

Wolfeboro Board of Selectmen
Public Meeting Minutes-Approved
April 6, 2016

Members present: Chairman Brad Harriman, Linda Murray, Dave Bowers, Luke Freudenberg and Dave Senecal

Staff present: Town Manager David W. Owen, Police Captain Dean Rondeau and Recording Secretary Michele Chamberlain.

Chairman Brad Harriman opened the meeting at 6:30 PM.

Non-Public Session RSA 91-A3

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

Consideration of Minutes

Chairman Harriman asked for approval from the Board of the March 16, 2016 Regular Meeting Minutes, March 14, 2016 Special Meeting Minutes and March 29, 2016 Special Meeting Minutes.

It was moved by Linda Murray and seconded by Dave Bowers to accept the minutes of March 16, 2016 with an amendment to page 7 as follows: Linda Murray thanked Lucy Van Cleve for chairing a successful Fisherville event. She also thanked Caroline Nolan for all of her work for the Fisherville event.. Members voted and being none opposed, the motion passed.

It was moved by Luke Freudenberg and seconded by Linda Murray to accept the minutes of March 14, 2016 as written. Members voted and being none opposed, the motion passed.

It was moved by Dave Bowers and seconded by Dave Senecal to accept the minutes of March 29, 2016 as written. Members voted and being none opposed, the motion passed.

Public Input

Limited to 3 Minutes per resident, not to exceed 15 minutes in total

Josephine Amatucci brought a paper to the podium.

Ms. Amatucci stated:

Good Evening,

My name is Josephine Amatucci. I'm still confused about the union contract. According to my interpretation and two lawyers, it says here the Town and the Commission here by contain and

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Approved by the Board

reserve onto themselves the complete management and administrative control of the Town's Police Department. I mean doesn't this talk for itself. It says here the Town and the Police Commission. So now I say that you people have jurisdiction over the Police. Which means that according to the Intro Procedure when someone like me accuses the Police of criminal conduct, **Criminal** like worst kind, right? Then you have to get an outside unbiased investigation done on the Police and on Rob Houseman. Now, Um, Mr. Owen made a statement saying that Rob Houseman did what he did in good faith but according to the law good faith is not a defense of criminal conduct. So he has to be terminated. So now I ask you in front of the Public, Do you or Do you not according to the Union Contract have equal jurisdiction with the Police Commissioners over the Police? I want that answer and if you don't know that answer there is a lawyer here. So I'm asking again, **What is your answer?**

Chairman Harriman started to speak.

Ms. Amatucci yelled I want a straight answer, do you or do you not?

Chairman Harriman stated, "we answered your concern in a letter and that is all we are going to say on the matter."

Ms. Amatucci yelled louder, Do you or do you not have jurisdiction, Yes or No? Answer me!!

Chairman Harriman stated, "we answered you."

Ms. Amatucci yelled, WHAT?

Chairman Harriman stated, "I answered you."

Ms. Amatucci said, so you said yes or no?

Chairman Harriman stated, "I answered you."

Ms. Amatucci asked, so what are you saying?

Chairman Harriman stated if you let me finish what I was saying, we have given you written answers and that is our response.

Ms. Amatucci yelled **I know you have jurisdiction!** So now what I am demanding under due process of the constitutional and federal law is that you get an outside investigator and you have all these criminals: Rondeau, Police Chief Chase, and Rob Houseman. I want them investigated by an unbiased outside investigator which is according to the internal affairs procedure set up by the Attorney General. **THAT** is the procedure! So now I want this outside investigation done. I want it done or I will sue every one of you for aiding and abetting criminals!

Chairman Harriman asked is there any other public input?

Claude Rossinger asked the Board if he could request a time when he could talk to the Board at length since three minutes wouldn't be enough time. He stated he had concerns about the actions and behavior of the Public Works Department. He had issues with the maintenance of gravel roads and mischief of signs and a tree being destroyed. He would like the Highway Department to answer some questions pertaining to these matters.

Chairman Harriman thanked Mr. Rossinger.

Public Hearings

A. Temporary Outdoor Event Permits

i. Wolfeboro Lions Club

Chairman Harriman opened the public meeting.

Roger Murray, Representative of the Lion's Club, addressed the Board. The Lion's Club sponsors this event. He stated it is the 42nd Annual Great Smith River Canoe and Kayak Race. The race begins at Allen Albee Beach, crosses Lake Wentworth to Smith River, passes through Smith River to Crescent Lake, across Crescent Lake to the Crescent Lake dam and a short white water portion to Wolfeboro Falls where there is a portage, then through Backbay to the finish. Registration is at the Albee Beach on Saturday, May 21, 2016.

Chairman Harriman closed the public meeting.

Linda Murray stepped down.

It was moved by Dave Senecal and seconded by Dave Bowers to approve the issuance of a Temporary Outdoor Event Permit to the Wolfeboro Lions Club to hold the 42nd Annual Great Smith River Canoe and Kayak Race on May 21, 2016 from 9:00 AM – 4:00 PM beginning at Albee Beach and ending at Dockside. Linda Murray abstained. Members voted and being none opposed, the motion passed.

ii. Kingswood Regional High School-Class of 2016

Chairman Harriman opened the public meeting.

Jennifer DoCarmo, Advisor for the Kingswood Class of 2016, addressed the Board. She stated the Promenade has been happening for over fifteen years. The Prom takes place on May 7, 2016 beginning at 4:30 PM and ending at 7:00 PM. Promenade starts with at 5:00 PM and boarding the Mount Washington at 6:00 PM. Parents, families and friends gather to watch seniors and their dates being introduced at Cate Park prior to boarding the Mount Washington. Senior parents have agreed to pick up any debris left behind on the grounds after the event.

It was moved by Luke Freudenberg and seconded by Dave Senecal to approve the issuance of a Temporary Outdoor Event Permit to the Kingswood Regional High School - Class of

2016 to hold the Prom Promenade on May 7, 2016 from 4:30 -7:00 PM at Cate Park and the Wolfeboro Community Bandstand. Linda Murray abstained. Members voted and being none opposed, the motion passed.

Chairman Harriman closed the public meeting.

B. Proposed Disposition of an approximately 16 square foot parcel of Town owned land on Wood Avenue with 8 feet of frontage on Back Bay to Sawmill Marina

Chairman Harriman opened the public meeting.

Linda Murray stepped down.

Roger Murray, attorney for Sawmill Marina addressed the Board. The Sawmill Marina is seeking permission to acquire the proposed disposition of a small (16 sq. ft.) parcel of land on Wood Avenue. The Marina needs to rebuild their docks so the space is needed. The docks will be shorter and will have less impact to Back Bay. The Planning Board recommends that the Town consider having the area as a potential public use of the shorefront area of Wood Avenue as a public greenspace/park and hand launch boat access to Back Bay.

Dave Bowers questioned the area of a boat launch.

Mr. Murray stated the Planning Board recommended a hand launch boat ramp.

Mr. Owen stated the Planning Board recommended that the Town consider evaluating the potential public use of the shorefront area of Wood Avenue as a public greenspace/park and hand launch boat access to Back Bay. Mr. Owen stated although the boat launch wouldn't be able to be completed, the greenspace/park could be done so the public could enjoy the area.

Chairman Harriman agreed that the area would be nice for the public and asked that if the Marina could put a bench, some chairs and maintain the area as compensation for getting the land.

Mr. Murray stated the Marina has maintained these areas for years.

Ms. Mary Pinkham-Langer stated we have picnic tables and some lawn chairs that we have provided over the years. The only concern we would have is the issue of parking.

Chairman Harriman stated this is one of the two public hearings that are required for this matter. The second hearing will take place on April 20, 2016. There is no action required to be taken by the Selectmen at this time.

Chairman Harriman closed the public meeting.

C. Accept Grant Over \$10,000

i. NH Highway Safety Project #315-16B-098-Wolfeboro Radar Trailer and Radar in the amount of \$20,247.50

Chairman Harriman opened the public meeting.

Mr. Owen stated that the grant notice was for \$20,495.00 but the Town's portion is \$10,247.00 since it is a 50/50 grant.

Police Captain Dean Rondeau addressed the Board. This actually is for two grants. The first grant is for a radar unit that would go into one of our patrol cars. This is a 50/50 grant match meaning we would spend approximately \$5,000 and be reimbursed \$2,500. The second grant is for a motor radar trailer. It is a warning sign display which is digital. This would be used to help educate the motoring public and slow vehicles in congested areas. The sign could also be used for our departments such as Parks and Recreation. This is also a 50/50 matching grant. Therefore, if the trailer is \$15,000 we would be reimbursed \$7,500.

Claude Rossinger addressed the Board. Mr. Rossinger stated he felt that you didn't need to slow traffic down in congested areas because it was already going slow. He stated we need to attend to how our town looks and how much stuff due we want to put on our roadsides. Also, he stated this requires money so how much money do we want to spend on this.

Mr. Owen stated that the Town has been trying to acquire one of these message boards for some years now and the police department has finally been successful in obtaining a grant for at least partial funds. This can be used for advising motorists of detours or emergencies. It will have multiple uses. Mr. Owen stated that many surrounding towns have these signs already and it has been something we have been working on to add to our tool kit and capabilities.

Chairman Harriman stated the sign in Tuftonboro has made him aware of his speed when he might be going a little too fast and the sign does its job when it is up there.

Linda Murray stated with the Center Street project approaching in the fall we will need to be detouring traffic in our business district and it would be nice to have one of these signs to help with the traffic flow. She stated that she is in total support of getting the grant and having the sign at our disposal.

Chairman Harriman closed the public meeting.

It was moved by Luke Freudenberg and seconded by Linda Murray to approve accepting a grant of \$10,247.50 from NH Highway Safety Project #315-16B-098 entitled Wolfeboro Radar Trailer and Radar. Members voted and being none opposed, the motion passed.

Bulk Vote

A. Weekly Manifests

March 25, 2016

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Approved by the Board

April 1, 2016

April 8, 2016

B. Property Tax Refunds/Abatements:

Approvals:

- | | |
|-----------------------------------|--------------------|
| i. Abatement/Refund #14 (2015) | Tax Map 201 Lot 2 |
| ii. Abatement/Refund #17 (2015) | Tax Map 200 Lot 11 |
| iii. Abatement/Refund #35 (2015) | Tax Map 215 Lot 7 |
| iv. Abatement/Refund #56 (2015) | Tax Map 204 Lot 93 |
| v. Abatement/Refund #71 (2015) | Tax Map 113 Lot 24 |
| vi. Abatement/Refund #135 (2015) | Tax Map 227 Lot 3 |
| vii. Abatement/Refund #136 (2015) | Tax Map 268 Lot 44 |

Denials:

- | | |
|--|--------------------|
| viii. Abatement/Refund #15 (2015) | Tax Map 186 Lot 20 |
| ix. Abatement/Refund #74 (2015) | Tax Map 203 Lot 58 |
| x. Abatement/Refund #94 (2015) | Tax Map 244 Lot 9 |
| xi. Abatement/Refund #120-Part 1 (2015) | Tax Map 187 Lot 81 |
| xii. Abatement/Refund #120-Part 2 (2015) | Tax Map 187 Lot 84 |

C. Property Tax Credits/Exemptions:

Approvals:

- | | |
|---------------------------|--------------------|
| i. 65 New Garden Road | Tax Map 246 Lot |
| ii. 509 South Main Street | Tax Map 252 Lot 13 |

Denials:

- | | |
|-------------------------|--------------------|
| iii. 32 Stonehenge Road | Tax Map 259 Lot 84 |
|-------------------------|--------------------|

D. Notices of Intent to Cut Wood or Timber

- | | |
|----------------------|---------------------|
| i. Route 109 | Tax Map 142 Lot 33 |
| ii. Route 28 | Tax Map 148, Lot 11 |
| iii. North Line Road | Tax Map 115 Lot 1 |

E. Yield Tax Levy Warrants

- i. \$1,638.19
- ii. \$455.18

F. Form MS-232 for 2016-Report of Appropriations Actually Voted

G. Voucher to Trustees of Trust Funds

- i. Wastewater Treatment Plant Capital Reserve Fund--\$25,626.16

H. Accept Grant of Less than \$10,000

- i. NH Dept. of Safety-Bicycle/Pedestrian Patrols \$5,752.80

I. Raffle Permit—Perform It! Young People’s Stage Company

It was moved by Linda Murray and seconded by Dave Bowers to approve items A through I in the Bulk Vote. Members voted and being none opposed, the motion passed.

New Business

A. Board of Selectmen's Rules of Procedure

Mr. Owen stated at the last meeting it was requested that Section IV-E of the Selectmen's Rules of Procedure be amended. It has been revised so that it now reads: "Votes shall be by voice, show of hands, or by a roll call." He stated that show of hands is the new item.

It was moved by Linda Murray and seconded by Dave Senecal to approve and sign the amended Board of Selectmen's Rules of Procedure. Members voted and being none opposed, the motion passed.

B. Commercial Vessel Landing Permits

i. Millie B

Joe DeChairo, Chairman of the New Hampshire Boat Museum, addressed the Board. He stated we are requesting a Commercial Vessel Landing Permit for the Millie B and it will have the same route and times as the previous years.

Chairman Harriman stated your insurance certificate expires in June so we would need an updated copy for our records.

Linda Murray questioned whether the sign would be the same as last year.

It was moved by Dave Senecal and seconded by Dave Bowers to approve and sign a Commercial Vessel Landing Permit for the Millie B for the 2016 season. Members voted and being none opposed, the motion passed.

ii. MS Mount Washington

James Morash, Captain of the Mount Washington. addressed the Board. He stated that the Glidden tour would be returning to the Lakes Region. It is the oldest auto club in the country. They will be taking the Mount from Center Harbor to Wolfeboro on September 12, 2016. There will be approximately 400 to 450 passengers brought to Wolfeboro to observe the Wright Museum and take advantage of shopping in our many local businesses. The first cruise of the season will be the Wolfeboro Prom.

Linda Murray stated she was glad to see that you are going through our Town the same as you did last year. She stated that Wolfeboro really loves to see the Mount Washington come to town.

Chairman Harriman stated that the Town would need an updated insurance certificate when theirs expired.

It was moved by Dave Bowers and seconded by Linda Murray to approve and sign a Commercial Vessel Landing Permit for the MS Mount Washington for the 2016 season. Members voted and being none opposed, the motion passed.

C. Payment-In-Lieu of Taxes Agreement with NH Boat Museum

Joe DeChairo, Chairman of the New Hampshire Boat Museum was present if the Board had any questions that needed answered.

It was moved by Linda Murray and seconded by Luke Freudenberg to approve and sign the Payment-In-Lieu-of-Taxes Agreement with the New Hampshire Boat Museum. Members voted and being none opposed, the motion passed.

D. Stewart's Ambulance Service—Transfer of Ownership

Mr. Owen stated under the terms of our current contract with Stewart's Ambulance Service, Inc., the ownership of the company shall not be changed without the consent of the Town.

Justin Van Etten, CEO of Stewart's Ambulance addressed the Board. He stated he has been providing service to the Town for approximately six years. He stated with all the medical changes in the state it is practically impossible for small medical providers to remain independent. The federal regulations are making it impossible so we are all seeking out partners. We are requesting consent to transfer the ownership of Stewart's Ambulance Service to Transformative Health Care and their parent Kamylon Holdings.

It was moved by Dave Senecal and seconded by Linda Murray to approve the assignment of the Town's rights under the present contract with Stewart's Ambulance Service, Inc. to Transformative Healthcare and their parent Kamylon Holdings. Members voted and being none opposed, the motion passed.

E. Conference with Economic Development Committee

Kathy Eaton, Chairman of the Wolfeboro Economic Development Committee, addressed the Board. She stated the Committee supports Alex Hunt's proposal to move and expand Bradley's Hardware to the former French's auto repair location. Ms. Eaton stated it would provide five jobs and a needed service in Wolfeboro and area communities since Wolfeboro Power Equipment has closed.

Kathy Eaton gave an update on the Business Retention and Expansion survey progress. She stated that the EDC Committee is looking for individuals who would like to serve on BR and E survey goals subcommittees.

F. Approval: Purchase and Sales Agreement for Purchase of Old Railroad Freight House

Mr. Owen stated after the passage of Article 6 – Acquisition of Old Railroad Freight House Property, Town Counsel was requested to develop a Purchase and Sales Agreement for the property's purchase by the Town.

Linda Murray stated she wanted to bring to everyone’s attention of the agreement on page 2. She read from the document, “Inspections: Buyer acknowledges that the building on the Property shall be sold “as is” with no warranties of any kind. Buyer has the right to inspect the Property prior to closing in order to estimate the cost of removal of the building. Buyer acknowledges that it may not tear down or remove the building without authorization via a Town Meeting Vote.”

It was moved by Dave Senecal and seconded by Dave Bowers to approve and sign the Purchase and Sales Agreement with the Wolfeboro Oil Company, Inc. for the acquisition of the old railroad freight house property.

G. Discussion: Proposed Revisions to Town Ordinances

1. Penalty Fees for Town Ordinance Violations
2. Improper Parking

Police Captain Dean Rondeau would like to recommend two revisions to the Town ordinances.

The first would change the fee for parking violations from \$15 to \$20. This is to make it easier for people to pay their parking fees since ATM’s only dispense twenty dollar bills and most people don’t carry cash anymore.

The second recommendation is more technical in nature, and would add a new Section 164-25 entitled Improper Parking to the Town Code.

It was moved by Linda Murray and seconded by Dave Bowers to approve a scheduling a public hearing on the proposed revisions to Town Code Section 164 Vehicles and Traffic at the May 18, 2016 meeting of the Board of Selectmen.

Old Business

None

Other Business

None

Town Manager’s Report

Mr. Owen stated the following:

CCI is back to fix a few things at the Town Hall.

The Old Abenaki Lodge was demolished and it looks like nothing was ever there.

We have a new Fire Chief. His name is James Pineo and he is from Littleton, NH. He is planning on spending a few days over the next few weeks at the firehouse with Chief Morrill to see how things work. He will be attending the next Board Meeting to be introduced to you and the public.

I have supplied you with a copy of the RFP being sent out to have a new electric power supply.

The Town will be at court with Ms. Amatucci next week. I believe it is Wednesday at ten o'clock.

We are starting to investigate a new pay and classification study.

We are in the process of designing a new Town Website. Rob Houseman, Pete Chamberlin and myself will be working on this project.

I would like to remind the Board that I will be away for a week and will be returning on April 18, 2016. Rob Houseman will be Acting Town Manager when I am away.

Committee Reports

Luke Freudenberg attended a Chamber Social.

Chairman Harriman attended a Wolfeboro Community Television Meeting.

Linda Murray attended the Business Retention and Expansion Task Force Meeting with Kathy Eaton. Linda also attended the Chamber Social with Luke Freudenberg. She stated that she meet with the members of the Town Hall that worked on the renovations to discuss how the issues in the front of the building were going to be fixed. Also, she met with Rob Houseman and Friends of the Town Hall to discuss the audio issues we have been experiencing.

Dave Senecal attended the Zoning Board on Monday night.

Dave Bowers had nothing to report at this time.

Questions from the Press

None were noted.

It was moved by Linda Murray and seconded by Dave Senecal to enter into non-public session under RSA 91:3 II (a) regarding collective bargaining. Roll call vote, Linda Murray – yes, David Bowers – yes, Dave Senecal – yes, Luke Freudenberg – yes and Chairman Harriman – yes. Being none opposed, the motion passed.

The Board entered non-public session at 7:49 PM.

The Board re-entered public session at 8:23 PM.

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Approved by the Board

Dave Bowers moved the Wolfeboro Board of Selectmen to seal the minutes of the April 6, 2016 non-public meeting. Dave Senecal seconded. Roll call vote, Chairman Brad Harriman – yes, Linda Murray – yes, Luke Freudenberg –yes, Dave Senecal – yes, and Dave Bowers – yes. Being none opposed , the motion passed.

It was moved by Linda Murray and seconded by Luke Freudenberg to adjourn at 8:25 PM with a roll call vote, Brad Harriman – yes, Linda Murray – yes, David Bowers – yes, Dave Senecal – yes and Luke Freudenberg – yes. Being none opposed, the motion passed.

Respectfully Submitted,
Michele Chamberlain