to the Abenaki Ski Lodge project in lieu of other compensation. He stated the next step is for the Board to approve the agreements and vote on the adjustments.

Chairman Murray noted that the Town does get a small parcel in this transfer to square out the boundaries.

It was moved by Sarah Silk and seconded by Dave Senecal to approve signing agreements with Victor Drouin of Green Mountain Realty Corp and with Paul Whelan Jr. accepting their payments of \$1 each as consideration for these property conveyances and documenting their intentions to make donations to the Friends of Abenaki, Inc. toward the cost of the proposed Abenaki Lodge Project in lieu of additional compensation to the Town (\$500 from Paul Whelan Jr. and \$5,000 from Victor Drouin). Members voted and being none opposed, the motion passed.

It was moved by Sarah Silk and seconded by Dave Senecal that the Board of Selectmen, having held public hearings on November 5, 2014 and November 19, 2014 as required by RSA 41:14-a, hereby vote to convey parcels of land of 0.03 acres and 0.02 acres in size, respectively to Green Mountain Realty Corp ("Green Mountain") and to Paul W. Whelan, Jr. The parcels to be conveyed shall be those parcels shown as "AREA TO BE CONVEYED TO LOT 217-70" and "AREA TO BE CONVEYED TO LOT 217-68" on the plan by Norway Plains Associates, Inc. that is attached to and made a part of this motion. Further, that the Board of Selectmen votes to accept the conveyance from Green Mountain of the 141 Square foot parcel shown on said plan as "AREA TO BE CONVEYED TO LOT 203-74. Members voted, and being none opposed, the motion passed.

B. Revision of the Wolfeboro Community TV budget

Ryan Noonan, Executive Director, addressed the Board to explain that he is requesting some additional funding as a result of the recent digital upgrades made by Metrocast Cablevision and that current equipment being used is obsolete and will not be supported by Metrocast. He provided the Board with a request of an additional \$2,773 which is a reduced request because he is proposing to purchase used equipment.

Mr. Harriman stated that he is under the understanding this upgrade is another live channel for 24 and by doing so they can approach other Towns like Alton to help support the channel.

Mr. Noonan replied yes, having another live channel opens up that opportunity.

Mr. Senecal stated he does not see much difference in the cost of used vs. new and feels that they should purchase the new equipment.

Ms. Silk questioned how this would affect the calendar of events.

Mr. Noonan replied he would still be able to have some scrolling credit slides.

Chairman Murray agreed it would be \$3,649 added to the Franchise Fee for new equipment and agrees that purchasing the new equipment makes sense. She noted that when the budget was presented this information was not known and it is in line with what has been done in the past.

Mr. Harriman agreed that purchasing new is the way to go and to get a protection plan on that equipment as proposed with the used.

It was moved by Sarah Silk and seconded by Dave Senecal to approve amending the Cable Channel Budget line 1-41301-381 in the Selectmen's Executive Budget from \$95,737 by an additional \$3,650 for a new subtotal of \$99,387.

C. Extension of Temporary Electric Rate Adjustment.

Barry Muccio, Director of Operations of the Municipal Electric Department, addressed the Board to explain that in September he had come before the Board to request a rate reduction

to pass along the rate reduction to the electric customers through December and he is requesting an additional reduction for January to pass along more savings.

It was moved by Sarah Silk and seconded by Dave Senecal to approve the continuation of the temporary adjustment to the electric rates by reducing the rates from \$.0938/kwh to \$.0917/kwh across all rate classifications through the month of January 2015. Members voted and being none opposed, the motion passed.

D. Ratification of AFSCME Contract Settlement

Mr. Owen stated he has provided the settlement agreement with the AFSCME employees who voted in the majority to ratify the proposed agreement, that follows the Police Union contract with an increase in wages, but with an increase in benefit employees' contributions.

Chairman Murray questioned if this also includes a change to the personnel policy and a new classification study.

Mr. Owen replied yes the personnel policy will need to be revised and the agreement recognizes at some point a new pay and classification study will need to be done.

It was moved by Sarah Silk and seconded by Dave Senecal to approve and sign the Tentative Agreement between the Town of Wolfeboro and AFSCME Local 534 for 2015 and 2016.

E. Review of Financial Warrant Articles

Chairman Murray clarified the Board should vote whether or not to support an article and if it should be bonded. She questioned when they will know the tax impact.

Mr. Owen replied that the Finance Director is working on the tax rate impacts, once he knows what will be bonded he can complete that process.

Article B-Acquisition of Dilapidated Buildings at 74 and 80 Lehner Street

Mr. Owen stated since the last Board meeting staff was able to negotiate a reduced purchase price to \$110,000 with \$10,000 for demolition costs that will be done by the Public Works Department. A discussion about paying back due taxes to the town was discussed and the property owner has agreed to pay out of the proceeds \$20,000 to \$38,000 in outstanding taxes.

Ms. Silk questioned the appraisal.

Mr. Owen replied the property owner needs funds to fund an estate appraisal.

Chairman Murray stated she is support of keeping this article; the property has a negative impact on the Town. She would like to bond the purchase.

Mr. Harriman has struggled with this article, but the price has been reduced and funds will go towards outstanding taxes.

Mr. Bowers replied he is support of the article as it is ideal property for the Town to own.

Ms. Silk stated she would not pay more than \$100,000 and doesn't feel this property is going anywhere anytime soon.

Mr. Senecal stated he is favor of the article.

Mr. Harriman is not in favor of bonding the purchase as he likes to save bonding for larger price tag projects and is thinking about the Town Hall project and the Sewer Treatment project in the future.

Chairman Murray took a voice vote on bonding; Dave Senecal and Brad Harriman voted not to bond and Sarah Silk, Linda Murray and Dave Bowers voted to bond. The project will be bonded.

Article C-Acquisition of Old Railroad Freight house Property

Mr. Senecal feels this project could be put off to another year as they do have first refusal on the property.

Ms. Silk agreed even though she is an advocate to purchase this property.

Chairman Murray agreed they do have first refusal and currently do not have appraisal on the property.

It was moved by Dave Bowers and seconded by Brad Harriman to remove Article C from the Warrant. Members voted and being all in favor, the motion passed.

Article D- Town Road Upgrades

Chairman Murray noted they have information from the Town Attorney to add language per \$1,000 of assted value and the Board agreed to add that.

It was moved by Sarah Silk and seconded by Brad Harriman to recommend Article D for the 2015 Town Warrant. Members voted and being none opposed, the motion passed.

Article E-Construction of Stonehenge Road Subject to Betterment Assessments

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

Mr. Owen stated he recommends bonding this article because of the betterment assessments.

The Board agreed to bond this article.

Article F-Sidewalk Upgrades

It was moved by Dave Senecal and seconded by Brad Harriman to recommend Article F for the 2015 Town Warrant. Members voted and being none opposed, the motion passed.

Article G-Interim Town Offices

It was moved by Dave Bowers and seconded by Sarah Silk to recommend Article G for the 2015 Town Warrant. Members voted and being none opposed, the motion passed.

Article H-Abenaki Four-Season Lodge Capital Reserve Fund

Mr. Owen provided two revised versions of the article one for bonding and one not.

Ms. Silk stated the Capital Reserve account, which is historically not bonded, allows the Friends of Abenaki the ability to raise their portion of the funds.

The Board agreed not to bond this request.

It was moved by Sarah Silk and seconded by Dave Senecal to recommend Article H for the 2015 Town Warrant. Members voted and being none opposed, the motion passed.

Article I- Town Asset Management Program

It was moved by Dave Bowers and seconded by Brad Harriman to recommend Article I for the 2015 Town Warrant. Members voted and being none, opposed, the motion passed.

Article J-Libby Museum Building Repairs

Chairman Murray stated she prefers to bond this article as it will have more expense going forward.

Mr. Harriman disagreed and stated he prefers to save bonding for large projects.

Mr. Senecal and Ms. Silk agreed to bond the project.

Mr. Bowers replied he would go either way but feels cash is always best.

It was moved by Linda Murray and seconded by Dave Bowers to bond Article J. Members voted, Brad Harriman-opposed, all others in favor the motion passed.

Article K-Preliminary Design of Main Street Corridor Improvements Project

Chairman Murray suggested tabling this article based on her review of many projects that have been put on hold such as the 2010 Rt. 28 Study for \$99,000 for a roundabout, but nothing has been done, the 2011 \$95,000 design of Pine Street and Crescent Lake Ave, but has been put on hold and the 2013 Downtown Street project for Center Street that has been put on hold.

It was moved by Dave Senecal and seconded by Brad Harriman to table Article K for another year. Members voted and being none opposed, the motion passed.

Article L-Dockside Parking Lot Upgrades

Chairman Murray stated this article has been discussed before, but she had some concerns about the design provided.

Mr. Owen stated he discussed that with the Public Works Director who has agreed to delete the plan provided and base the request on existing conditions.

Mr. Harriman noted this project is slated for grant funding and there is a lot of competition out there for the funds. He stated those projects that are further along in the process tend to get the funding so he supports this project.

They agreed to not bond the project.

It was moved by Dave Bowers and seconded by Brad Harriman to recommend Article L for the 2015 Town Warrant. Members voted and being none opposed, the motion passed.

Article M-Wastewater Effluent Disposal Study

It was moved by Sarah Silk and seconded by Dave Bowers to recommend Article M for the 2015 Town Warrant. Members voted and being none opposed, the motion passed.

Article N-Police Union Contract Agreement

The Board previously voted to recommend this article.

Article M-AFSCME Contract Agreement

The Board voted at the beginning of the meeting to recommend this article.

Article P-Wastewater Treatment Plant Capital Reserve Fund

It was moved by Sarah Silk and seconded by Brad Harriman to recommend Article P for the 2015 Town Warrant. Members voted and being none opposed, the motion passed.

Article Q-Fire Trucks and Apparatus Replacement Capital Reserve Account

It was moved by Dave Senecal and seconded by Sarah Silk to recommend Article Q for the 2015 Town Warrant. Members voted and being none opposed, the motion passed.

Article R-Public Works Vehicle and Equipment Capital Reserve Account

It was moved by Dave Bowers and seconded by Sarah Silk to recommend Article R for the 2015 Town Warrant. Members voted and being none opposed, the motion passed.

Article S-Abenaki Ski Area Capital Reserve Fund

It was moved by Dave Senecal and seconded by Brad Harriman to recommend Article S for the 2015 Town Warrant. Members voted and being none opposed, the motion passed.

Article T-Acceptance and Reconstruction of Winnepesaukee Drive Subject to Betterment Assessments

Chairman Murray noted nothing has been received to date for this article. The Board agreed to remove it from the list.

F. Set Public Hearing for Bond Issues over \$100,000

Mr. Owen suggested January 7th, 2014.

Chairman Murray questioned if they could do it earlier.

Mr. Owen replied yes, but there would be additional expense for putting it in an additional newspaper.

It was moved by Sarah Silk and seconded by Dave Senecal to approve setting the public hearing on bond issues over \$100,000 for the Board's meeting on December 17th, 2014. Members voted and being none opposed, the motion passed.

G. Set a Public Hearing for accepting a gift or grant over \$5,000

Pete Chamberlin, Finance Director, addressed the Board to explain the Auditors have recommended a public hearing to accept the credits captured from Worker's Compensation revenues in 2014. (\$53,000)

Chairman Murray questioned why they do not need to do this with the Electric Department funds.

Mr. Chamberlin replied that is a different procedure that is offsetting revenue and not grossing up the budget.

It was moved by Dave Senecal and seconded by Brad Harriman to approve setting a public hearing for accepting unanticipated revenue from Primex's Workers' Compensation program at the Board's December 17th, 2014 meeting.

Any Other Business

Chairman Murray provided a picture taken by Elissa Paquette from the Town Hall as a suggestion for the annual Town Report.

Mr. Owen noted he also received an aerial photo from Brewster Academy as a suggestion as well.

Chairman Murray stated they should discuss such at the next meeting and will need a list of those who have passed for dedication and memorial. She also reminded the Board members to bring their calendars to schedule WCTV's video presentation for Warrant Articles.

Town Manager's Report

Mr. Owen stated the following:

- Bids were received for the Town Report today with Country Press out of Lakeside MA providing the lowest bid of \$3,200. He noted they have been doing it the last few years with no problems.
- He provided a Financial Report for the Town Hall project (See attached) Chairman Murray questioned if it included the windows and Mr. Owen replied he would need to check that with the Finance Director.
- Mr. Owen continued with a status report on Town Hall and that the demo work is almost complete and Pella Windows was on site today. He noted the chimney has been disassembled but was in worse condition than thought. He stated the chimney will not be reconstructed to full height due to cost.
- The Josiah Brown Scholarship applications has been sent to the past recipients in as well a public notice will be printed and the deadline for applications is January 1st.
- He stated as a follow up to the last meeting regarding Pine Street, the Superintendent of Schools and their Transportation Manager reviewed the concern that the buses' traveling this roadway is unsafe. The determination from the School District is they see no issue in safety with using that street.
- He noted an issue with the recently issued tax bills. He stated there was an error in the printing of the bills for the address noting it is listed in two places on the bill and one place is missing a digit. He stated they verified this does not impact the collection of the taxes and a letter is being sent to all tax bill recipients notifying them of the error and the option to receive a corrected bill.
- He was contacted by a company called CGI which was interested in making promotional videos of the Town at no charge for the Town website but in return gets community sponsors for their site. He was skeptical of this solicitation but was referred to other towns they did it for such as Gilford, Bedford and Peterborough and checked out their videos which happened to be very nicely done. He recommends looking into it further. The Board agreed to get more information.

Committee Reports

Mr. Senecal stated he has been attending regular Budget Committee meetings.

Ms. Silk stated she attended a Budget Committee meeting on Fire Hydrants, she toured the Town Hall project renovations, she attended the Police Commission meeting who discussed the Pine Street speed issue and also discussed an extra line for Central Dispatch to deal with the abundance of calls in a power outage.

Mr. Owen noted that the Municipal Electric Department staffs their phone lines during a power outage for that very reason and customers can call them during an outage. He noted this started a few years back when they had the outage during Thanksgiving.

Chairman Murray stated that she attended the Budget Committee meeting on Fire Hydrants and will attend the Chamber of Commerce Executive Board meeting tomorrow as well as the Town Hall Construction meeting.

Mr. Harriman stated he attended the Planning Board meeting last night.

Public Comment

None.

Questions from the Press

Tom Beeler of the Granite State News questioned how long they will be addressing the Josephine Amatuucci issues.

Chairman Murray replied the Town is currently represented by Counsel in the various cases.

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

Member Dave Senecal moved the Wolfeboro Board of Selectmen to enter non-public session at 8:14 PM to discuss litigation and personnel. 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 8:52 PM.

Chairman Murray stated the non-public session minutes of December 3rd, 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 Bowers moved the Wolfeboro Board of Selectmen to adjourn at 8:53 PM. Member Sarah Silk seconded. Being none opposed, the motion passed.

Respectfully submitted,
Amelia Capone-Muccio
Recording Secretary