

**Wolfeboro Board of Selectmen
Meeting minutes
Unapproved
March 16, 2011**

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

Members absent: Chuck Storm

Staff present: Town Manager David W. Owen, Finance Director Pete Chamberlin, and Recording Secretary Amelia Capone-Muccio

Chairman Murray called the meeting to order at 6:30 PM.

Non-Public Session RSA 91-A: 3II

Mr. Owen stated a non-public session is not needed.

Consideration of Minutes

➤ **March 2, 2011**

Chairman Murray amended page one, the first paragraph under Announcement to add the word "by" before the word "his". She amended page six, the fourth paragraph from the bottom to remove "I" from the sentence and replace it with "it's".

Member Sarah Silk moved the Wolfeboro Board of Selectmen to approve the minutes of March 2, 2011 as amended. Dave Senecal seconded. Members voted and being none opposed the motion passed.

Public Input

Suzanne Ryan joined the Board for discussion and stated although she requested to discuss this matter in non-public session, it did not qualify for such. She read the following statement:

On March 1st I slipped and fell on the ice at the edge of the parking lot and sidewalk behind the area of Mr. Owen's office. It was not sanded. I was terribly hurt and two people came to my aide. I made it into Mr. Houseman's office to report it and told him there was no sand in that area and that I suspected that the town wanted us to park out back when there is no other place and that the area of travel in front of the buildings should have been sanded. He did have the presence of mind to inquire if I was okay, and when I told him what happened he said he would report it to Mr. Ford, upon which I left and went to the Hospital.

The insufficient manor in which the Department of Public Works or the person responsible for the buildings/grounds has a duty to see that the passing over town property is passable regarding risk and protection to keep such safe. Given two Department heads have a shared responsibility regarding the parking lot and building and actually report to said building each morning it would not seem to much for one of them to make a quick check of the parking lot, stairs and passage ways to the entrances to the building. This in only common sense and not too much to expect.

Thus first I am requesting the Board of Selectmen direct Mr. Owen to address the maintenance for safety with the Department Heads. Second, when I was released from the hospital I drove by the area and it still look unattended to. Third, from this experience it is evident to me that the town does not have any provision/policy as to what should take place when someone is hurt and has an accident (other than a town employee) on town property, be it town hall, the ice rink, the ski hill or any such public place. I was not offered any assistance.

I had requested a non-public session because this is not only embarrassing for me to come forward publicly, but also the Town Manager, who has oversight and the content or intent of his response shows lack of understanding as to the position the town is in.

If I had not gotten an e-mail from the Town Manager that started out very nice, but ended in an insulting, ridiculous, unprofessional manner, I would not be here. The logic as to what happened or why it happened shows simply he did not fathom or have a understanding of the position of the liability the town was in, and saying that someone fell three other times just adds to it. Perhaps because he knows me, he felt he could be so causal with his remarks, but this is where the professionalism separates oneself. I would expect the Board of Selectmen to take this matter up with the Town Manager and please inform me of any outcome.

She further read the Town Manager's response e-mail as follows: Suzanne, I was sorry to hear about your slip and fall on the sidewalk outside my office yesterday. If it is any consolation Rob Houseman tells that he slipped and fell three times yesterday while walking to work, so the sidewalks are slippery all around town. Of course if the Town Hall renovation project would have been completed already, you would not need to walk around the side of the building to get from the rear parking lot to the front of the building. So that will help eliminate that hazard for others in the future, but was not done in time to prevent your fall.

Mr. Bowers questioned if she requested any help and what kind of help was she seeking.

Mrs. Ryan replied that she was in such pain she could barely walk and such is not for her to decide, how the Board would like to handle that kind of situation is not up to her.

Mr. Bowers stated he was looking for clarity on what wasn't done and if there was anything they didn't do that she asked them to do.

Mrs. Ryan replied they asked if she was okay, but she was so angry she went to the hospital on her own.

Chairman Murray stated she received her e-mail and discussed the issue with Mr. Owen and hopes they can come to a resolution.

Mr. Owen stated he is sorry that she fell and it is always discomfoting to hear that someone was injured. He clarified that the Public Works Department is responsible for clearing the snow on the sidewalks and the parking lot and it is Mr. Houseman's budget that is responsible for maintaining the building. He noted that morning was a treacherous morning and that his statement was only a matter of fact.

Ms. Silk stated she had been at the town hall early that morning and noticed the lot was not sanded, but she did not notice the sidewalks. She understands Mrs. Ryan's discomfort and has sent an e-mail to the Town Manager to clarify a plan for maintenance of the building's walkways.

Mrs. Ryan feels the point is being missed, she doesn't expect them to sand every inch of the parking lot, but to take more responsibility around the public entrances of town buildings.

Bulk Vote

A. Property Tax Refunds/ Abatements

Approvals

- i. Abatement/refund #41 (part 1) Tax Map 205, Lot 24
- ii. Abatement/refund #43 Tax Map 240, Lots 26, 26-1, 26-2 & 26-3
- iii. Abatement/refund # 53 Tax Map 157, Lot 4
- iv. Abatement/refund # 58 (part 1) Tax Map 250, Lots 7
- v. Abatement/refund # 58 (part 2) Tax Map 250, Lot 8
- vi. Abatement/refund # 59 (Part 1) Tax Map 171, Lot 3
- vii. Abatement/refund # 59 (Part 2) Tax Map 157, Lot 5
- viii. Abatement/refund #62 Tax Map 205, Lot 17
- ix. Abatement/refund # 63 Tax Map 205, Lot 10
- x. Abatement/refund # 64 Tax Map 205, Lot 18
- xi. Abatement/refund #65 Tax Map 157, Lot 2
- xii. Abatement/refund # 66 Tax Map 205, Lot 16
- xiii. Abatement/refund # 70 Tax Map 205, Lot 8
- xiv. Abatement/refund # 71 Tax Map 205, Lot 7
- xv. Abatement/refund #169 Tax Map 11, Lot 7

Denials

- xvi. Abatement/refund # 37 Tax Map 205, Lot 22
- xvii. Abatement/refund #41 (part 2) Tax Map 205, Lot 44
- xviii. Abatement/refund #41 (part 3) Tax Map 205, Lot 45
- xix. Abatement/refund #44 Tax Map 240, Lot 6
- xx. Abatement/refund #45 Tax Map 240, Lot 24
- xxi. Abatement/refund #47 Tax Map 205, Lot 6
- xxii. Abatement/refund #52 Tax Map 259, Lot 56
- xxiii. Abatement/refund #56 Tax Map 171, Lot 4
- xxiv. Abatement/refund #57 Tax Map 157, Lot 3
- xxv. Abatement/refund #168 Tax Map 172, Lot 27-8

B. Property Tax Credit/Exemptions

Approvals

- i. 19 Hickory Road Tax Map 201, Lot 34-132
- ii. 51 Oakwood Road Tax Map 267, Lot 1
- iii. 5 Tern Lane Tax Map 126, Lot 43

C. Raffle Permit-High Hopes Foundation of NH, Inc.

Member Sarah Silk moved the Wolfeboro Board of Selectmen to approve the Bulk Vote items as listed above in A -C. Dave Senecal seconded. Members voted and being none opposed the motion passed.

New Business

A. Monthly Budget Expenditures and Revenues Report

Pete Chamberlin, Finance Director, joined the Board for discussion and stated that some questions had arisen regarding the Parks and Recreation Maintenance Budget and the Ski/Skate Budget regarding overtime.

Mr. Owen explained that in discussions with the Director of Parks and Recreation it seems some unauthorized overtime was taken by employees and those employees were given written warnings. He stated that it was explained to the Director that any overtime used would need to be kept to a minimum and he would have to find places within the budget to offset those costs.

Mr. Chamberlin stated another question in the Parks and Recreation budget arose regarding diesel fuel and such seems to be a posting error on the account, which they have cleared up and will keep better track of in the future.

Chairman Murray noted she had two other concerns that were clarified, one was the summer docks, and the other was the cost of the Tuftonboro/Wolfeboro town line survey.

B. Farmers Market License Agreement

Sue Weeks joined the Board for discussion and explained that they wish to run the Farmers Market at Clark Park again with no changes. She noted they would pay to have a portable toilet for the duration of the season as they did last year, which runs from mid-June to the first Thursday in October from 12:30 to 4:30 PM.

Ms. Silk stated last year they had some issues with people walking their dogs in that park and not picking up the feces and questioned if one of those containers holding bags was installed.

Mr. Owen would have to verify such.

Chairman Murray requested them to continue to encourage those attending the market to park on the non-residential side of the park.

Member Sarah Silk moved the Wolfeboro Board of Selectmen to approve and sign the License Agreement with the Wolfeboro Area Farmers Market, Inc. concerning the operation of the farmers market at Clark Park in 2011. Q. David Bowers seconded. Members voted and being none opposed the motion passed.

C. Town Energy Forum

Jim Nupp of the Town Energy Committee joined the Board to invite them to the Town Energy Forum on March 26, 2011 from 9:00 AM to 12:30 PM at the Pinckney Boathouse and noted this is part of the Energy Efficiency Block Grant to help develop a plan for municipal energy savings in the future.

Ms. Silk questioned if such would be taped by WCTV as she is already committed for that day.

Mr. Nupp replied it will be.

Chairman Murray suggested putting the taping on the town website.

D. Town Election Results

Chairman Murray stated on March 15th at 8:00 AM a recount of Article 12 resulted in 16 additional votes, 14 no and two yes. She stated that 1,044 people voted yes and 744 voted no, the article achieved at 58.4% approval, but failed to obtain the 60% necessary for a bond issue. She also provided a summary of the statistics for the other articles. She noted that as compared to other years, they were down approximately 500 voters (33%).

Mr. Owen provided a brief summary on the articles relative to Brewster Memorial Hall dating back to 2004 as follows:

2004 Purchase of building-77.6%
2007 \$500,000 for renovation plans-66.3%
2008 \$6.7 million dollar renovation project-44.4%
2009 \$524,000 for repairs-52.6%
2010 \$110,000 repairs – 93.9%
2011 \$4 million dollar renovation project-58.4%

He explained that taking care of the Town Hall almost always receives a majority of support and it seems there is substantial sentiment to do something with the building.

Ms. Silk stated it is disappointing Article 12 failed as they do need to provide a safe working environment for the employees.

Mr. Owen stated he met with the School Superintendent to discuss the parking issue and was advised the School District is developing a plan to address the parking for Carpenter School.

Mr. Bowers stated they are hoping to secure more private funding for the project as well.

Chairman Murray stated that maybe they should discuss the spaces out front and maybe entertain 15 minute parking for those spaces.

E. Commercial Vessel Landing Permit

Kathy Eaton joined the Board for discussion and stated they are requesting a permit for their 13th season. She noted they would run the same as in the past and will be holding their fee, even with the rising gas prices. She noted the schedule will be only on weekends from 11:00 AM to 2:00 PM until June, then a daily summer schedule from 10:00 AM to 7:00 PM and back to weekends from Labor Day to Columbus Day.

Member Sarah Silk moved the Wolfeboro Board of Selectmen to approve the issuance of a Commercial Vessel Landing permit for the Millie B., d/b/a the Wolfeboro Trolley Company, Inc. Q. David Bowers seconded. Members voted and being none opposed the motion passed.

F. Collective Bargaining Agreements

Mr. Owen provided the AFSCME Local 534 and NEPBA Local 39 union contracts for approval and signature as this is the next step in the process after voter approval.

Chairman Murray questioned if changes in the personnel policy have been made to mimic the contracts.

Mr. Owen replied some have, but not all.

The Board agreed they should be consistent.

Member Dave Senecal moved the Wolfeboro Board of Selectmen approve and sign the new collective bargaining agreement with AFSCME Local 534. Sarah Silk seconded. Members voted and being none opposed the motion passed.

Member Dave Senecal moved the Wolfeboro Board of Selectmen approve and sign the new collective bargaining agreement with New England Police Benevolent Association Local 39. Sarah Silk seconded. Members voted and being none opposed the motion passed.

G. Quitclaim Deed-parcel of land from Governor Wentworth Regional School District

Mr. Owen stated that in a recent application by Verizon Wireless for site plan approval on the water tower at the high school, it was discovered that although the Board went through the process of acquiring the land near the water tower to resolve an encroachment issue on the school district property, the deed was never signed in 2009. He has provided the deed for signature and suggested only the members sitting on the Board during that time to sign the deed.

Any Other Business

Ms. Silk stated the recent issue of Town and City magazine has some interesting information relative to bonds that would be useful for the Planning Board and GIS mapping. She also noted it has the schedule for local official training.

Mr. Bowers questioned what they plan to do with the undistributed town reports.

Mr. Owen replied due to the timing of the report they only purchased 500 of the 1,500 they normally purchase and they are available at the town hall.

Town Manager' Report

Mr. Owen stated the following:

- Milfoil joint Board met to discuss two action items; the progress payment for the DASH units and a contract with Lanes End Marina for storage of both boats.
- Negotiation meetings with Metrocast Cablevision are ongoing.
- The Departments are working on implementing various projects the voters passed.
- The "Extend & Blend" RFP has been drafted and there is a conference call tomorrow with the consultant with hopes to move forward on it in the spring.
- The recently adopted Computer Use Policy has been sent out to the employees and training is scheduled for March 23rd and March 30th.

Chairman Murray questioned the funding for the facility plan for Abenaki.

Mr. Owen replied he would check into it.

Ms. Silk reminded the public it is Fix a Leak Week from March 14 to March 20th, 2011 and information on how to conserve water is available at town hall.

Committee Reports

Ms. Silk stated the following:

- The Conservation Commission met with the forester to discuss plans for forest management.
- The Wolfeboro Police Department will hold a medicine collection on April 30, 2011 at the Public Safety Building.

Chairman Murray stated the following:

- Representatives of the Milfoil Joint Board went to Concord to meet with NH Lakes Association to discuss interviews for divers.
- She attended the Chamber of Commerce quarterly meeting and will be attending the Board meeting.

Chamber of Commerce

None.

Questions from the Public

Suzanne Ryan stated that in regards to the process of town meeting she has some concerns; the first is the minutes of the Deliberative Session for the last two years have not been completed on time and they are required to be completed by the same statutory requirement as other town meetings. She hopes the Board will address this issue. She appreciates that it was admitted as a mistake that the town reports were not available, rather than having an excuse.

Mr. Bowers stated that was an example of the lowest bid not working out.

Mrs. Ryan stated they may want to look into what other towns do by having the town report by the Deliberative Session and then providing a supplement with the changes made at the following Deliberative Session.

Mr. Owen noted that he would not use that bidder again and changes to the bid specifications will be made for the future.

Mrs. Ryan stated that towns can not put out information or materials asking the voters to vote a specific way for an article and provided a copy of a Department's town report summary and a Department's e-mails speaking to a specific warrant article and she requested a policy be drafted for it. She provided information to the Board regarding warrant article 29 & 30 and an error in article 30 where it should have listed RSA 41: 11 a III.

Questions from the Press

None.

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

Member Q. David Bowers moved the Wolfeboro Board of Selectmen to adjourn at 7:45 PM. Member Dave Senecal seconded. Being none opposed, the motion passed.

Respectfully submitted,

Amelia Capone-Muccio

Recording Secretary