

**Wolfeboro Board of Selectmen
Meeting Minutes
Approved
February 1, 2012**

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

Members absent: None.

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

Chairman Silk opened the meeting at 6:30 PM.

Non-Public Session RSA 91-A: 3II

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

Consideration of Minutes

➤ ***January 4, 2012***

Chairman Silk amended page four, the second Point to include the number 2.

Mrs. Murray amended page eight, the third bullet under the Town Manager's Report to add Tim Bates after the word Trustee in that sentence.

Member Linda Murray moved the Wolfeboro Board of Selectmen to approve the minutes of January 4, 2012 as amended. Dave Bowers seconded. Members voted, Chuck Storm-abstained and all others in favor, the motion passed.

➤ ***January 11, 2012***

Mrs. Murray amended page one, the last paragraph to amend \$69,000 to \$123,111. She amended page three, the last paragraph to read "Mrs. Murray stated the Infrastructure Committee of the Master Plan recommended the town to do a road surface management plan". She amended page four the first paragraph to correct "Mrs. Murray" to "Mrs. Ryan" and the sixth paragraph on the same page to replace "to make for" and replace it with "a need for".

Member Dave Senecal moved the Wolfeboro Board of Selectmen to approve the minutes of January 11, 2012 as amended. Linda Murray seconded. Members voted, Chuck Storm-abstained and all others in favor, the motion passed.

➤ ***January 17, 2012***

Member Dave Bowers moved the Wolfeboro Board of Selectmen to approve the minutes of January 17, 2012 as submitted. Dave Senecal seconded. Members voted, Chuck Storm-abstained and all others in favor, the motion passed.

➤ *January 18, 2012*

Member Linda Murray moved the Wolfeboro Board of Selectmen to approve the minutes of January 18, 2012 as submitted. Dave Senecal seconded. Members voted, Chuck Storm-abstained and all others in favor, the motion passed.

➤ *January 25, 2012*

Member Dave Senecal moved the Wolfeboro Board of Selectmen to approve the minutes of January 25, 2012 as submitted. Linda Murray seconded. Members voted, Chuck Storm-abstained and all others in favor, the motion passed.

Public Comment

Dick Hamilton joined the Board to speak to the proposed Zoning Ordinance regarding group homes. He expressed his concern that the Planning Board discussed the proposed ordinance during their work session without attendance of a Board of Selectmen representative or the newspaper. He stated that he is glad the Planning Board responded to their suggestions but unfortunately the Planning Board's attorney did not comment on the points their attorney raised. He stated this ordinance is being proposed as an overlay district and he would rather see it for the whole town. He also expressed his concern regarding single family dwellings and the definitions of such and that adult care according to our zoning is commercial. He also referred to the DHHS regulations and that the applicant must conform to the local zoning. He does not feel this ordinance is ready for prime time and that if such is adopted they will be the only town in NH that has it.

Public Hearings Temporary Event permits

- A. First Congregational Church to hold Church Worship Service on Sunday from June 3- October 7, 2012, from 7:00 AM – 8:15 AM at Cate Park.**

Chairman Silk opened the public hearing.

Bob Coolidge joined the Board for discussion and stated they plan to run the event the same as in the past with no changes.

Being no others to speak for or against the request, Chairman Silk closed the public hearing. She reminded them to submit a new insurance certificate in October 1, 2012.

Member Linda Murray moved the Wolfeboro Board of Selectmen approve the issuance of a temporary event permit to First Congregational Church to hold Church Worship Service on Sunday from June 3- October 7, 2012, from 7:00 AM – 8:15 AM at Cate Park. Chuck Storm seconded. Members voted, all in favor, the motion passed.

- B. NH Boat Museum to hold Model Yacht Sailing on Tuesdays from April 1- October 30, 2012 from 12:00 Noon- 5:00 PM at Back Bay.**

Chairman Silk opened the Public Hearing.

Mark Whitehead joined the Board for discussion and stated they plan to hold the event the same as last year except they will be adding caution signs for the bicyclers this year.

Being no others to speak for or against the permit, Chairman Silk closed the Public Hearing. She reminded them to submit an updated insurance certificate in June.

Member Chuck Storm moved the Wolfeboro Board of Selectmen to approve the issuance of a temporary event permit to the NH Boat Museum to hold Model Yacht Sailing on Tuesdays from April 1- October 30, 2012 from 12:00 Noon- 5:00 PM at Back Bay. Dave Senecal seconded. Members voted, all in favor, the motion passed.

Bulk Vote

A. Property Tax Refunds/Abatements

Approvals

- i. 79 Bay Street Tax Map 203, Lot 58
- ii. Railroad Ave Tax Map 217, Lot 44
- iii. 35 Christian Ridge Rd Tax Map 218, Lot 58
- iv. 108 River Street Tax Map 205, Lot 7
- v. 69 Worcester Island Rd Tax Map 258, Lot 22
- vi. 63 Crooked Pond Lane Tax Map 204, Lot 101
- vii. 370 Sewall Road Tax Map 241, Lot 3
- viii. 184 Springfield Point Rd Tax Map 259, Lot 8
- ix. 70 Bay Street Tax Map 203, Lot 49

B. Property Tax Credits/Exemptions

- i. 155 Gov. Wentworth Hwy Tax Map 134, Lot 2
- ii. 7 Clark Road Tax Map 231, Lot 12

C. Notice of Intent to Cut Wood or Timber

- i. Cotton Valley Road Tax Map 153, Lot 4

Chairman Silk stated that due to conflicts Railroad Ave and 70 Bay Street need to be voted on separately.

It was moved by Sarah Silk for the Wolfeboro Board of Selectmen to remove Railroad Ave and 70 Bay Street from the Bulk Vote to be voted separately. Dave Bowers seconded. Members voted and being none opposed, the motion passed.

Mr. Owen provided the Board with additional information for 70 Bay Street, Northern Human Services, regarding exempting them as a charitable organization in order to approve the abatement request.

It was moved by Dave Bowers for the Wolfeboro Board of Selectmen to approve the Bulk Vote for 70 Bay Street and to approve the request to exempt them from taxation as a Charitable Organization. Chuck Storm seconded. Members voted Sarah Silk-abstained and being none opposed, the motion passed.

It was moved by Dave Bowers for the Wolfeboro Board of Selectmen to approve the Bulk Vote for Railroad Avenue. Chuck Storm seconded. Members voted Linda Murray-abstained and being none opposed, the motion passed.

It was moved by Linda Murray for the Wolfeboro Board of Selectmen to approve the Bulk Vote items above (excluding 70 Bay Street and Railroad Ave). Dave Senecal seconded. Members voted and being none opposed, the motion passed.

New Business

A. Monthly Budget Expenditures and Revenue Report

Pete Chamberlin joined the Board for discussion.

Chairman Silk noted that Mr. Chamberlin is featured in this month's Up Close and Personal article in the Town and City magazine.

Mr. Chamberlin noted that he has applied the accounts payable and payroll from January.

Mrs. Murray questioned the encumbered amounts for 2011.

Mr. Chamberlin replied they are listed under the adjusted column.

Mrs. Murray questioned the \$20,000 for legal expenses encumbered.

Mr. Chamberlin replied they are listed on page 89 under the Wastewater treatment budget. He also noted the Auditors are scheduled to be in April 16th.

B. Acceptance of Gifts of Money by the Conservation Commission

Linda Murray excused herself from the table.

Mike Hodder joined the Board for discussion and stated the Wolfeboro Conservation Commission wishes for the town to accept a pledge in the amount of \$10,000 from the Wolfeboro Fund, \$15,000 from the NH Charitable Foundation and \$30,000 from an anonymous donor for the Front Bay Conservation Area recreational park project.

Member Dave Bowers moved the Wolfeboro Board of Selectmen to approve the acceptance of gifts of money by the Conservation Commission in the amounts of \$10,000 from the Wolfeboro Fund, \$15,000 from the NH Charitable Foundation and \$30,000 from an anonymous donor to be used for the development of the Front Bay Conservation Area and Park. Chuck Storm seconded. Members voted, all in favor, the motion passed.

C. Conservation Easement for Allen Stevens Preserve

(Note Linda Murray has stepped down from the table)

Roger Murray, representing the Lake Wentworth Foundation, requested the Board to approve a Conservation Easement contingent upon the Lake Wentworth Foundation completing the purchase of the Allan Stevens property with a closing scheduled for next week.

Mr. Owen noted this would be a similar process to the recent Bean property easement with a conservation restriction assessment. He provided a copy of the plan of the easement area.

Member Chuck Storm moved the Wolfeboro Board of Selectmen to approve and sign the Conservation Easement Deed from the Lake Wentworth Foundation for a parcel of land on Pleasant Valley Road to be known as the Allen Stevens Preserve subject to the Lake Wentworth Foundation completing the purchase of the property. Dave Senecal seconded. Members voted and being all in favor, the motion passed.

Linda Murray re-joined the Board.

D. Approval of Grant Agreement on Behalf of Huggins Hospital

Mr. Owen stated Huggins Hospital is requesting the town enter into a grant agreement for two portable ventilators, which will be State assets that will be housed at the Hospital.

Janet Williamson of the Huggins Hospital joined the Board and stated that the Department of Homeland Security had these ventilators and decided rather than having them sit in a warehouse they would like to spread them around to the Community Hospitals for use.

Chairman Silk noted this is a great benefit to the community as these portable ventilators cost \$6,990 each. She noted that if the State should need them in an emergency they would be able to do so.

Member Chuck Storm moved the Wolfeboro Board of Selectmen to approve the following resolutions:

RESOLVED: that the Town of Wolfeboro agrees that portable ventilators, provided by the State of New Hampshire, acting through its Department of Health and Human Services, Division of Public Health Services for benefit of the municipality in emergency situations, be granted directly to Huggins Hospital to be stored, maintained and deployed as necessary, and

RESOLVED: that the Town Manager is hereby authorized on behalf of this Municipality to approve said agreement with the State and to execute any and all documents, agreements, and other instruments; and any amendments, revisions, or modifications thereto, as he may deem necessary, desirable, or appropriate.

Dave Bowers seconded. Members voted and being all in favor, the motion passed.

E. Donation of Skates for Pop Whalen Arena

Ethan Hipple joined the Board and stated Carpenter School would like to donate their skates valued at approximately \$820 to the Parks and Recreation Department with the agreement that in return they would be able to have their students have free skate rentals (approximately 4 times per year). He has provided an agreement outlining such that was signed by the Town Manager and School Principal.

Chairman Silk read the agreement. (See attached)

Member Chuck Storm moved the Wolfeboro Board of Selectmen to accept the donation of 82 pairs of ice skates to the Pop Whalen Arena from Carpenter School with the value of \$820. Dave Bowers seconded. Members voted and being all in favor, the motion passed.

F. Preparation for Deliberative Session

Chairman Silk reminded the members which articles they would be speaking to as follows, noting they have been updated with a numbering system.

- Mr. Senecal: # 11,17,18 & 28
- Mr. Bowers: #14,15,23 & 24
- Mr. Storm: #26 & 27
- Mrs. Murray: # 16, 20 & 25
- Ms. Silk: #12,13,19 & 21

Mr. Owen noted the Town Warrant is posted on the website and that he does have the tax impact of all the articles and questioned if the Board would like to include that information in the PowerPoint.

The Board agreed they would like the tax rate impacts in the presentation.

Mr. Owen questioned if the Board would like to hold their Cable “call in show” as done in the past.

Mrs. Murray replied that it has not been effective in the past and it did not get many calls. The Board agreed and decided not to have it.

Any Other Business

Mrs. Murray stated that the recent Town and City magazine had an article regarding the Building Codes for the State and found such article interesting due to a recent discussion at a Chamber Social regarding the codes.

Mr. Senecal noted that the ICC codes are used now, except for the Electric Code.

Mrs. Murray questioned in regards to the information in this article the need of a Building Code Appeals Board and if they should have an appeals Board as recommended.

Mr. Senecal stated that such Board is required to have a sitting architect and an engineer and that is hard to find which is the way it was in the past and why it defaulted to the Zoning Board of Adjustment, but not now.

Mrs. Murray stated they should include on their flow charts that there is the ability to appeal to the State.

Mr. Senecal replied such is a good idea and noted the Building Officials send their information to the State already.

Town Manager’s Report

Mr. Owen stated the following:

- He is working with the town’s website provider, Virtual Town Hall, to find ways to promote the use of the Town website and make it more Economic Development orientated. He also contacted the Superintendent of Schools to link their website with the Town as the town links to the school website.

- He noted a letter to Carpenter School regarding the issues with the parking lot behind Town Hall and the new regulations for that lot.
- He sent out the annual update on the ADA Settlement agreement to the Department of Justice and the town is complying, but noted they are not able to address the Town Hall parking lot by the end of 2012 as previously agreed and is requesting an extension.
- Local attorney Kurt DeVlyder has agreed to be a Trustee of the Josiah Brown Trust pending approval of the Massachusetts probate court.
- He reminded the public the deadline for filing for public office is February 3, 2012.

Member Linda Murray moved the Wolfeboro Board of Selectmen to accept the resignation of Trustee of the Josiah Brown Trust Tim Bates and to direct town counsel to submit a request to the Massachusetts Probate Court to approve Kurt DeVlyder as a Trustee for the Josiah Brown Trust. Sarah Silk seconded. Members voted and being none opposed, the motion passed.

Mrs. Murray noted that a citizen had commented on the rusty railings in front of Town Hall and suggested they get repaired.

Mr. Storm suggested they have the Police Department address the Town Hall parking lot and will discuss such idea with the Police Commission at their next meeting.

Committee Reports

Mr. Bowers reported he spent the day in Littleton NH and that it seems to be very similar to Wolfeboro as far as the economy and population.

Mrs. Murray reported the following:

- She attended the Abenaki grand opening of the Snow making and noted they were unable to do the mattress race due to insurance reasons, but there were about 50 kids in attendance.
- The EDC is reviewing the focus group report
- She attended the NH Preservation Alliance meeting with Dave Owen and Kathy Barnard to present the Town Hall project. She said a charrette was suggested and Mr. Owen stated another suggestion was the Moose plate program.

Chairman Silk reported the following:

- Household Hazardous Waste is continuing to review the year end and the rules process.
- The Hazard Mitigation Committee met to discuss the update of the 2007 plan and noted such plan provided grant funding for Beach Pond Road and Varney Road on the past.

Public Comment

None.

Questions from the Press

None.

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

Member Chuck Storm moved the Wolfeboro Board of Selectmen to enter non-public session at 7:39 PM to discuss litigation. Dave Senecal seconded. Roll call vote: Sarah Silk-yes, Dave Senecal-yes, Dave Bowers-yes, Chuck Storm-yes and Linda Murray-yes, the motion passed.

The Board re-entered public session at 8:00 PM.

Chairman Silk stated the non-public session minutes of February, 2012 were sealed by a 2/3rd's vote as required by law.

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

Member Dave Senecal moved the Wolfeboro Board of Selectmen to adjourn at 8:01 PM. Member Linda Murray seconded. Being none opposed, the motion passed.

Respectfully submitted,

Amelia Capone-Muccio

Recording Secretary