

**Wolfeboro Board of Selectmen
Meeting Minutes
Approved
April 23, 2014**

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

Members excused: None.

Staff present: Town Manager David W. Owen, Finance Director Pete Chamberlin, Planning and Development Director Rob Houseman, Parks and Recreation Director Ethan Hipple, and Recording Secretary Amelia Capone-Muccio.

Chairman Murray opened the meeting at 7:30 PM.

Non-Public Session

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

Consideration of Minutes

➤ **4/9/14**

Ms. Silk amended page 1, the first paragraph to add “plus a half dozen officials who were not compensated” to the last line. She amended page seven to add the following after the second paragraph “Ms. Silk suggested Mr. Hipple advise of the actual cost of the additional days open and submit the actual amount for minus ticket sales”. She amended the first motion, the first line “skinning” to “skiing”.

Mrs. Murray amended page 2 the first paragraph under Public Hearings to remove the reference of her stepping down. She amended page nine, the fourth paragraph to add the following to the end of the sentence “based on the time value of money”.

Member Sarah Silk moved the Wolfeboro Board of Selectmen to approve the minutes of April 9, 2014 as amended. Brad Harriman seconded. Members voted and being all others in favor, the motion passed.

➤ **4/12/14**

Mrs. Murray amended the minutes to change the formatting of the minutes.

Member Linda Murray moved the Wolfeboro Board of Selectmen to approve the minutes of April 12, 2014 as amended. Sarah Silk seconded. Members voted and being all others in favor, the motion passed.

Public Input

Mary Devries from the Chamber of Commerce stated she was pleased to see members of the staff and Board of Selectmen at the Chamber's annual member mingle event.

Public Hearings

➤ *Temporary Event Permits*

A. Governor Wentworth Arts Council to hold "Paint the Town" on September 6, 2014 (rain date September 13, 2014) from 8:30 AM-4:00 PM at various locations throughout Town.

Chairman Murray opened the public hearing.

Madeline Albee and Debbie Hopkins addressed the Board.

Ms. Hopkins stated they are co-chairs of the event. She noted they do plan to use the bandstand for about a half hour for music.

Ms. Albee noted it is a popular event and people come from all over to participate.

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

It was moved by Sarah Silk and seconded by Dave Bowers to approve the issuance of a Temporary Event Permit to Governor Wentworth Arts Council to hold "Paint the Town" on September 6, 2014 (rain date September 13, 2014) from 8:30 AM-4:00 PM at various locations throughout Town, including the Community Bandstand. Members voted and being none opposed, the motion passed.

B. Hospital Aid Association to hold the Spring Fundraiser on May 9-10, 16-17, 23-24, 30-31 and June 6-7, 13-14, 2014 from 10:00 AM-3:00 PM at 65 Pine Hill Road.

Ms. Silk stepped down from discussion.

Chairman Murray opened the public hearing.

Bob and Jane Wass addressed the Board to present the request for a spring fundraiser as they have done in the past and all proceeds go to patient care at Huggins Hospital. She noted the insurance expires in May but they will submit the new one once received.

Being no one to speak for or against the request, Chairman Murray closed the public hearing. She noted the notes on the permit.

It was moved by Dave Senecal and seconded by Brad Harriman to approve the issuance of a Temporary Event Permit to the Hospital Aid Association to hold the Spring Fundraiser on May 9-10, 16-17, 23-24, 30-31 and June 6-7, 13-14, 2014 from

10:00 AM-3:00 PM at 65 Pine Hill Road. Members voted and being none opposed, the motion passed.

C. Harriman-Hale American Legion, Post 18 to hold the Memorial Day Parade on May 26, 2014 from 9:30 AM-Noon starting at Brewster Field and ending at Dockside.

Chairman Murray opened the public hearing.

Harold Chamberlin addressed the Board and stated this event will run as in the past and if it rains the event will be held at the Wright Museum.

Being no others to speak for or against the request, Chairman Murray closed the public hearing. She noted the notes on the permit.

It was moved by Sarah Silk and seconded by Dave Bowers to approve the issuance of a Temporary Event Permit to Harriman-Hale American Legion, Post 18 to hold the Memorial Day Parade on May 26, 2014 from 9:30 AM-Noon starting at Brewster Field and ending at Dockside . Members voted and being none opposed, the motion passed.

D. Harriman-Hale American Legion, Post 18 to hold the 4th of July Parade on July 4, 2014 (rain date July 5, 2014) from 7:00 AM-1:00 PM starting at Forest Road and ending at Brewster Academy.

Chairman Murray opened the public hearing.

Harold Chamberlin addressed the Board and stated this is an annual event and the theme this year is "The way it used to be".

Being no others to speak for or against the request, Chairman Murray closed the public hearing. She noted the Wolfeboro Area Children's Center event scheduled for July 5th will be rescheduled to July 12th if the parade is rained out.

It was moved by Sarah Silk and seconded by Brad Harriman to approve the issuance of a Temporary Event Permit to Harriman-Hale American Legion, Post 18 to hold the 4th of July Parade on July 4, 2014 (rain date July 5, 2014) from 7:00 AM-1:00 PM starting at Forest Road and ending at Brewster Academy. Members voted and being none opposed, the motion passed.

E. New Hampshire Boat Museum to hold Model Yacht Regattas from April 1-November 8, 2014, Tuesdays only, from 12:00 Noon-5:00 PM along the Bridge Falls Path.

Chairman Murray opened the public hearing.

Mike Whitehead addressed the Board and stated this is the 6th annual event.

Being no others to speak for or against the request, Chairman Murray closed the public hearing. She noted the insurance will need to be updated in June.

It was moved by Sarah Silk and seconded by Dave Bowers to approve the issuance of a Temporary Event Permit to New Hampshire Boat Museum to hold Model Yacht Regattas from April 1-November 8, 2014, Tuesdays only, from 12:00 Noon-5:00 PM along the Bridge Falls Path . Members voted and being none opposed, the motion passed.

F. New Hampshire Boat Museum to hold a “Footy” Regatta on June 14, 2014 from 8:00 AM-5:00 PM along Bridge Falls Path.

Chairman Murray opened the public hearing.

Mark Whitehead addressed the Board and stated this is the 15th annual event with no changes for radio controlled sailboats.

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

Ms. Silk noted the insurance expires in June.

It was moved by Sarah Silk and seconded by Brad Harriman to approve the issuance of a Temporary Event Permit to the New Hampshire Boat Museum to hold a “Footy” Regatta on June 14, 2014 from 8:00 AM-5:00 PM along Bridge Falls Path. Members voted and being none opposed, the motion passed.

G. Wolfeboro Area Chamber of Commerce to hold a Festival on June 19-21, 2014 from 6:00 AM-8:00 PM at 61 Central Avenue.

Chairman Murray opened the public hearing.

Mary DeVries addressed the Board and stated this is a new event in an attempt to participate in the Motorcycle Week events this summer in Laconia. She explained they are requesting to set up some vendor tents to entice some of the motorcycle enthusiasts to visit Wolfeboro.

Rick Gagne, President of the Chamber of Commerce, addressed the Board and stated the intent is not to compete with Laconia, but just to have a few vendors downtown to draw some of the motorcycle enthusiasts to Wolfeboro. He noted the vendors would not sell products that compete with the local businesses. They will not be selling food, just motorcycle related products or services such as photography and detailing.

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

Ms. Silk questioned how many vendors.

Mrs. DeVries replied 10.

It was moved by Sarah Silk and seconded by Dave Bowers to approve the issuance of a Temporary Event Permit to the Wolfeboro Area Chamber of Commerce to hold a

Festival on June 19-21, 2014 from 6:00 AM-8:00 PM at 61 Central Avenue. Members voted and being none opposed, the motion passed.

Bulk Vote

A. Weekly Manifests:

1. Manifest dated April 18, 2014
2. Manifest dated April 25, 2014

B. Property Tax Abatements/Refunds

Approvals

- i. 437 North Main Street Tax Map 173 Lot 23
- ii. 60 Port Wedlen Tax Map 201, Lot 23

Denials

- iii. River Street Tax Map 205, Lot 15

C. Property Tax Credits/Exemptions

Approvals

- i. 157 Pine Hill Road Tax Map 161 Lot 6
- ii. 69 Camp School Road Tax Map 253, Lot 2
- iii. 86 Pine Hill Road Tax Map 176, Lot 2

Denials

- iv. 274 Pine Hill Rd Tax Map 145, Lot 28

D. Notice of Intent to Cut Wood or Timber

- i. Route 109 Tax Map 167, Lot 28
- ii. Waumbec Road Tax Map 173, Lot 3
- iii. Tibbetts Hill Road Tax Map 108, Lot 2
- iv. Trotting Track Road Tax Map 146, Lots 8 & 15

E. Timber Tax Levies

- i. \$1,336.91
- ii. \$1,326.67

F. Land Use Change Tax

- i. 144 Springfield Point Road Tax Map 226, Lot 4

G. Raffle Permits

- i. Kingswood Regional High School's Future Business Leaders of America-50/50 Raffle during Prom Promenade.
- ii. Perform It! Young People's Stage Company

Ms. Silk noted that a copy of the ticket was not included with the raffle permit.

It was moved by Sarah Silk and seconded by Dave Bowers to accept the Bulk Vote items A-G. Members voted and being none opposed, the motion passed.

New Business

A. Adoption of the Board of Selectmen's Rules of Procedure

Chairman Murray stated the Board discussed the Rules of Procedure at the last meeting and made a change to the Agenda to remove the Chamber of Commerce from the end of the Agenda and allow them to speak under Public Comment. The Rules are ready for approval.

It was moved by Dave Bowers and seconded by Sarah Silk to approve and sign the revised Selectmen's Rules of Procedures. Members voted, being all in favor, the motion passed.

B. Taxi Cab License-I Ride NH

Mr. Owen stated the I Ride NH Taxi Cab Company is seeking to renew their license for another year.

Chairman Murray questioned if there is a sticker on the cab.

Mr. Owen replied he believes there is.

Ms. Silk questioned if the Police Department approved the cab.

Mr. Owen replied he did not know, but would look into it.

It was moved by Sarah Silk and seconded by Dave Bowers to approve and sign the Taxi Cab License for I Ride NH subject to the Police Department inspecting the vehicle. Members voted, being all in favor, the motion passed.

C. Commercial Vessel Landing Permit-Mille B

Margaret Wood, Operations Manager, addressed the Board for the annual Commercial Vessel Land Permit for the Mille B.

Chairman Murray noted the handout kiosk needs to be placed below her sign.

Ms. Wood questioned sandwich signs.

Chairman Murray replied the only change to the ordinance was to allow room for three signs, the rest remains the same.

It was moved by Sarah Silk and seconded by Dave Bowers to approve and sign the Commercial Vessel Landing Permit for the Mille B, and also to approve the requested sign permit for the New Hampshire Boat Museum. Members voted, being all in favor, the motion passed.

D. Monthly Budget Expenditures and Revenues Report

Pete Chamberlin addressed the Board to discuss the monthly Budget Expenditures and Revenues Report. He stated that the budget is where it should be with the exception of the Highway Budget that is struggling due to the weather. He noted there are some posting errors in the report and those will be corrected.

Mr. Harriman questioned the solid waste telephone line.

Mr. Chamberlin replied he would check into it.

E. Authorization of the copier lease

Pete Chamberlin provided the RFP's from the copier lease and stated that Seacoast Machines had the lowest bid and will cover the disposal cost of the copiers at the end of the lease.

Chairman Murray questioned the quality of them.

Ms. Silk questioned the brand of copier.

Mr. Chamberlin replied they are a better quality than what we have now, Sharp.

It was moved by Brad Harriman and seconded by Dave Bowers to approve entering into a 4-year lease agreement with Seacoast Business Systems in the amount of \$905.28/month. Members voted, being all in favor, the motion passed.

F. Sale of Mead (Alcoholic Beverage) at the Farmers Market

Mr. Owen stated that the Sap House Meadery is seeking a request to sell their Mead at the Farmers Market again this year. He recommends approving the request with the same conditions as last year:

- That no sampling of the product will occur in Clark Park.
- That all bottles of mead purchased at Clark Park be removed from the premises before being opened and consumed.
- That the seller will adhere to all laws and rules pertaining to the sales of alcoholic beverages, including carding for age verification.

It was moved by Sarah Silk and seconded by Dave Senecal to approve the request of Sap House Meadery of Ossipee to sell mead at the Wolfeboro Area Farmers Market, subject to the conditions that no sampling of the product will occur in Clark Park, that all bottles of mead purchased at Clark Park be removed from the premises before being opened and consumed, and that the seller will adhere to all laws and rules pertaining to the sale of alcoholic beverages, including carding for age verification. Members voted, being all in favor, the motion passed.

G. Arbor Day Proclamation

Ethan Hipple addressed the Board and stated that Arbor Day is 5/9/2014 and they will be celebrating it with the 5th grade class at Crescent Lake School and planting several trees at Clark Park. He noted that the Town will purchase two trees and Bartlett Tree is donating another and the Lion's Club and Rotary Club are donating another. He read the attached Proclamation.

It was moved by Sarah Silk and seconded by Dave Bowers to approve and sign the Arbor Day Proclamation. Members voted, being all in favor, the motion passed.

H. Accept Gift of Free Contractor Labor on Community Bandstand Improvement Project

Chairman Murray stated this is another example of a caring community with someone from the community volunteering their skills.

Mr. Hipple stated that the Friends of the Community Bandstand had approached him last year with regards to making some repairs to the bandstand and he included funds in his budget to do so. He put the project out to bid and it was Jon Lovering's bid that caught their attention as he has offered to donate his labor if the Town purchases the materials.

Ms. Silk stated this is another great example of a public/ private partnership and it is nice to be part of a community that does this.

It was moved by Sarah Silk and seconded by Dave Bowers to accept the donation of contractor labor from Jonathan Lovering to perform the repairs at the Wolfeboro Community Bandstand. Members voted, being all in favor, the motion passed.

It was moved by Dave Bowers and seconded by Sarah Silk to commend Jonathan Lovering for such a generous gift. Members voted, being all in favor, the motion passed.

I. Review of Master Plan Implementation Matrix

The Board reviewed and made minor revisions to the Master Plan Implementation Matrix.

Chairman Murray stated she would like to review the Board's goals at the next meeting and the Board agreed to do that at the second meeting in May.

Any Other Business

Mrs. Murray provided an update on the RIB lawsuit where the town is the Plaintiff in the case as follows:

- The Town's claim against Wright Pierce is professional negligence, breach of contract, negligent misrepresentation, fraudulent misrepresentation, violation of RSA 358-A Consumer Protection Act and the Town is seeking damages.
- On April 3rd Sarah Silk and I attended the pre-trial conference in the morning.
- On April 14th, the day before the trial, Brad Harriman, Sarah Silk, Dave Owen and I met in an all-day court mediation session with Judge Mcaferty who was hearing the Town's case to see if a settlement could be reached.
- On April 15th Sarah Silk and I attended the first day of trial. Court opened and the jury was picked (2 females and 8 males). Judge Declarico ruled on Wright Pierce's two late filings in favor of the Town. The Town has won 8.5 out of 9 pretrial filings.
- In the afternoon of April 15th she was on the stand.
- On April 16th Sarah Silk and I attended the trial and Dave Ford was called to the stand by our Attorneys.
- On April 17th Sarah Silk and I attended the trial in the morning and Dave Owen covered for her in the afternoon. Dave Ford was on the stand being questioned by our Attorneys.
- On April 18th Sarah Silk and Dave Bowers attended the trial. Dave Ford was on the stand being questioned by opposing counsel.

- On April 21st Sarah Silk and I attended the trial. Dave Ford was on the stand all day.
- On April 22nd Sarah Silk and I attended the trial. Dave Ford was on the stand in the morning followed by Russ Howe, Wolfeboro's Waste Water Treatment Plant operator. Blake Martin from Weston and Sampson started his testimony late in the afternoon.
- On April 23rd Sarah Silk and I attended the trial. Jesse Swaulbaum and Peter Atherton were on the stand.

Ms. Silk stated the Household Hazardous Waste Collections will begin May 17, 2014 from 8:30 AM to Noon. She noted the medication collections will be in June, August (Wolfeboro) and September (Alton), but noted the DEA Drug Take Back will take place Saturday, April 26, 2014 at the Public Safety Building.

Mr. Bowers stated with regards to the recent information from the Wolfeboro Area Children's Center who has reported their projections of need have decreased and they will be returning funds to the Town, concern him and he would like to see a study of demographics for the area.

Rob Houseman stated that the Planning Board has discussed conducting a localized census.

Brad Harriman questioned if the Town has ever considered providing an amnesty day for dumping for items that are typically require a fee. It seems to work well in Ossipee.

Ms. Silk replied she would discuss that with the Solid Waste Supervisor.

Town Manager's Report

Mr. Owen reported the following:

- The Children's Center has provided notification to the Town they will be returning some of the funds requested from the Town due to low enrollment.
- He provided a report from the Contract Assessor noting 88 assessment applications but noted that about half of them are from Winnepesaukee Drive. He noted that the Town has started taxing RV's according to State Statute. Chairman Murray expressed her concerns with taxing the 501C (3) properties.
- He will be providing some revisions to the Town's personnel policy at the next meeting.
- He noted the transition of Welfare Department position is going well and reported the food vouchers are \$1,000 less than last month now that they are verifying that those receiving them meet the guidelines.
- He forwarded a communication from Senator Bradley with regards to the gas tax.
- He provided an update and plan for the Interim Town Office space at Huggins Hospital. He noted that the agreement with CCI is nearing its final stage and is being reviewed by Town Counsel. They interviewed 3 architects and recommend contracting with NCA Architects not to exceed \$225,000.

Mr. Harriman questioned if any of the scope was removed when they reduced their cost. Mr. Owen replied that some items such as landscaping services were removed as it was not needed.

It was moved by Dave Bowers to accept the RFP for NCA Architects not to exceed \$225,000 for architectural services for the renovation to the Town Hall. Brad Harriman seconded. Members voted and being all in favor, the motion passed.

Mr. Houseman noted that the Clerk of the Works RFQ is going out tomorrow.

Committee Reports

Ms. Silk stated she attended a K9 demonstration in Concord at the Wild NH exhibit and found it fascinating. She will share the information with the K9 Committee that is researching a new K9.

Mr. Senecal reported he attended the Budget Committee meeting.

Mrs. Murray questioned if the Board would agree to amend the meeting time of the May 7th meeting to 7:00 PM due to the court schedule. The Board agreed.

Public Comment

None.

Questions from the Press

None.

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

Member Dave Bowers moved the Wolfeboro Board of Selectmen to enter non-public session at 8:51 PM to discuss litigation. Dave Senecal seconded. Roll call vote: Sarah Silk-yes, Dave Bowers-yes, Brad Harriman-yes, Dave Senecal-yes and Linda Murray-yes, the motion passed.

The Board re-entered public session at 9:26 PM.

Chairman Murray stated the non-public session minutes of April 23, 2014 were sealed by a 2/3rds vote as required by law.

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 9:27 PM. Member Linda Murray seconded. Being none opposed, the motion passed.

Respectfully submitted,
Amelia Capone-Muccio
Recording Secretary