

**Wolfeboro Board of Selectmen
Meeting minutes
Approved
July 21, 2010**

Members present: Chairman Linda Murray, Vice-Chairman Sarah Silk, Chuck Storm, Dave Senecal and Marge Webster

Staff present: Town Manager David W. Owen, Finance Director Pete Chamberlin, Public Works Director Dave Ford, Parks and Recreation Director Ethan Hipple 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 collective bargaining and personnel.

Consideration of Minutes

➤ ***July 7, 2010***

Chairman Murray amended page four, the sixth paragraph to change the word "repair" to "engineering".

Member Sarah Silk moved the Wolfeboro Board of Selectmen accept the minutes of July 7, 2010 as amended. Marge Webster seconded. Members voted, Dave Senecal abstained and being none opposed the motion passed.

Public Input

Michelle Fabricant, owner of the Downtown Market Grille, joined the Board for discussion and provided the Board with a packet of her violation notices from the Code Enforcement Officer. She explained that she has received a cease and desist notice regarding a freestanding sign she puts out on the sidewalk downtown. She stated she feels that she has been the "poster girl" of violations since November of 2006. She stated the current sign she has on the sidewalk is a similar sign used by at least 24 other business in town and she took pictures of those signs and submitted them to the Codes office. She stated at this point she has received notice that she will be fined \$250 if she does not remove the sign and she has no intention to remove it or pay the fine. She noted that she discussed the other signs with the Code officer and her response was that she does not have time to drive around and check all the signs.

Public Hearing(s)

- ***Temporary Event Permit for Friends of Abenaki to hold the Walker Brothers Circus at the "Nick" on August 13-14 from 7:00 AM to 7:00 PM.***

Chairman Murray opened the public hearing.

Ethan Hipple joined the Board for discussion, as Bill Swaffield from the Friends of Abenaki had not arrived yet. He explained that they discussed this request at the previous Board meeting and that the Friends of Abenaki and WARA are hosting a circus on August 13-14th. He noted the tickets are available at Avery Insurance, Town Hall, Black's Gift Shop, Bradley's Hardware and Pop Whalen Ice Arena and that they do receive more profit from the advance sales.

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

Ms. Silk noted the permits from the Department Heads on the permit request form.

Bill Swaffield joined the Board for discussion and stated the proceeds will be split between the two organizations and the Friends of Abenaki will put their funds toward permanent snowmaking.

Member Marge Webster moved the Wolfeboro Board of Selectmen approve the request for a temporary event permit for the Friends of Abenaki to hold the Walker Brothers Circus at the "Nick" on August 13-14 from 7:00 AM to 7:00 PM. Chuck Storm seconded. Members voted and being none opposed the motion passed.

- ***Acceptance of a Grant from New Hampshire the Beautiful in the amount of \$5,000 toward the purchase of a backhoe for the Solid Waste Facility.***

Chairman Murray opened the public hearing.

Dave Ford joined the Board for discussion and stated they had a request in the Capital Outlay Budget to purchase a used backhoe for the Solid Waste Facility to minimize the haul fees. He explained Adam Tasker was instrumental in applying for this grant to offset the cost.

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

Ms. Silk noted as a member of NERRA, Mr. Tasker has been very instrumental in cutting down hauling fees.

Member Sarah Silk moved the Wolfeboro Board of Selectmen accept the Grant from New Hampshire the Beautiful in the amount of \$5,000 toward the purchase of a backhoe for the Solid Waste Facility. Marge Webster seconded. Members voted and being none opposed the motion passed.

- ***Acceptance of a Grant from the New Hampshire Department of Transportation for the Safe Routes to School Program in the amount of \$167,660 to construct sidewalks.***

Chairman Murray opened the public hearing.

Dave Ford joined the Board for discussion and stated that this grant is specific to the area of connecting Carpenter School to Foss Field and that it would be done in conjunction with the Public Works Department's project that may go out to bid this fall.

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

Member Sarah Silk moved the Wolfeboro Board of Selectmen accept the Grant from the New Hampshire Department of Transportation for the Safe Routes to School Program in the amount of \$167,660 to construct sidewalks. Chuck Storm seconded. Members voted and being none opposed the motion passed.

Appointments

➤ *Public Library Alternate Trustees*

John Sandeen, Chair of the Library Trustees, joined the Board for discussion and stated they request to appoint Peter Cole, Deborah Hauser and James O'Rourke as alternate trustees and all have served on the Board in some capacity in the past.

Member Chuck Storm moved the Wolfeboro Board of Selectmen to appoint Peter Cole, Deborah Hauser, and James O'Rourke as Alternate members of the Wolfeboro Board of Trustees for terms expiring August 1, 2011. Marge Webster seconded. Members voted and being none opposed the motion passed.

➤ *Joint Board for the Intermunicipal Milfoil Initiative*

Mr. Owen stated now that the three towns, Wolfeboro, Tuftonboro and Moultonborough, have signed the Intermunicipal agreement, received the Attorney General's approval, and the next step is for each town to appoint members to the Joint Board that will oversee the initiative. Wolfeboro needs to appoint two members and one alternate. One member should be a Citizen at large, for which Ken Marschner has agreed to volunteer, and the other should represent the executive branch of government.

Chairman Murray volunteered to represent the executive branch of government.

Member Marge Webster moved the Wolfeboro Board of Selectmen to appoint Ken Marchner as a Citizen at large, Linda Murray to represent the executive branch of town government and Dave Owen as an alternate to the Joint Board for Intermunicipal Milfoil Initiative. Chuck Storm seconded. Members voted, Linda Murray-abstained and being none opposed the motion passed.

New Business

A. Approval Wastewater Treatment Facility Operations Contract

Dave Ford joined the Board for discussion.

Mr. Ford stated the Board is at the end of a 5-year contract with Woodard & Curran for operation and maintenance of the Wastewater Treatment Facility. He stated the Board has three options; renew the contract; put the contract out to bid; and take back running the facility through the town. He noted he had an independent review of Woodard & Curran's operation done and after the Board hears the presentation from Dave Dedian, Vice President/Senior Area Manager, he would make his recommendation.

Mr. Dedian joined the Board for discussion and reviewed a Power Point presentation with the Board summarizing their history of running the operations and maintenance of the plant since 1997. He reviewed improvements to the plant including:

- Effluent pumps station upgrade

- Sludge wasting automation
- New aeration diffusers, blowers and valves
- Installation of on-line meters and probes
- Installation of new clarifier drive units
- Installation of new motor control center

Mr. Ford stated that Fuss & O'Neill did an independent review of Woodard & Curran's operations and agreed they have done a good job running the plant with some minor suggestions for improvement. He explained this plant was not designed to do the job it does now and feels that although they could probably put it out to bid and receive a lower bid, he does not recommend it at this time. He recommends renewing the contract for two years, with a one-year option with the hope to take the plant over at that time. He explained that the difference in cost from taking the site over to hiring Woodard & Curran is based on the cost difference of employees. The town currently does not pay the rate they could hire a grade three operator.

Ms. Silk stated she is impressed with the job Russ Howe does and he was very involved in the snowmaking and the transition to the RIB site. She questioned if he is grooming any current employees to become grade three operators.

Mr. Ford replied Scot Pike is working on getting certified for such.

Mr. Dedian stated they are willing to work with the town to transition them towards running the plant and he is happy to help in anyway.

Chairman Murray stated she found the independent evaluation very helpful and feels they have done a good job.

Ms. Silk questioned page five of the report regarding weekend testing.

Mr. Ford replied they are already working on it.

Ms. Silk noted the report comments on the excessive flow management.

Mr. Ford replied that that deals with the town's goal to be good neighbors to Tufonboro and good stewards to the environment.

Chairman Murray stated the town has a policy to bid contracts, but questioned if the Board feels comfortable with the information presented to move forward with Mr. Ford's recommendation.

Member Chuck Storm moved the Wolfeboro Board of Selectmen to authorize the Department of Public Works to negotiate a contract extension with Wooded & Curran to continue to operate the Town's Wastewater treatment facility for a period not to exceed three years. Dave Senecal seconded. Members voted and being none opposed the motion passed.

B. Building Evaluations

Mr. Ford stated that the Town hired Bergeron Technical Services, LLC to do evaluations of the town buildings and at this point they have received four of the five reports. He stated the next step is to put the information on spreadsheets for review and once that has been done he will present the information to the Board at a future meeting.

Mr. Senecal expressed his concern that some minor cost items should be addressed as soon as possible such as electrical and plumbing issues. He noted these are low cost items that should be done for safety reasons.

Mr. Ford replied those items are in the process of repair.

Ms. Silk expressed her concern that some of the work done by previous contractor, who did not get permits or do the work to code, should not be used again.

Mr. Owen stated they have reviewed the lease on Dockside and the lessee is responsible for roof, pipes and mechanical systems.

Chairman Murray stated she is disappointed that things were not installed to manufacturer standards and/or to code. She stated that if tenants are responsible for those items they may not do them to the standards required and suggested when it comes time to renew those leases they should consider raising the rent and having those items become the town's responsibility.

Mr. Owen noted the report for Dockside was provided to the tenant and they will be meeting with them to discuss it.

C. Crosswalks Ordinance

Ms. Webster stated that although she feels this is a safety concern, she feels it is a moot point considering the amount of emails they received against it.

Mr. Owen stated that he had discussed the issue with the Town Attorney and he pointed out the Town Ordinance 164-15 refers to the crosswalks, but doesn't address the penalty, but 164-20 states penalties can be assessed up to \$1,000. He stated he does not recommend such a high penalty, but if the Board should choose to assess one, he suggests \$5 with a \$10 for second offense and so forth.

Chairman Murray stated she spent some time reviewing this and referred to previous reports done by Police Chief Stu Chase showing the current crosswalks do not have a 20 foot line of site, prompting a change to the crosswalk in front of Carpenter School to meet these standards. She also reviewed the report done by Barry Muccio Director of Operations of the Municipal Electric Department showing a review of lighting at the crosswalks after an elderly man was hit. She stated in her review she provided the following recommendation of having the Traffic and Parking enforcement officers provide a handout educating the public on the importance of using the crosswalks and such read as follows:

Please use the crosswalks, Your safety is important. Remember one must wait until all cars have stopped in both directions before crossing in the crosswalk. Town Ordinance 164-15: Pedestrians shall use crosswalks and shall have the right-of-way. All motorists will bring their vehicles to a complete stop and allow the safe passage of pedestrian. This handout includes a map of the town's crosswalks.

Ms. Webster stated this is an issue in the evening in the area of the Bubble and she noted Lieutenant Rondeau gave out 47 verbal warnings on the evening of July 7, 2010. She stated she and Mr. Storm attended the last Police Commission meeting where the issue was also discussed with mixed opinions from the members as well.

Ms. Silk agreed it is a safety issue and feels education would be a good start and if they could see if the Chamber of Commerce and the local businesses would help out by providing the information as well.

Chairman Murray stated they need to get going on the transportation section of the Master Plan where bump outs are proposed for the crosswalks.

D. New Hampshire Municipal Association Legislative Floor Polices

The Board reviewed the memo from Judy Silva, Director of Legal Services and Government Affairs Cordell A. Johnston, Government Affairs Counsel dated 6/30/10 and made note of specific polices they wished to support or not support.

Any Other Business

➤ Election Workshop

Chairman Murray stated the Town Clerk is looking to find out how many Board members will be attending the Election Workshop on Monday, July 26, 2010 from 5 to 9 PM at All Saint's Church. All Board members will be in attendance.

Town Manager's Report

Mr. Owen stated the following:

- The Contract Assessor has notified him that they are nearing completion of the reevaluations and will be holding hearings on or about 8/16-18, 2010.
- He provided a handout from Barry Muccio Director of Operations of the Municipal Electric Department and stated they will be doing a review of the Electric Rates next month in order to ensure they are covering their costs. He noted that PSNH recently had a 6% rate increase and according to Mr. Muccio's report Wolfeboro still has the lowest rate.
- He stated he has sent out a reminder of the town's policy regarding idling and seatbelt use to the employees.
- He met with the Departments to compile a list of what needs to be done towards the settlement from the US Department of Justice.
- He will be out of the office on Friday, July 23, 2010 and Rob Houseman will be Acting Town Manager.

DISCUSSION:

Ms. Silk stated some Departments are leaving their air conditioners on high overnight and she suggested they turn them off or at the least turn them down.

Chairman Murray asked Mr. Owen to advise the public as to why the Sheriff's Departments portable command center is at the Public Safety Building.

Mr. Owen explained that construction is taking place on the ADA accessible restroom and during the jackhammering, Central Dispatch will move to that command center in order to keep the noise from interfering with dispatch.

Committee Reports

Ms. Silk reported the last Hazardous Waste Collection was well attended and the next Collection on August 21, 2010 will include a Medicine Collection.

Mr. Storm reported the Planning Board visited the Route 28 corridor for any possible zoning changes and is being mindful of the proximity to the lake. He explained this was an educational visit.

Chairman Murray reported the following:

- The EDC reviewed the consultant's findings and will be coming before the Board to report on such.
- The 250th Commemorative Book is at the printers and will be for sale for \$9.95 and if anyone would like to sell the booklet to contact the Town Manager. She stated they are now working on the encampment.
- She attended the Milfoil Sub-committee meeting in Moultonborough where they looked at 3 DASH units and they are looking to purchase similar units used on Squam Lake with modifications.
- The CIP Committee has reviewed the Library and Parks & Recreation requests and will be doing the rest of Parks & Recreation and Public Works this week. She noted they would be asking the Planning Board for more time to complete the report in order to ensure all data is gathered.

Chamber of Commerce

None

Questions from the Public

None.

Questions from the Press

None.

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 8:22M to discuss collective bargaining and personnel. Sarah Silk seconded. 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 9:02 PM.

Chairman Murray announced that the Board sealed the minutes of the July 21, 2010 non-public session with a 2/3rds vote as required by law.

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

Member Marge Webster moved the Wolfeboro Board of Selectmen to adjourn at 9:03PM. Member Sarah Silk seconded. Being none opposed, the motion passed.

Respectfully submitted,

Amelia Capone-Muccio

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