

**Wolfeboro Board of Selectmen
Meeting minutes
Approved
January 4, 2012**

Members present: Chairman Sarah Silk, Vice-Chairman Linda Murray, Dave Senecal, and Q. David Bowers.

Members absent: Chuck Storm

Staff present: Town Manager David W. Owen, Parks & Recreation Director Ethan Hipple, and Recording Secretary Amelia Capone-Muccio.

Chairman Silk opened the meeting at 6:30 PM.

Non-Public Session RSA 91-A: 3II

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

Consideration of Minutes

➤ ***December 14, 2011***

Member Linda Murray moved the Wolfeboro Board of Selectmen to accept the minutes of December 14, 2011 as submitted. Dave Senecal seconded. Members voted and being all in favor, the motion passed.

➤ ***December 21, 2011***

Mrs. Murray amended page five, the last line of paragraph two to correct Article P; not recommended 8-1.

Chairman Silk amended page six under Article J, the second paragraph to read as follows: Sarah Silk stated the total for Article J back up sheet list, the total as \$224,670.72.

Member Linda Murray moved the Wolfeboro Board of Selectmen to accept the minutes of December 21, 2011 as amended. Dave Senecal seconded. Members voted and being all in favor, the motion passed.

Public Input

None.

Public Hearings

Temporary Event Permits

- A. Friends of the Wolfeboro Community Bandstand, Inc. to hold concerts on July 7, 14, 21, 28 and August 4, 11, 18, 25 and September 1, 2012 from 5:00 PM-10:00 PM at the Wolfeboro Community Bandstand, Cate Park.**

Chairman Silk opened the public hearing.

Doug Cady, President of the Friends of the Community Bandstand, Inc., joined the Board and stated this is their 18th year and request no changes to the event. He stated that they have always been responsible to clean up the park after the concerts and commended the public that attends these events on how clean they leave the park. He believes in all the years they have been doing it, he has never filled a trash bag full of trash.

Being no others to speak for or against the request, Chairman Silk closed the public hearing. She noted the comments on the permit form from the Department heads and a new insurance certificate will be needed in July.

Member Linda Murray moved the Wolfeboro Board of Selectmen to approve the issuance of a temporary event permit to the Friends of the Wolfeboro Community Bandstand, Inc. to hold concerts on July 7, 14, 21, 28 and August 4, 11, 18, 25 and September 1, 2012 from 5:00 PM—10:00 PM at the Wolfeboro Community Bandstand in Cate Park. Dave Senecal seconded. Members voted and being all in favor, the motion passed.

- B. Wolfeboro Parks & Recreation and Cate Park Band to hold band concerts on June 27, July 4, 11, 18, 25 and August 1, 8, 15, 22, 29, 2012 from 6:30 PM-9:30 PM at the Wolfeboro Community Bandstand, Cate Park.**

Chairman Silk opened the public hearing.

Ethan Hipple, Parks & Recreation Director, joined the Board for discussion and stated he supports running the event the same as in years past.

Doug Cady stated this is a popular and successful event.

Being no others to speak for or against the request, Chairman Silk closed the public hearing. She noted the comments on the permit form from the Department heads.

Member Dave Senecal moved the Wolfeboro Board of Selectmen to approve the issuance of a temporary event permit to the Wolfeboro Parks & Recreation Department and the Cate Park Bank to hold Band Concerts on June 27, July 4, 11, 18, 25, August 1, 8, 15, 22, 29 2012 from 6:30 PM—9:30 PM at the Wolfeboro Community Bandstand in Cate Park. Linda Murray seconded. Members voted and being all in favor, the motion passed.

Bulk Vote

A. Property Tax Refunds/Abatements

Approvals

- i. Abatement/refund #14 Tax Map 205, Lot 21
- ii. Abatement/refund # 15 Tax Map 205, Lot 45
- iii. Abatement/refund#16 Tax Map 205, Lot 24

Member Linda Murray moved the Wolfeboro Board of Selectmen to approve the bulk vote item A listed above. Dave Senecal seconded. Members voted and being all in favor, the motion passed.

New Business

A. Quitclaim Deeds to Eric R. Fossum and Fred and Maryanne Cain-surplus parcels along Forest Road.

Mr. Owen stated back in 2009 the Town offered a surplus parcel of land on Forest Road to its three abutters and two of the three abutters have now completed all of the conditions that were required to purchase the parcels such as paying \$1 as consideration and paying their proportionate amount of the cost of publishing the public hearing notices, and for a survey of the parcels. The Quitclaim deeds have been provided by Town Counsel and he recommends the sale of two of the parcels to Eric R. Fossum and Fred and Maryanne Cain.

Member Dave Senecal moved the Wolfeboro Board of Selectmen to approve and sign a Quitclaim Deed to convey to Fred D. Cain and Maryanne Cain a parcel of land along Forest Road containing 5,412 square feet and being parcel "A" as shown on the plan entitled "Boundary Adjustments for Fred D. Sr. and Maryanne Cain, Fossum Family Trust, and Town of Wolfeboro" dated November 15, 2010. Linda Murray seconded. Members voted and being none opposed, the motion passed.

Member Dave Senecal moved the Wolfeboro Board of Selectmen to approve and sign a Quitclaim Deed to convey to Eric R. Fossum, Trustee of the Fossum Family Trust, a parcel of land along Forest Road containing 8,275 square feet, as shown as parcel "B" on a plan entitled "Boundary Adjustments for Fred D. Sr. and Maryanne Cain, Fossum Family Trust, and Town of Wolfeboro" dated November 15, 2010. Linda Murray seconded. Members voted and being none opposed, the motion passed.

B. Acceptance of the Conveyance of Pine Hill Cemetery

Mr. Owen stated the Board has completed the two public hearings required to accept the conveyance of the Pine Hill Cemetery to the town. He noted that he has been informed that the funds for the perpetual care for the cemetery will take some time to get liquidated from the mutual funds and he recommends accepting the conveyance contingent upon receiving those funds, which means the town would not sign the deed until they receive those funds.

Mrs. Murray questioned the book and page reference.

Mr. Owen replied such would be put in once recorded.

Chairman Silk questioned if a title search was done.

Mr. Owen replied that Town Counsel advised such is not needed since essentially the same thing was done by the surveyor.

Mrs. Murray recommends doing an updated search from the date of the survey to current upon recording the deed.

Member Linda Murray moved the Wolfeboro Board of Selectmen to accept the conveyance of the Pine Hill Cemetery property consisting of an area of approximately 250,500 square feet (5.7 acres), as shown on a plan of Norway Plains Associates, Inc., dated September 2011, entitled "Plan of Land Pine Hill Road-NH Route 109A & Beach Pond Rd., Carroll County, Wolfeboro, NH", contingent upon a title search from the survey date to current and include the book and page reference. Dave Senecal seconded. Members voted and being none opposed, the motion passed.

C. Taxi License

Thomas Bryant and Paul Amedeo joined the Board and provided an outline of their proposed request for a taxi service in Wolfeboro.

Chairman Silk read the outline as follows:

Point No. 1: Need through conversation and informal surveying we believe that there is a compelling need for a taxi, limo and courier service, serving Wolfeboro and the local area.

Point No. 2: Focus we will focus our efforts on accomplishing our main goals to provide services to enhance and support the community its residents, and its restaurants, service, and health/wellness industries. Our business is not designed to compete with, but to strengthen existing transportation companies through:

- Transportation to/from health care and wellness appointments, grocery stores, drug stores.
- Courier service for deliveries from pharmacies, grocery and business and pick-up/drop-off mail/item/packages services.
- Taxi service-pick up and drop off to local area destinations
- Door to door car service to Manchester, Logan and Portland airports, and other transportation centers.
- Special services school and camp pick up and drop off, theme rides, VIP car service.

Point No. 3: Presence we will build our business around our belief that a local company that is professional, creative, courteous and capable will complement our local community and open up regional opportunities to increase Wolfeboro's visibility as a destination spot.

Chairman Silk questioned the number of vehicles they will have and if they could provide services to the handicapped. She also questioned the hours of operation.

Mr. Amedeo replied that they plan to begin with one vehicle and have a business plan to expand and will be able to accommodate those who would need to transport a wheelchair or other type of assisted device.

Mr. Bryant replied that their plans are in the preliminary stage and would like to have day time hours into the evening hours when restaurants are closing daily.

Mr. Owen questioned if they will require a taxi stand.

Mr. Amedeo replied they would like one, if available.

Mrs. Murray stated they should fill out the license application request for the town and get a copy of the town ordinance covering taxi services.

Mr. Senecal questioned where they would be running this business from.

Mr. Bryant replied they would have office space downtown.

Mrs. Murray stated that this is an exciting, needed business and keeping it local.

Chairman Silk questioned the sticker for noting a taxi.

Mr. Owen replied that they would get some sort of sticker.

Mr. Bowers questioned the town's liability.

Mr. Owen replied that the ordinance outlines such.

D. Amendment to 2012 Default Budget

Mr. Owen stated that a substantial change was made to the Town's 2012 Operating budget by the Budget Committee, which makes it necessary to amend the Default budget.

Member Sarah Silk moved the Wolfeboro Board of Selectmen to approve the 2012 Default Budget in the amount of \$25,129,436. Dave Senecal seconded. Members voted and being none opposed, the motion passed.

E. Warrant Article review and approval

➤ Article G: Insulation and dehumidification system at Pop Whalen Arena \$275,000

Mr. Senecal stated that this article was discussed at length at the last Budget Committee meeting and he feels at this point they should withdraw the article and wait until next year when they have more concrete information on the article. He stated he discussed this recommendation with the Town Manager and Parks and Recreation Director.

Chairman Silk agreed. She and Mrs. Murray attended the Budget Committee meeting and noted they have not been able to get the estimates they need for the project.

Mrs. Murray stated the CIP project request shows the project would include ventilation, but such is not included in the details of the project and such should be included.

Mr. Senecal stated he discussed these issues with the Parks and Recreation Director and also noted he should take some photos of the damage and issues for documentation as well.

Member Dave Senecal moved the Wolfeboro Board of Selectmen to remove Article G Insulation and Dehumidification system at Pop Whalen Arena \$275,000 from Warrant for 2012. Linda Murray seconded.

DISCUSSION:

Ethan Hipple joined the Board for discussion and stated that he agrees more information is needed and apologized that he hasn't been able to get the estimates in a timely manner for this project. He agrees the project is needed but needs more professional expertise in order to protect the town's facility. He stated ironically he received two cost estimates today, but they came in higher than he had anticipated.

Mrs. Murray stated that this may need to be a project they phase, depending on what is needed.

Mr. Hipple agreed and noted the estimates did include ventilation.

Members voted and being none opposed, the motion passed.

➤ Article I: Construct Bath House at Albee Beach \$125,000

Mr. Owen stated the majority of the Budget Committee is not recommending this project due to the language for the Voc-tech to construct the facility, which prevents local contractors from bidding on such project. He recommends deleting that language and resubmitting the article to the Budget Committee to reconsider.

Member Linda Murray moved the Wolfeboro Board of Selectmen to remove the language “in partnership with the Region 9 Vocational Technical Education Center”; from Article I Construct Bath House at Albee Beach and resubmit the article to the Budget Committee. Dave Senecal seconded. Members voted and being none opposed, the motion passed.

➤ **Article F: Water Meter Upgrades \$500,000**

Mr. Owen stated that the town has received information that the engineer’s report of 20% of the project’s cost in loan forgiveness was conservative and they will actually receive 35% of the project’s cost which will be \$175,000 instead of \$100,000. He recommends making such language change to the article.

Member Dave Senecal moved the Wolfeboro Board of Selectmen to revise Article F Water Meter Upgrades \$500,000 to reflect \$175,000 in loan forgiveness. Dave Bowers seconded. Members voted and being none opposed, the motion passed.

Mrs. Murray questioned if they will receive new back up for the Town Hall regarding asbestos removal.

Mr. Owen replied yes.

F. Videotaping Warrant Article presentations

Chairman Silk stated she did a tentative list of which Board members would discuss the Warrant Articles for the WCTV taping on January 17th from 12:30 PM to 6:00 PM at the Library and at the Deliberative session the Board agreed on the list as follows:

- Dave Senecal: Articles A, H, I, & S.
- Sarah Silk & Linda Murray: Articles B,C,J & P
- Dave Bowers: Articles D,E,N & O
- Linda Murray: Articles F & K
- Sarah Silk: Article L
- Chuck Storm/Linda Murray: Articles Q & R
- Chuck Storm/ Police Commission: Article M

The Board scheduled the video taping of Warrant Articles for January 17, 2012 from 12:30 PM to 6:00 PM at the library.

G. Policy for Retention of Recording Secretary’s Tape recordings

Chairman Silk stated her and the Board’s Recording Secretary attended the Right to Know session in November and from that learned that towns should adopt a policy regarding the recordings of meetings. She explained that once the meeting minutes are adopted by the Board or Committee there is no longer any need to keep them, but they should have a policy stating such. She noted that meetings recorded by Wolfeboro Community TV are available for purchase and can viewed on the Town website.

Member Linda Murray moved the Wolfeboro Board of Selectmen to approve a policy that recordings made by Recording Secretaries of meetings of Town Board and Committee meetings may be disposed of or re-used by the Recording Secretary after the minutes of the meeting have been submitted to and approved by the Board or Committee. Dave Senecal seconded. Members voted and being none opposed, the motion passed.

Any Other Business

Linda Murray stated she would like to address some misconceptions that have been circulating regarding the RIB site as follows:

In the Granite State News (GSN) of April 22, 2010, there is a front-page story, "Wolfeboro and Tuftonboro discuss effluent disposal issues," which includes a photograph of Dave Ford explaining to the Wolfeboro and Tuftonboro Selectmen and the Tuftonboro Conservation Commission the additional testing wells that the Town of Wolfeboro added following the seepage problems in the spring of 2009. This article states that additional reports on the RIB site can be found on the Wolfeboro website and Community TV televised the meeting. (She noted these articles can be found on the Granite State News website)

On page 4 of the December 23, 2010 GSN, there is an article entitled "Status report issued on Wolfeboro's Rapid Infiltration Basins." This article explains that the Town has submitted a detailed report to NH Department of Environmental Services (NH DES) documenting the operation and current status of the Rapid Infiltration Basins (RIB). The article goes on to say that "unexpected issues include the development of sink holes, slope failures and sand migration in the upper elevations of ground water discharge areas." It states that the report can be found on the Town's website (www.wolfeboronh.us) and at the Library.

There was a comment also made that the Board of Selectmen brushed off the State's suspension of funding for projects such as the Town RIB. On page 5 of the minutes of the August 18, 2010 Board of Selectmen meeting, Town Manager Dave Owen requested that the Board of Selectmen approve an application for State Aid Grant for the RIB project even though payments for this grant have been suspended by the State. The Board moved forward with the application so it would be on the State's list if the State resumes funding municipal projects.

Dave Ford reports to the Board in person and in his written quarterly Capital Update Reports on the ongoing warrant article projects, which includes an update on the rapid infiltration basins. He had informed the Board and the public that the town had received a 5 year permit from NH DES to use a portion of the spray fields to spray effluent. He has told the public on many occasions the reports are available at the library (2011) as well as S.W.Cole's report on the geotechnical study 2011. I am very disappointed with the performance of the rapid infiltration basin site and I support Dave Ford's effort to find a solution to the unexpected issues. I am committed to work with my fellow Selectmen and staff to do what is needed to fix the problem and to protect the town's investment in its assets.

I also would like to point out some additional information available to the citizens of Wolfeboro since the creation of the 5 man Board of Selectmen and the arrival of Dave Owen as Town Manager.

- *Added to the Board of Selectmen agenda, monthly review of the Town's operating budget*
- *Quarterly updates of Warrant Article projects from Dave Ford*
- *To help the voters understand town government, the Board of Selectmen produces a Voter's Guide in the Granite State News before town meeting.*
- *Increase in information on the town website*
- *Monthly each department files a report of the activities of their department*
- *Special reports such as the Rapid infiltration basin reports*

- *Streaming of town meetings with WCTV on the town website*

Mr. Bowers enjoys reading the issues in GSN and finds very interesting all the secrets, but feels it contributes to the entertainment of the newspaper. He likes accuracy, but it should be factual.

Town Manager's Report

Mr. Owen reported the following:

- The Budget Committee has finalized the budget review and he reported the percentage increase for the operating budget at .33% and the percentage increase of the general fund is 2.32%. He noted this is the lowest budget increase in the last 5 years. The departments did a fine job producing budgets to meet the guidelines.
- He provided a list of past town officials and employees who have passed away for the town report dedication and memorial and the Board agreed to have the town report in memory of all.
- He provided a resignation of Trustee Tim Bates of the Josiah Brown Trust and the Board will need to appoint a replacement.
- He provided an invitation to the Board for a day long retreat for preservation strategies for Historic Town Halls in NH on January 25, 2012. He invited some members of the Board to attend such event with himself and Joyce Davis. Linda Murray and/or Dave Bowers would also attend.
- He stated the meeting with Moultonborough and Conway regarding dispatch services is January 12th at 4 PM in Moultonborough.

Committee Reports

Chairman Silk reported the following:

- She attended the year-end review for Hazardous Waste.
- NH Primary is January 10th and primary training will be held January 6th in Rochester.
- On January 18th the Board of Pharmacy will hold a hearing on new rules for medicine collections which they are looking to model the collections after the DEA take back programs, but she expressed her disappointment with these changes and collection process. She stated she plans to discuss these issues further and attend the hearing.

Mr. Senecal stated the 16 passenger Blue Loon buses for Carroll County Transit are up and running. For more information you can call 603-323-8150.

Chairman Silk suggested linking their site to the town site.

Mrs. Murray reported the Abenaki snowmaking ribbon cutting ceremony is January 12th at 3:30 PM.

Public Comment

None.

Questions from the Press

Tom Beeler, Granite State News, questioned if the medicine collections are having a problem that needs changes.

Chairman Silk replied they have not had any problems. She believes the thought is the changes would be simpler, but she is not sure they were aware that an appointment is needed to take the medicine to the incinerator and they admitted they need more information on disposal.

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

Member Linda Murray moved the Wolfeboro Board of Selectmen to enter non-public session at 7:53 PM to discuss litigation. Dave Bowers seconded. Roll call vote: Sarah Silk-yes, Dave Senecal-yes, Dave Bowers-yes, and Linda Murray-yes, the motion passed.

The Board re-entered public session at 8:23 PM.

Chairman Silk stated the non-public session minutes of January 4, 2012 were sealed by a 2/3rd's vote as required by law.

Mrs. Murray noted the Board received a letter from the Trustees of the Trust Funds dated December 20, 2011.

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

Member Dave Senecal moved the Wolfeboro Board of Selectmen to adjourn at 8:54 PM. Member Linda Murray seconded. Being none opposed, the motion passed.

Respectfully submitted,

Amelia Capone-Muccio

Recording Secretary