

**Wolfeboro Board of Selectmen
Meeting minutes
Approved
November 17, 2010**

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

Staff present: Town Manager David W. Owen, Planning and Development Director Rob Houseman, Finance Director Pete Chamberlin, Director of Public Works Dave Ford, Director of Parks and Recreation, Municipal Electric Department Director of Operations Barry Muccio and Recording Secretary Amelia Capone-Muccio

Chairman Murray called the meeting to order at 6:15 PM in the Wolfeboro Public Library.

Non-Public Session RSA 91-A: 3II

Member Sarah Silk moved the Wolfeboro Board of Selectmen to enter non-public session at 6:15 PM to discuss litigation. Marge Webster seconded. Roll call vote: Sarah Silk-yes, Chuck Storm-yes, Dave Senecal-yes and Linda Murray-yes, the motion passed.

The Board re-entered public session at 6:25 PM.

Chairman Murray announced that the Board sealed the minutes of the November 17, 2010 non-public session with a 2/3rd vote as required by law.

Chairman Murray called the meeting to order at 6:30 PM in the Wolfeboro Public Library.

Consideration of Minutes

➤ **October 25, 2010**

Chairman Murray amended the following:

- Page three, the first sentence in the first paragraph to read *"Linda Murray stated she would only support a 1% increase in the 100 series in this budget, not a twenty five cent per hour increase"*.
- Page four the first paragraph to read *"Linda Murray stated she would only support a 1% increase in the 100 series in this budget, not a twenty five cent per hour increase"*.
- Page five the second paragraph under Parks & Recreation to add the following at the end of the sentence *"for 2011"*.
- Page seven, the third paragraph from the bottom inserting the word "today" in front of from.
- Page eight, the last sentence in the third paragraph to change the word "taxes" to "their assessment" both times it is mentioned.

Member Marge Webster moved the Wolfeboro Board of Selectmen accept the minutes of October 25, 2010 as amended. Sarah Silk seconded. Members voted and being none opposed the motion passed.

➤ **October 27, 2010**

Member Marge Webster moved the Wolfeboro Board of Selectmen accept the minutes of October 27, 2010 as submitted. Sarah Silk seconded. Members voted and being none opposed, the motion passed.

➤ **November 3, 2010**

Chairman Murray made the following amendments:

- Page two, under announcement, the 13th line should read *"The Board has observed in Mr. Bickford, signs of a disquieting lack of respect for Chief Morrill. Mr. Bickford feels strongly about recruitment of on-call fire fighters and is free to make his position known as a private citizen"*.
- Page two, six lines up from the bottom change "and" to "an".
- Page two, fifth line from the bottom should read *"Mr. Bickford is to be restored to his former position and made whole"*.

Member Sarah Silk moved the Wolfeboro Board of Selectmen accept the minutes of November 3, 2010 as amended. Marge Webster seconded. Members voted and being none opposed, the motion passed.

Public Input

Dick Hamilton of 10 Eagle Trace joined the Board and stated he spent 10 years on the Planning Board. He went on to state that he and others from Fairway View Estates feel abandoned by the town and that he sought guidance from the Chief of Police who gave him the advice that if anytime he should feel threatened to call 911. He requested the town to seek special counsel in FHA laws to deal with a recent request to house brain injured persons in a home in this neighborhood. He requested a copy of such information including hours and fees and also requested any copies of communications with the State regarding this matter. He feels allowing this to happen in the neighborhood is against the Master Plan and Zoning and the people of this neighborhood feel that this home does not fit the criteria. He pointed out allowing such would create a burden on the town making them have to address a private road for sidewalks and ADA compliance.

Fred Tedeschi of 13 Eagle Trace and abutter to the home requesting the approval also expressed his concern the ZBA did not hear from the residents. He also requested the town to seek special counsel in the matter expressing his opinion that this is a commercial business in a residential neighborhood. He also expressed concerns that his neighbors did not have the opportunity to speak to this request and that such would reduce the values of their homes, about which they plan to speak to the Assessing Department.

Chairman Murray thanked them for their comments and noted the Board would take those comments under advisement.

Bob Lemaire stated he has had a chance to review the recently acquired architectural plans for the restoration of Brewster Memorial Hall and sees some misrepresentations in the weatherization. He noted that the exterior walls will remain uninsulated and besides the store front windows and a few in the back, none of the other windows will be replaced. He pointed out not only with this lead to drafts and heat loss, but they will require future maintenance such as painting. He stated although he appreciates this historic monument, not addressing the insulatisation of this building is outrageous. He stated that since the plans are property of the town that he would expect any changes made going forward would be public.

Public Hearing

➤ **Temporary Event Permits**

- 1. *Wolfeboro Area Chamber of Commerce to hold Christmas in Wolfeboro on November 27-December 25, 2010 from 9:00 AM to 9:00 PM at Main and Center Streets, Railroad and Central Avenues, and Cate and Town Park.***

Chairman Murray opened the public hearing.

Mary DeVries joined the Board for discussion and stated they would be running Christmas in Wolfeboro similar to years past including the Santa Parade and Food Pantry Drive all made possible by 35 local businesses and organizations.

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

Ms. Silk noted the comments on the permit request filled out by the Department Heads.

Member Chuck Storm moved the Wolfeboro Board of Selectmen to approve the Temporary Event Permit for Wolfeboro Area Chamber of Commerce to hold Christmas in Wolfeboro on November 27-December 25, 2010 from 9:00 AM to 9:00 PM at Main and Center Streets, Railroad and Central Avenues, and Cate and Town Park. Sarah Silk seconded. Members voted and being none opposed, the motion passed.

- 2. *Wolfeboro Area Chamber of Commerce and Governor Wentworth Arts Council to hold First Night Wolfeboro on December 31, 2010 from 2:00 PM-Midnight at various locations including Main Street, Cate & Town Park, and Wolfeboro Community Bandstand.***

Chairman Murray opened the public hearing.

Mary DeVries joined the Board for discussion and stated they would be running the 16th Annual event, generously supported by area businesses and individuals with a variety of programs including two sets of Fireworks and a parade.

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

Ms. Silk noted the comments on the permit request filled out by the Department Heads.

Member Marge Webster moved the Wolfeboro Board of Selectmen to approve the Temporary Event Permit for Wolfeboro Area Chamber of Commerce and Governor Wentworth Arts Council to hold First Night Wolfeboro on December 31, 2010 from 2:00 PM-Midnight at various locations including Main Street, Cate & Town Park, and Wolfeboro Community Bandstand. Chuck Storm seconded. Members voted and being none opposed, the motion passed.

Bulk Vote

1. *Property Tax Refund/ Abatement*

- Abatement/ Refund # 6 Tax Map 236, Lot 2-5

- | | |
|----------------------------|-------------------------|
| ii. Abatement/ Refund #7 | Tax Map 218, Lot 150PIP |
| iii. Abatement/ Refund #10 | Tax Map 264, Lot 30 |
| iv. Abatement/ Refund #12 | Tax Map 148, Lot 12 |
| v. Abatement/ Refund #13 | Tax Map 164, Lot 5 |

2. Property Tax Credits/ Exemptions

- | | |
|--------------------------|---------------------|
| i. 524 North Main Street | Tax Map 172, Lot 24 |
|--------------------------|---------------------|

3. Notice of Intent to Cut Wood or Timber

- | | |
|--------------|---------------------|
| i. Route 109 | Tax Map 142, Lot 33 |
|--------------|---------------------|

4. Warrants for Current Use Land Use Change Tax

- | | |
|--------------------------|------------|
| i. Tax Map 249, Lot 1-2 | \$452.60 |
| ii. Tax Map 249, Lot 1-1 | \$7,357.40 |
| iii. Tax Map 99, Lot 3-2 | \$5,679.20 |
| iv. Tax Map 23, Lot 1 | \$waived |

5. Raffle Permit

- | |
|---|
| i. Kingswood Regional High School Theater Program |
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Member Sarah Silk moved the Wolfeboro Board of Selectmen accept the bulk vote as submitted above. Marge Webster seconded. Members voted and being none opposed the motion passed.

New Business

A. *Payment-In-Lieu-of-taxes (PILOT) Agreement with Shallow River Properties, Inc. d/b/a Northern Human Services.*

Ms. Silk excused herself from the table and stated she would not take part in discussion and vote noting a conflict.

Mr. Owen stated this PILOT agreement expires at the end of the year and he has provided a new 3-year agreement for the Board to consider.

Member Marge Webster moved the Wolfeboro Board of Selectmen to approve and sign the Payment-In-Lieu-of-taxes (PILOT) Agreement for a 3-year term covering 2011-2013 with Shallow River Properties, Inc. D/B/A Northern Human Services and the Center of Hope for Development Disabilities, Inc. Chuck Storm seconded. Members voted, Sarah Silk-abstained and being none opposed the motion passed.

Ms. Silk returned to the table.

B. *Preliminary Warrant Article Review*

The Board has been provided with draft copies of the Warrant Articles for review and lettered them as follows.

Article A: Renovation of Brewster Memorial Hall \$4,000,000.00 bonded

Chairman Murray stated the Board will seek an additional cost estimate for this project.

Member Chuck Storm moved the Wolfeboro Board of Selectmen to add Article A: Renovation of Brewster Memorial Hall for \$4,000,000.00 to the 2011 Warrant. Sarah Silk seconded. Members voted, Marge Webster-opposed and being no others opposed the motion passed.

Mr. Owen noted that Mr. Ford has drafted a request for qualifications letter for construction management firms and such has been reviewed by the architects for the Board to authorize.

Member Sarah Silk moved the Wolfeboro Board of Selectmen to authorize staff to send out the request for qualifications for construction management firms for the renovation project of Brewster Memorial Hall. Chuck Storm seconded. Members voted, Marge Webster-opposed and being no others opposed the motion passed.

Article B: Install Fire Protection System at Pop Whalen Arena \$149,600.00 bonded enterprise fund

Chairman Murray stated the language should include that this is funded by the enterprise fund.

Ms. Silk questioned the accuracy of the estimate.

Ethan Hipple replied there is a meeting scheduled for tomorrow that will provided him with a more accurate cost estimate.

Member Marge Webster moved the Wolfeboro Board of Selectmen to add Article B: Install Fire Protection System at Pop Whalen Ice Arena to the 2011 Warrant contingent upon an updated cost estimate. Dave Senecal seconded. Members voted and being none opposed the motion passed.

Article C: Pleasant Valley Road Electrical Conversion Project \$ 675,000.00 bonded enterprise fund

Chairman Murray stated the language should include that this is funded by the enterprise fund.

Member Marge Webster moved the Wolfeboro Board of Selectmen to add Article C: Pleasant Valley Road Electrical Conversion Project \$ 675,000.00 to the 2011 Warrant. Sarah Silk seconded. Members voted and being none opposed the motion passed.

Article D: Interim Town Offices \$ 75,000.00 general fund

Chairman Murray stated the language should include that if the renovations to Brewster Memorial Hall fails, this Warrant Article is null and void.

Mr. Owen stated they had received three responses to the RFP for office spaces from the Bell Building, Wicker's building and Clark Plaza. He stated in review with the staff the Bell Building seems to be the best fit, but is the most costly. He stated an alternative location has been reviewed at Huggins Hospital and they are negotiating a cost estimate. He suggested tabling the location to the next meeting when he could provide further details.

Member Dave Senecal moved the Wolfeboro Board of Selectmen to add Article D: Interim Town Offices to the 2011 Warrant contingent upon receiving an updated cost at the next meeting. Chuck Storm seconded. Members voted, Marge Webster opposed and being no others opposed the motion passed.

Article E: Upgrade Parking Lots to ADA Standards \$ 150,000.00 general fund

Member Sarah Silk moved the Wolfeboro Board of Selectmen to add Article E: Upgrade Parking Lots to ADA Standards \$ 150,000.00 to the 2011 Warrant. Marge Webster seconded. Members voted and being none opposed the motion passed.

Article F: Municipal Buildings Maintenance Fund \$150,000.00 general fund

Member Sarah Silk moved the Wolfeboro Board of Selectmen to add Article F: Municipal Buildings Maintenance Fund \$ 150,000.00 to the 2011 Warrant. Marge Webster seconded. Members voted and being none opposed the motion passed.

Article G: Upgrade Town Roads \$ 750,000.00 general fund

Member Marge Webster moved the Wolfeboro Board of Selectmen to add Article G: Upgrade Town Roads \$ 750,000.00 to the 2011 Warrant. Sarah Silk seconded. Members voted and being none opposed the motion passed.

Article H: 2011 Operating Budget

Chairman Murray stated this will be updated once the Budget Committee has completed their review.

Member Marge Webster moved the Wolfeboro Board of Selectmen to add Article H: 2011 Operating Budget to the 2011 Warrant with an amount to be determined. Sarah Silk seconded. Members voted and being none opposed the motion passed.

Article I: Construct Glendon Street Parking Lot \$ 300,000.00 general fund

Member Marge Webster moved the Wolfeboro Board of Selectmen to add Article I: Glendon Street Parking Lot \$ 300,000.00 to the 2011 Warrant. Chuck Storm seconded. Members voted and being none opposed the motion passed.

Article J: Sidewalk upgrades-downtown core \$100,000.00 general fund

Member Marge Webster moved the Wolfeboro Board of Selectmen to add Article J: Sidewalk Upgrades-downtown core \$ 100,000.00 to the 2011 Warrant. Chuck Storm seconded. Members voted and being none opposed the motion passed.

Article K: Reconstruct and Resurface Basketball and Tennis Courts at Foss Field \$210,000 general fund

Ms. Webster noted that this project has been put out before, but those areas need attention as it is a liability issue.

Member Marge Webster moved the Wolfeboro Board of Selectmen to add Article K: Reconstruct and Resurface Basketball and Tennis Courts at Foss Field \$ 210,000.00 to the 2011 Warrant. Chuck Storm seconded. Members voted and being none opposed the motion passed.

Article L: Design of Pine Street/ Crescent Lake Road Improvement project \$ 95,000.00 general fund

Member Marge Webster moved the Wolfeboro Board of Selectmen to add Article L: Design of Pine Street/Crescent Lake Road Improvement Project \$ 95,000.00 to the 2011 Warrant. Sarah Silk seconded. Members voted and being none opposed the motion passed.

Article M: Fire Trucks and Apparatus Replacement Capital Reserve Account \$ 175,600.00 general fund

Chairman Murray stated the amount is consistent with what is recommended by the Department and by the CIP Committee.

Member Sarah Silk moved the Wolfeboro Board of Selectmen to add Article M: Fire Trucks and Apparatus Replacement Capital Reserve Account \$ 175,600.00 to the 2011 Warrant. Marge Webster seconded. Members voted and being none opposed the motion passed.

Article N: Public Works Vehicles and Equipment Capital Reserve Account \$ 155,000.00 general fund

Chairman Murray stated the amount is consistent with what the Department and the CIP Committee recommended.

Member Marge Webster moved the Wolfeboro Board of Selectmen to add Article N: Public Works Vehicle and Equipment Capital Reserve Account \$ 155,000.00 to the 2011 Warrant. Dave Senecal seconded. Members voted and being none opposed the motion passed.

Article O: Communication Upgrades general fund

Ms. Silk stated she spoke with Central Dispatch Supervisor Mia Lyons on the status of the upgrades, but due to the helicopter landing pad at Huggins Hospital, they can only do a small extension of the height of the tower at the Public Safety Building. She stated more information on the estimate will be forthcoming.

Mr. Senecal stated that this has been an issue for thirty years; it is time to do something about it.

Ms. Webster agreed and stated in light of the recent event that could have been tragic it is time to address it.

Member Dave Senecal moved the Wolfeboro Board of Selectmen to add Article O: Communication upgrades to the 2011 Warrant with an amount to be determined. Marge Webster seconded. Members voted and being none opposed the motion passed.

Article P: Police Union Contract Agreement general fund

Member Sarah Silk moved the Wolfeboro Board of Selectmen to add Article P: Police Union contract to the 2011 Warrant with an amount to be determined. Marge Webster seconded. Members voted and being none opposed the motion passed.

Article Q: AFSCME Contract Agreement general fund

Member Sarah Silk moved the Wolfeboro Board of Selectmen to add Article Q: AFSCME Union contract to the 2011 Warrant with an amount to be determined. Marge Webster seconded. Members voted and being none opposed the motion passed.

Article R: Renew Dockside Lease

Mr. Owen stated that the lease for the Dockside Restaraunt will expire before they get to town meeting again and the current lessee Garwood's Inc., has expressed interest in a lease renewal with a longer lease time or have even expressed interest in purchasing the building.

Ms. Silk stated that back in the 1990's the public did not want to sell it.

Ms. Webster stated she would agree to an extended lease as Garwood's has done a great job.

Mr. Senecal stated he is in a position to make a decision to sell it tonight, but would entertain more discussion.

Chairman Murray agreed Garwood's Inc. has done a great job and would support an extended lease, but she would need to think about selling it.

Gregg Roark, Jr. of Garwood's Inc. joined the Board for discussion and stated they would definatley like to renew their lease and would even like to extend the lease beyond three years. They do have interest in buying the property and would be agreeable to future discussions.

Mr. Owen pointed out that a law change allows the town to lease up to five years without voter approval.

Ms. Silk stated they have been good stewards of the building and would agree to a five-year lease.

Member Sarah Silk moved the Wolfeboro Board of Selectmen to enter into a five year lease with a five year extension beginning January 1, 2012 with Garwood's, Inc. for Dockside Restaurant. Chuck Storm seconded.

DISCUSSION:

Dave Ford joined the Board and pointed out Dockside is in need of \$77,000 of repairs, including some major issues. He would support the idea to sell this building with some restrictions as it would remain a restaurant and that the public restrooms would remain public restrooms.

Chairman Murray agreed they would discuss this idea further going forward, but in the interim they have some security with a longer lease.

Members voted and being none opposed the motion passed.

Article S: Rental or Lease of Town Property

Member Marge Webster moved the Wolfeboro Board of Selectmen to add Article S: Rental or Lease of Town Property to the 2011 Warrant. Sarah Silk seconded. Members voted and being none opposed the motion passed.

C. Monthly Budget Expenditures and Revenue Report

Pete Chamberlin joined the Board for discussion and noted that he is seeking the intentions of the Parks and Recreation Director for more clarity on his budget.

Ms. Webster noted her concern regarding the Welfare Budget and if enough has been budgeted for next year. She also questioned if the fax machine is working at her office.

Mr. Chamberlin replied he would look in it.

D. Amendment to the Waste Water Treatment Budget

Dave Ford joined the Board for discussion and explained that in order to maintain permit compliance with NHDES at the RIB site both the site and the need for back up spray irrigation will require additional manpower, therefore he has requested an increase in that budget to \$1,048,975.

Chairman Murray noted that the Budget Committee removed the \$20,000 for legal regarding this account in the Executive Budget and questioned if they should add a legal line to the budget.

Mr. Ford stated he would provide further clarity to them when he meets with them.

Chairman Murray expressed her concern that funding for such would not be included in the budget.

Member Dave Senecal moved the Wolfeboro Board of Selectmen amend the Waste Water Treatment Budget to \$1,048,975 as requested. Sarah Silk seconded.

DISCUSSION:

Chairman Murray suggested amending the motion to note that a further amendment may be needed after the Budget Committee review for the legal line.

Dave Senecal agreed to amend the motion to include a further amendment may be needed after the Budget Committee review. Sarah Silk seconded. Members voted and being none opposed the motion passed.

E. Revised Personnel Policy

Mr. Owen stated the Town's Personnel Policy needed an update noting such has not been done for sometime and he has provided an updated version including a new Family and Medical leave policy and Union Contract negotiated changes.

Chairman Murray had provided some additional changes including upgrading Family and Medical leave to also include step-children and in-laws. She provided a minor language change for flow purposes and included language for a department head to have the authority to write a discharge letter.

Member Marge Webster moved the Wolfeboro Board of Selectmen approve the revisions to the Town's Personnel Policy as recommended. Chuck Storm seconded. Members voted and being none opposed the motion passed.

F. Dates for WCTV presentation of Warrant Articles

The Board discussed and agreed to do the presentation of Warrant Articles on WCTV on January 11, 2011 after 3 PM.

Any Other Business

➤ Resignation Letter

Marge Webster read the following:

I have been very fortunate to have been elected to public life for more than a quarter of a century. I have given my life to a county, a community and its people and have loved it, but now I am leaving it for the love of my life. November 30, 2010 will be last day as a Wolfeboro Selectmen, as well as my last day living in New Hampshire. I want to thank you all for the wonderful experiences, opportunities and privileges that you have given me. I wish you all continued success.

➤ Carroll County Transit Communication

Ms. Silk questioned if they are looking to meet with the Board.

Mr. Senecal replied they are to review the next steps.

Town Manager's Report

Mr. Owen stated the following:

- He noted the Board needs to schedule a date for the Public Hearing on Bond Articles.
- He provided the Board with the Town Offices and employees Holiday Schedule as follows:
Christmas and the day before Christmas holidays will be observed Friday, December 24th and Monday, December 27th. New Year's Day holiday will be observed Friday, December 31st. The Solid Waste Facility will be closed Friday, December 24th and Saturday, December 25th, but will be open on Sunday, December 26th and Monday, December 27th. It will also be closed on Saturday, January 1, 2011.
- He will be out of the country December 3, 2010 to December 20, 2010 and Rob Houseman will be Acting Town Manager.
- He will be attending a conference at the Local Government Center most of the day tomorrow.

The Board scheduled the Public Hearing on Bond Articles for December 15, 2010.

Committee Reports

Chairman Murray reported the following:

- The 250th Anniversary Committee held the closing ceremony on November 14, 2010 and will be coming before the Board at their December 1st meeting to provide an update of all the celebrations.
- The Milfoil joint Board met and has been discussing the boats and storage of such boats.

Mr. Storm stated the Planning Board met and have discussed the Zoning updates for the area of 109A and a small section of Route 28.

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 adjourn.

Member Dave Senecal moved the Wolfeboro Board of Selectmen to adjourn at 8:30 PM. Member Marge Webster seconded. Being none opposed, the motion passed.

Respectfully submitted,

Amelia Capone-Muccio

Recording Secretary