

Wolfeboro Board of Selectmen

Meeting Minutes

January 20, 2010

Members present: Vice-Chairman Kristi Ginter, Linda Murray, Sarah Silk, Marge Webster

Members Absent: Chairman Dave Senecal, Town Manager David Owen

Staff Present: Finance Director Peter Chamberlain, Recording Secretary Terry Tavares

Vice - Chairman Ginter called the meeting to order at 6:30 PM at the Wolfeboro Library.

Non- Public session RSA 91-A: 3II

Vice - Chairman Ginter stated a Non-Public session will be needed *to discuss minutes. (correction as of 2/3/10)*

➤ Approval of Minutes

January 6, 2010

Mrs. Murray had many corrections to the January 6, 2010 meeting minutes (see attachment #1- 2 pages).

Note: the minutes of January 6, 2010 will be retyped to reflect these changes.

Ms. Silk- page 8 – 1st paragraph after Article V- after November 23, 2009 add "page 12" after December 2, 2009 add "page 19" add "December 16, page 19" on the last line change this to "Warrant Article".

3rd paragraph after motion add "I was appalled that the Board would base a \$4.5 million dollar project on a drawing not worth \$5,000".

Page 18- 4th paragraph – change this to "\$4.5 million" add to the end of the sentence "The Bell Building did perform a clean up at the same time as the Electric Building".

Page 18 – 4 paragraphs from bottom change to "Ms. Silk reviewed three other buildings, the Wickers Building, the Ocean Bank Building, still being on the market at that time and she expected that the Bell Building would still be available next year".

Ms. Webster – page 10 – 7th paragraph - corrects spelling error to "Lucille Cloutier". She would also like to say our meeting minutes are too long and too detailed. We have them recorded and videoed and I just have a problem with these minutes adding all these pages and details after the fact. If you would like to add to today's minutes as amended for the previous meeting that is fine. I just think that 19 or 20 pages is going to get us in trouble one of these days.

Mrs. Murray said she thinks it is important to have the record. We just had to redo some exemptions because we couldn't find any record of what took place and this is our history and it needs to be accurate and correct on what took place. I would prefer to have more detailed minutes than less. We have wasted

more time sending secretaries off to try and find something. And I feel that it is important and that is why I make those changes so that it expresses those things that I see that are important in the meeting.

Ms. Silk stated it doesn't matter if we have tapes because the only official record is the written minutes.

Sarah Silk made the motion to accept the meeting minutes of January 6, 2010 as amended, seconded by Linda Murray. The members voted and none being opposed the motion passed.

➤ **Public Input**

Virginia Panaccione, of North Wolfeboro spoke to the Board about her concerns about the Historic District Commission (see attachment #2 – 3 pages) and her wish that the commission be abolished.

Beverly Woods, of Haines Hill Road spoke about her concerns to abolish the Historic District Commission only to have a Warrant Article to establish a Heritage Commission. She asked if this will be an advisory commission only and how will it work, if it will have different power than the existing Historic District Commission and if the Heritage Commission will assume the job of the current Historic District Commission. She asked when there would be a Public Hearing for this warrant?

Mrs. Murray said this Petition Warrant was sent out to the Town Attorney and they were placed on the Warrant as to whether they went to the Planning Board for a public hearing. If a Petition Warrant Article comes to the Board of Selectmen we have to put it on the Warrant. It requests no money and by statute it has to go on the Warrant underneath the Board of Selectmen's Bonded Warrant Articles. We had two last year for the removal of the Historic District and we had to put them both on because that is what the RSA's said.

Beverly Woods stated that those Warrant Articles had hearings.

Ms. Ginter stated they did have hearings as they were required by statutes. The HDC held the public hearings.

Mrs. Murray stated the reason is because we sent them out to a Town Attorney. We did not just decide this. It is on the ballot and it is the voter's choice.

Beverly Woods stated she understands that but the voters need an opportunity consider this. This is complex thing. If the Attorney thinks this is not a Land Use Board I think he is wrong.

Ms. Ginter stated she had asked and received a response that the only place that the public can discuss it will be at the Town Meeting. You will have an opportunity then to bring up your concerns there.

Beverly Wood stated she hoped that we will be discussing this at the deliberative session and she asked the Board should this Warrant Article pass that you appoint all new people to the commission with none of the old members.

➤ **Public Hearings**

A. Temporary Event Permit Applications.

- i. Wolfeboro Parks & Recreation Department and Cate Park Band to hold Band Concerts at the Wolfeboro Community Bandstand on June 30, July 4, 7, 14, 21, 28, August 4, 11, 18, & 25, 2010 from 6:30 PM – 9:00 PM.

Sarah Silk made the motion to approve the issuance of a Temporary Event Permit to the Wolfeboro Parks & Recreation Dept. and the Cate Park Band to hold Band Concerts at the Wolfeboro Community Bandstand on June 30, July 4, 7, 14, 21, 28, & 25, 2010 from 6:30 – 9:00 PM, seconded by Marge Webster. The members voted and none being opposed the motion passed.

- ii. Friends of the Wolfeboro Community Bandstand to hold Bandstand Concerts at the Wolfeboro Community Bandstand on July 3, 10, 17, 24, 31, August 7, 14, 21, 28 and September 4, 2010 from 5:00 PM – 10:00 PM.

Josh Spaulding stated this will be the 15th year they will be holding the concerts that are free to the public. He hopes the Board will approve this.

Ms. Ginter stated they will need a new insurance certificate.

Ms. Silk would like to point out the requirements from the Building Official; signs require permits and any temporary power to be done by electrician, Fire/Rescue; please do not block access to boat ramp & fire boat.

Sarah Silk made the motion to approve the issuance of a Temporary Event Permit to the Friends of the Wolfeboro Community Bandstand to hold Band Concerts at the Wolfeboro Community Bandstand on July 3, 10, 17, 24, 31, August 7, 14, 21, 28 and September 4, 2010 from 5:00 – 10:00 PM, seconded by Marge Webster. The members voted and none being opposed the motion passed.

- iii. The Governor Wentworth Arts Council to hold Artists in the Park at Cate & Town Parks and Wolfeboro Community Bandstand on August 18, 2010 from 10:00 AM – 5:00 PM (setup to begin at 6:00 AM, breakdown to 6:30 PM)

Debbie Hopkins spoke about the Artists in the Park. This will be their 31st year. And she hopes the Board will approve their request.

Ms. Silk reminded Ms. Hopkins of the requirements from the Building Official that sign permits are required and the Fire/Rescue of proof of flame resistance is required for tents per the NH Fire Code.

Marge Webster made the motion to approve the issuance of a Temporary Event Permit to the Governor Wentworth Arts Council to hold Artists in the Park at Cate Park & Town Parks and the Wolfeboro Community Bandstand on August 18, 2010 from 10:00 AM – 5:00 PM (Setup to begin at 6:00 AM, breakdown to 6:30 PM), seconded by Sarah Silk. The members voted and none being opposed the motion passed.

- iv. First Congregational Church to hold an Outdoor Sculpture Exhibit at Cate Park, Clark Park and the First Congregational Church on June 25 – July 2, 2010 during daytime hours.

Nancy Langfeld was here for this Temporary Event Permit.

Ms. Ginter asked about the required insurance certificate and how it will be issued for this event. And she would also like to know what kind of sculptures would be on exhibit.

Ms. Langfeld said the insurance for the church will cover this event. And this will be juried event by the New England Sculpture Association, but they could not get the insurance certificate until we had permission from the Board to do an exhibit.

Mrs. Murray read the definition of a Temporary Event – “An outdoor function lasting for a limited time open to the general public and sponsored or organized by a not-for-profit group. Events include functions which take place on town property.” She said with all the Temporary Event application you have submitted you are going to have this going on for three months. You can place these sculptures on the Church property without a permit. I do not think this event rises to the level of a temporary event and you should make an appointment to discuss this with the Town Manager and to have you come back to the Board to talk about the use of Cate Park & Clark Park.

Ms. Langfeld asked what she meant by an appointment since she had spoken with Mr. Owen and he had told her to complete the Temporary Event permits.

Ms. Silk stated she had sent a letter to the Town Manager and the Building Official about this with questions as to whether this qualified as a temporary event. She also pointed out that part of Clark Park is leased to the Historical Society and on their drawing it shows some of the sculptures as being placed in the bushes at Cate Park. She is worried that this display will interfere with the Artists in the Park. She is also concerned about the necessity of digging holes for the sculptures. She doesn't feel this rises to a level of a temporary event permit.

Ms. Ginter does not feel this is the right process.

Debbie Hopkins from the Artist's in the Park stated that their displays will not interfere with the Artists in the park.

Todd Twining asked how do we do this to use town property?

Mrs. Murray stated it is possible that we will need to hold a public hearing to discuss this. You can display the sculptures on the Church's property you may need to go to the Historical Society for permission to place them at Clark Park.

Ms. Silk suggested they speak to the Town Manager and have this put on the next agenda.

Mrs. Murray said that will be the February 3rd.

Linda Murray made the motion to deny the issuance of a Temporary Event Permits to the First Congregational Church to hold and Outdoor Sculpture Exhibit at Cate Park, Clark Park and the First

Congregational Church on June 25 through September 10, 2010 as it does not fall within the guidelines of Temporary Event Permit and ask that they come back and meet with the Board, seconded by Sarah Silk. The members voted and none being opposed the motion passed.

- v. Hospital Aid Association, Inc. to hold the Street Fair on Monument Field (South Main Street) on August 6 & 7, 2010 from 10:00 AM – 10:00 PM (tents erected August 1st and removed August 9th).

Ms. Silk stated she will step down from this application as she is the Chairman of the Hospital Aid Association.

Jane & Bob Wass spoke saying that this will be the 73rd Annual Hospital Aid Association Street Fair. All the proceeds from the street fair go directly to the Huggins Hospital patient care.

Marge Webster made the motion to approve the issuance of a Temporary Event Permit to the Hospital Aid Association, Inc. to hold the Street Fair on Monument Field (South Main Street) on August 6 & 7, 2010 from 10:00 AM – 10:00 PM (tents erected August 1st and removed August 9th), seconded by Linda Murray. The members voted and none being opposed the motion passed. Sarah Silk abstained from the vote.

➤ **Bulk Vote**

Ms. Silk stated she will need to step down from the from Item C, I Hospital Aid Association Street Fair Raffle Permit and the friends of Abenaki Winter Carnival Raffle Permit in the bulk vote.

Linda Murray made a motion to remove item C from the Bulk Vote, seconded by Sarah Silk. The members voted and none being opposed the motion passed.

A. Property Tax Refunds/Abatements

Approvals

- i. Abatement/Refund #23

Tax Map 134, Lot 25

Denials

- ii. Abatement/Refund #24

Tax Map 145, Lot 22

B. Intent to Cut Wood or Timber

- i. State Route 109
- ii. Aaron Road

Tax Map 150, Lot 14

Tax Map 173 Lots 35,1,2,3,37

D. Additional Property Tax Warrant - \$1,885

Sarah Silk made the motion to approve an sign the Bulk Vote for A, B & D., seconded by Marge Webster. The members voted and none being opposed, the motion passed.

C. Raffle Permits

- iii. Hospitals Aid Association Street Fair

iv. Friends of Abenaki Winter Carnival

Linda Murray made the motion to approve and sign the Bulk Vote for C, Raffle Permits, seconded by Marge Webster. The members voted and none being opposed the motion passed. Sarah Silk abstained from the vote.

➤ **Appointments**

i. Wolfeboro 250th Committee – Alternate

Mrs. Murray stated that the Board appointed Jim Rogers from the Wolfeboro Historical Society to the Wolfeboro 250th committee. The Historical Society keeps and funds collected for the committee. Jim Rogers is away for the winter and we are asking the Board to appoint Louise Horsken as an alternate so that we will be able to keep accurate records while he is away.

Linda Murray made the motion to approve the appointment of Louise Horsken as an alternate member of the Wolfeboro 250th Committee, seconded by Sarah Silk. The members voted and none being opposed the motion passed.

➤ **New Business**

A. Voluntary Deed Restriction at Abenaki Pond Site

Ms. Ginter stated we have held the two required public hearings and we need to vote on the Voluntary Deed Restriction at Abenaki Pond Site.

Linda Murray made the motion that the Board Grant a Voluntary Deed Restriction which restricts activities on a Town-owned parcel at the Abenaki Pond Site, specifically the parcel of land described on a plan entitled "Overall Site Plan, NH Route 109A, Carroll County, Town of Wolfeboro dated January 2009 by Norway Plains Associates, Inc, seconded by Marge Webster. The members voted and none being opposed the motion passed.

B. Boat Agent Agreement for 2010

Steve Durgin from Goodhue & Hawkins Navy Yard, 244 Sewall Road stated they would like to continue being the Boat Registration Agent for the Town of Wolfeboro. And they hope that the money collected from the registrations will be used towards the maintenance of the town docks as there are many visitors to Wolfeboro who arrive by boat.

Ms. Silk told Mr. Durgin that the money from the registration goes into the General Fund.

Mrs. Murray stated last year the town spent \$25,000 to repair the docks.

Marge Webster to approve and sign the 2010 Boat Agent Agreement with Goodhue Hawkins Navy Yard, seconded by Sarah Silk. The members voted and none being opposed the motion passed.

C. New Rules and Regulations for Use of Community Center

Ms. Silk stated the previous Rules & Regulations for the Community Center were last revised in May 1993. Things have changed over the years. The stove in the kitchen is being removed. There is no alcohol allowed on the premises. She would like to have the Town Manager confirm that the Town Ordinance for no alcoholic beverages is still 5-1. The other changes will be the fees for non-profits groups to \$25 per year to cover the electric and they will need to provide a insurance certificate and for individuals it will remain \$10 per use plus the insurance certificate.

Ms. Webster would like to change under **FEE SCHEDULE #3** and have it read "**Fees are payable in advance by check made payable to Town of Wolfeboro at the Town Managers Office or by cash to the tax Collector's Office**".

Under the **SIGN OUT PRODEDURE FOR THE KEY: #2** changed to same day/evening.

Mrs. Murray suggested it read "**same day/evening after the event**". She also had a question about the clean up for the kitchen area. Since there is no stove are able to bring in food but not cook and who will clean up after them.

Ms. Silk said she thought there was a cleaning person.

Ms. Ginter would like under **RESTRICTIONS: it to read "NO Alcoholic beverages allowed."**

Marge Webster made the motion to accept the purposed changes and to accept the revised Rules and Regulations for the Use of the Community Center and that if be verified that the Town Ordinance for no alcohol is correct, seconded by Sarah Silk, for discussion. The members voted and none being opposed the motion passed.

Discussion:

Ms. Silk asked are we going to include into the motion that someone will verify the Town Ordinance for no Alcohol is still 5-1?

D. Emergency Management Plan

Butch Morrill, Emergency Management Director, asked the Board of Selectmen for their support in signing Emergency Operations Plan for 2010. There has been a lot of work by many dedicated people and I would like to thank all of them.

Ms. Silk spoke as the Chairman of this group, I would like to also like to thank everyone who worked on this Emergency Management Plan. We have been working on this plan for many years. I would like to thank Butch for all his work. We would like to have it ratified by the BOS and send it to the State.

Marge Webster made the motion to approve and sign the Statement of Promulgation to adopt the Wolfeboro, NH Emergency Operations plan, seconded by Linda Murray. The members voted and none being opposed the motion passed.

E. Board of Selectmen's Rules of Procedure

Ms. Ginter asked the Board if they wished to discuss the Selectmen's Rules of Procedure.

Linda Murray made the motion to table the discussion of the Selectmen's Rules of Procedure until the next meeting, seconded by Marge Webster. The members voted and none being opposed the motion passed.

F. Conference: Peter Chamberlin – Budget and Revenue Report through December, 2009

Pete Chamberlain, Director of Finance, spoke to the Board about the 2009 Budget. He stated it looks like we will come in under budget for the year 2009. It looks like the Pop Whalen may have gone over budget, but not by much. We have been conservative throughout the departments.

Mrs. Murray stated since the board increased fees this fall it is okay that the Pop Whalen Enterprise fund went over as long as the fund retains prior years' earnings to cover the loss. (corrections as of 2/3/10)

Ms. Ginter stated it looked like a good report overall. She would like to read some of Expenditure Revenue Report for the public.

"The summary sheet indicates the following percentage expended to date as follows: General Fund 93.795%; Water Fund 92.282%; Electric Fund 92.499%; Sewer Fund 91.023%; and Pop Whalen Fund 93.349%. The overall expended to date is 94.541%." "After all is said and done it would appear that the total of all funds will be in the positive." "Purchase costs of electricity for the year were \$683,492 under budget. It would appear that the combination of individual conservation efforts due to higher electric rates, plus the effects positive weather patterns for the year, served to significantly lower our load requirements." "General Fund revenue as of this report totals approximately 6% over expected receipts at tax setting time. Motor Vehicle Permit Fees receipts exceeded expectations by approximately 8%. The market for recyclables also improved, as did receipts for commercial refuse charges at year end."

Ms. Webster said she thought the report was good and asked when the auditors are scheduled to come and will we be audit ready.

Mr. Chamberlain stated they are scheduled to come in May. And I will be ready.

Mrs. Murray questioned is the new program you installed able to view the 2009 reports and also the 2010 information. This will be a big help to us. (corrections as of 2/3/10)

Mr. Chamberlain stated next month he will be able to send you the report but he will not be able to attend that meeting but will be here for the next meeting to answer your questions.

G. Preparations for Deliberative Session on February 2nd

Ms. Silk informed the Public that the Deliberative Session is scheduled for Tuesday, February 2nd at 7:00 PM at the Kingswood Regional High School and if the weather is not good it will be on Thursday, February 4th at 7:00 PM. She stated the Board has been busy this week doing the televised Warrant Articles. She asked Peter Pijoan when they would be televised.

Mr. Pijoan stated they will be on TV 3 days before the Deliberative Session, Friday, Saturday & Sunday February 29, 30 & 31.

Mrs. Murray stated this will be our last chance to take a look at the Warrant. She said that on petition Warrant Article #19 that we did not bold **"one hundred ten thousand (\$110,000) for the purpose of making repairs and improvements to and maintaining the John Brewster memorial Building (Wolfeboro Town Hall)"** and she would like that sentence bolded.

Ms. Silk updated for the secretary and the newspaper numbering has changed as the Planning Board has dropped one of the Warrant Articles that will change the numbering.

Mrs. Murray also noted on Article 26 there was anotation to be removed. On Article 31; **"(\$10,000) for the purpose of enabling the Wolfeboro 250th Committee to plan, coordinate, promote, and conduct"** in bold type.

Ms. Silk asked on Article 33; Blind Exemption – in bold type **"exemption for the blind for fifteen thousand dollars (\$15,000) of assessed value"**. Article 34; Solar Exemption – in bold type **"for exemption from the assessed value"** then **"solar energy system"** then **"ten thousand dollars (\$10,000) for such system"**.

Mrs. Murray will send an e-mail to Mr. Owen with the corrections. And will follow up with him. She reminded the Board that the Chairman will not be at the Deliberative Session and she would be happy to take over some of his Warrants for questions. She will speak for Warrant's 18 & 27.

Ms. Ginter will speak for Warrant Articles # 27, 28, 29, 30 and Capital Reserves

Ms. Silk will speak for Warrant Article #25.

Ms. Ginter asked Ms. Webster to take these with her.

Ms. Silk asked if we could put on the next agenda to set up a joint meeting with the Budget Committee on TV. She reminded everyone that voting starts at 8 AM.

Ms. Silk said the date of voting as March 9, 2010 (correction as of 2-3-10)

H. Old Business

Ms. Silk stated on January 6 meeting she had asked about the Beech Pond Road culvert. And she has found out that Dave Owen and David Ford have started the process for the needed permits.

Mrs. Murray stated there are a few new statutes regarding the NH Retirement System and there are some bills that we may want keep our eyes on.

Ms. Ginter stated if they pass they will have an impact.

➤ Other Business

Ms. Silk said she would like to tell everyone about a scholarship offered by the Local Government Center. The John B. Andrews Scholarship Program is open to children of New Hampshire municipal, school and village district employees and officials of any unit of local government that is a member/participant of New Hampshire Local Government Center (LGC) services. For more information they can check with the Town Manager's office.

She would also like to inform everyone of an article from Primex that on January 29 there will be a training session on ethics. When I was reviewing this article it said they will have a man from Durham who will lead the State's office of stimulus funds. This has to do with the next bunch of funding to come through and it will be called Job's for Main Street. I will pass it to Mr. Owen to see if Mr. Ford would have any project that might qualify for this program.

Ms. Ginter took this time to announce that she will not be running for the open Board of Selectmen position this time around. She would like to thank the public as well as her fellow board members for their time and for the time she spent working with them. She would like to encourage others to step forward and put their name in the ring.

Ms. Silk said she would like to thank Ms. Ginter. And said that people do not know how much time it takes to be a member of the Board.

Ms. Ginter stated she really does mean it. And the reason she is not running is that she had to make the decision between family and personal and deciding whether to serve another term.

Mrs. Murray said we came through a lot and have worked hard.

➤ Committee Reports

Mrs. Murray stated the Wolfeboro 250th Committee has met this week and they have received a positive response from the public. They hope to have more details for the Board on proposed events for the next meeting.

Ms. Silk stated the Lakes Region Household Hazardous Waste meeting is on Thursday 1/21/10 and the Historic District Commission is also meeting this Thursday 1/21/10.

Ms. Webster stated the Budget Committee has finished the budget. She would to say Thank you for a great job.

Ms. Ginter met with the Planning Board last night which held two public hearings, one to abolish the Historic District Commission and the other to establish a Heritage Commission that oversees the Cotton Mountain portion of the existing Historic District Zoning. They also approved the release the majority of the Bond for the Great Waters Bank project and to keep \$17,700 for the reseeding and returning the property to the original condition.

Mrs. Murray stated if the land is settled and the new owner submits a plan to the Planning Board prior to the town upgrade the drainage in 2011, the town might be able to have the new owner do or pay for the drainage work. (Corrections as of 2/3/10)

Ms. Silk asked if we had received the engineering report from H. E. Bergeron?

Mrs. Murray stated we did get a report from H E Bergeron and the property is to be returned to a green lawn.

➤ **Questions from the Press**

Tom Beeler, Granite State News asked what Article was dropped by the Planning Board?

Ms. Silk replied Article 5: New Names of Zoning Districts was removed.

➤ **Non-Public Session**

Linda Murray made the motion to go into the non-public session at under RSA 91-1:3 II, at 8:05 PM, seconded by Marge Webster. Roll call vote Marge Webster, yes, Sarah silk, yes, Kristi Ginter, yes, and Linda Murray, yes.

The Board went into non-public session at 8:10 PM.

The Board came out of non-public session and re-entered public session at 8:19 PM.

Vice Chairman Ginter announced the minutes of the Non-Public Session will be ready in 72 hours.

➤ **Adjournment**

Sarah Silk made the motion to adjourn the meeting at 8:20 PM, seconded by Marge Webster. The members voted Marge Webster, yes, Sarah silk, yes, and Linda Murray, yes, Kristi Ginter. The motion passed.

Respectfully Submitted by,
Theresa Tavares
Theresa Tavares

Attachments:

- # 1- Correction to minutes from Linda Murray – 2 pages
- #2 – Letter read to the board from Virginia Panaccione – 3 pages