

**Wolfeboro Board of Selectmen
Meeting Minutes
Approved
February 6, 2013**

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

Members absent: None.

Staff present: Town Manager David W. Owen, Finance Director Pete Chamberlin, Director of Public Works Dave Ford, and Recording Secretary Amelia Capone-Muccio.

Chairman Murray opened the meeting at 6:30 PM. She announced that some issues arose during last night's live broadcast of the Deliberative Session regarding sound and picture quality. She stated that it is currently streaming on the Town of Wolfeboro's website (www.wolfeboronh.us) and the program will be re-played on WCTV on the following dates:

- Tonight (Feb. 6th) at 9:00 PM
- Thursday (Feb. 7th) 3:00 AM, 9:00 AM, 3:00 PM
- February 15th 6:30 PM
- February 16th 1:30 AM, 8:30 AM, 1:30 PM & 6:30 PM
- February 17th 1:30 AM

Non-Public Session RSA 91-A: 3II

Mr. Owen stated a non-public session is not needed unless the Board would like to review non-public minutes.

The Board tabled review of non-public minutes until the next meeting.

Consideration of Minutes

➤ **1/16/13**

Ms. Silk amended page five, the second paragraph; change "\$35" to "\$30".

Chairman Murray made the following amendments:

- Page two, second paragraph under New Business C: NH Boat Museum; remove "there would be no boat activity in the water" and replace it with "NH Boat Museum requested that the Town Dock parking lot be closed on Wednesday morning".
- Page two, the fifth paragraph add the following sentence; "The Board agreed to close the Town Dock parking lot on Thursday morning".
- Page three under D. Governor Wentworth Arts Council, add the following after the first paragraph; "It was the consensus of the Board to move forward with the public hearing".

- Page three under E. Governor Wentworth Arts Council, add the following after the first paragraph; "It was the consensus of the Board to move forward with the public hearing".
- Page four, the second motion on that page; change "Governor Wentworth Arts Council" and replace it with "Wolfeboro Area Children's Center".

Member Chuck Storm moved the Wolfeboro Board of Selectmen to accept the minutes of January 16, 2013 as amended. Sarah Silk seconded. Members voted and being none opposed, the motion passed.

Public Input

Peter Pijoan of WCTV stated that it appears as the problem with the live broadcast of the Deliberative Session had to do with their new internet service as they have checked the routing, the equipment and the current Board meeting going on right now from the Library is running fine. He stated they will be investigating this issue further and if anyone has any questions to contact the studio at 569-0219.

Public Hearings

Temporary Event Permits

- A. Wolfeboro Public Library to hold a kick-off to the Sumner Reading Program on June 27, 2013 from 12:30 -4:00 PM (event to start at 2:00 PM) at Cate and Town Park and the Wolfeboro Community Bandstand.**

Chairman Murray opened the public hearing.

Joyce Davis joined the Board for discussion and explained the Library is adding something new to the summer reading program and expanding it by going out into the town park to hold a kick-off event which will be with two musicians for children. She stated they also are partnering with local museums to host some events for the children as well.

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

Ms. Silk questioned a rain date.

Mrs. Davis replied they are currently working with Carpenter School to host the event in case of rain.

Member Sarah Silk moved the Wolfeboro Board of Selectmen to approve the issuance of a Temporary Event Permit request for the Wolfeboro Public Library to hold a kick-off to the Sumner Reading Program on June 27, 2013 from 12:30 -4:00 PM (event to start at 2:00 PM) at Cate and Town Park and the Wolfeboro Community Bandstand. Chuck Storm seconded. Members voted and being none opposed, the motion passed.

- B. All Saint's Episcopal Church to hold a Summer Fair on July 20 & 21, 2013 from 10:00 AM to 2:00 PM at 258 South Main Street.**

Chairman Murray opened the public hearing.

Robert Parker, Chair of the event, joined the Board for discussion and stated that this is the 50th year of this fundraising event and will run as in years past.

Being no others to speak for or against the permit, Chairman Murray closed the public hearing. She reminded them to submit the updated insurance certificate when it expires.

Ms. Silk noted they will need tent and sign permits.

Member Sarah Silk moved the Wolfeboro Board of Selectmen to approve the issuance of a Temporary Event Permit request for All Saint's Episcopal Church to hold a Summer Fair on July 20 & 21, 2013 from 10:00 AM to 2:00 PM at 258 South Main Street. Chuck Storm seconded. Members voted and being none opposed, the motion passed.

C. First Congregation Church, UCC to hold an Easter Sunrise Service on March 31, 2013 from 5:30 AM to 7:00 AM and Albee Beach.

Chairman Murray opened the public hearing.

Bob Coolidge, Church Deacon, joined the Board for discussion and stated they ran this event last year with success and would like to do it again.

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

Member Sarah Silk moved the Wolfeboro Board of Selectmen to approve the issuance of a Temporary Event Permit request for the First Congregation Church, UCC to hold an Easter Sunrise Service on March 31, 2013 from 5:30 AM to 7:00 AM and Albee Beach. Chuck Storm seconded. Members voted and being none opposed, the motion passed.

D. First Congregation Church, UCC to hold Church Worship Services on June 2-October 31 (Sundays only) from 7:00 -8:15 AM at Cate and Town Park and Wolfeboro Community Bandstand.

Chairman Murray opened the public hearing.

Bob Coolidge joined the Board for discussion and explained they have been doing this for several years now and it is a popular event.

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

Ms. Silk reminded them to submit their updated insurance certificate when it expires.

Member Sarah Silk moved the Wolfeboro Board of Selectmen to approve the issuance of a Temporary Event Permit request for First Congregation Church, UCC to hold Church Worship Services on June 2-October 31 (Sundays only) from 7:00 -8:15 AM at Cate and Town Park and Wolfeboro Community Bandstand. Chuck Storm seconded. Members voted and being none opposed, the motion passed.

Bulk Vote

A. Weekly Manifests:

1. Manifest dated January 25, 2013
2. Manifest dated February 1, 2013
3. Manifest dated February 8, 2013

B. Property Tax Abatements/Refunds

Approvals

- i. 244 Sewall Road Tax Map 241, Lot 36 (2010 & 2011)

C. Property Tax Credits/Exemptions

- i. 616 South Main Street Tax Map 260, Lot 63 (Approval)
- ii. 11 Treadwell Lane Tax Map 232, Lot 18 (Approval)
- iii. 45 Long Stack Lane Tax Map 277, Lot 26 (Denial)

D. Raffle Permit-Friends of Abenaki, Inc.

E. Vouchers-Withdrawal of Transfer from Capital Reserve Funds

- i. \$26,075.64 from Public Safety Parking Lot Capital Reserve
- ii. \$7,033.63 from Public Safety Building Capital Reserve Fund

F. Grant of \$495 in Volunteer Fire Assistance Funds from NH Dept. of Resources & Economic Development-Division of Forests and Lands.

It was moved by Linda Murray for the Wolfeboro Board of Selectmen remove item E from the Bulk Vote and vote on it separately. Chuck Storm seconded. Members voted and being none opposed, the motion passed.

It was moved by Chuck Storm for the Wolfeboro Board of Selectmen to approve the Bulk Vote items as submitted (except item E). Sarah Silk seconded. Being none opposed, the motion passed.

Chairman Murray stated that item E above are vouchers from the Trustees of the Trust funds to transfer the funds for the projects listed above that are completed.

It was moved by Chuck Storm for the Wolfeboro Board of Selectmen approve Bulk Vote item E as submitted. Dave Bowers seconded. Members voted and being none opposed, the motion passed.

New Business

A. Use of Cate Park for a Wedding

Ronald Benner and Nancy Ames of Rochester, NH joined the Board. Mr. Benner explained they are seeking permission to use Cate Park for their wedding ceremony on September 28th, 2013 at noon.

Chairman Murray reminded them it is a public park and they cannot close it to the public.

It was moved by Chuck Storm for the Wolfeboro Board of Selectmen to approve the request of Nancy Ames and Ronald Benner to use Cate Park for their wedding at noon on September 28, 2013, subject to the condition of cleaning up after the event. Dave Bowers seconded. Being none opposed, the motion passed.

B. Discussion with Public Insurance Adjuster relating to fire at the Public Works Garage

Chairman Murray stated that Mr. Owen has arranged to meet with a Public Insurance Adjuster to help the town negotiate a fair settlement as a result of the recent fire at the Highway Garage that resulted in a loss of a vehicle, sidewalk plow and substantial damage to the building.

Mr. Owen stated that after the fire he and Mr. Ford met with a Public Insurance Adjuster to review the damage and they would like to use his services to negotiate the best possible settlement with the Town's insurance carrier, Primex.

Michael Ryan of Robert A. Lucas and Associates, Inc. of Portsmouth N.H. joined the Board for discussion and thanked the Board for the opportunity to meet with them. He briefly summarized their goal and vision of the process for the replacement cost. He briefly summarized that they have been in business since 1983 and have negotiated many settlements from minor to major damages. He provided an outline of how the negotiation process would take place and their goal to keep the depreciation as low as possible. He stated he has reviewed the Town's policy and it does include Codes insurance which is good. He explained this insurance would cover the costs to bring it up to Code; for example if it costs \$50,000 to replace the roof as it was, but \$70,000 to bring it up to Code compliance, the Codes insurance would cover that. He stated in order collect on this insurance the Code would need to be enforced and they will work with the Code Enforcement Officer. He also noted the Town is under no obligation to put the building back to the way it was. The insurance covers how it was just before the fire and it is up to the Town to determine the fate of the building. He stated they will also need to inventory what has been destroyed and identify the degree of damage as some things can be cleaned.

Mr. Senecal questioned if the replacement would be at today's value.

Mr. Ryan replied yes, but it is subject to depreciation. He noted the Code coverage will be paid as incurred (like a holdback).

Ms. Silk questioned his fee.

Mr. Ryan replied they have proposed 6% of the settlement as the contract notes it is 10% of the settlement.

Chairman Murray questioned the length of time the process will take for the claim.

Mr. Ryan replied he estimates with a claim of this size it has the potential to take 2-4 months but will depend on the insurance company.

Chairman Murray questioned out of 10 cases what he estimates is settled, mediated, or goes to trial.

Mr. Ryan replied going to court is very rare. About 5% goes to mediation; if both sides cannot come to an agreement then they will both incur a cost of an unbiased appraiser and umpire. He noted they will keep the Town up to date on the status of the claim.

Chairman Murray questioned if they have a formality for documentation.

Mr. Ryan replied they do and the Associate handling the claim will work with the Town on the process for making the claim.

Mr. Storm questioned if they will get fair value for items such as the auto parts, etc.

Mr. Ryan replied yes and if the insurance pays for something they do have the right to salvage it, but basically they owe the town what it would cost to put those items back on their shelves.

Mr. Senecal questioned the status of the building during the negotiations, like can they tarp the roof, etc. He noted they are likely to get questions to why the building is at a standstill.

Mr. Ryan replied it will need to stay as is, but they can protect it from further damage.

Ms. Silk questioned what if they need to use items from the building.

Mr. Ford noted that the room with smoke damage has the chainsaws; they may need to be used for storm trouble, but the garage had mostly shovels and paving equipment.

Mr. Ryan replied they can work with the Town on that matter and if the Town hires them they can get the process moving tomorrow.

Chairman Murray questioned if the Board is comfortable with the presentation.

Member Chuck Storm moved the Wolfeboro Board of Selectmen to retain the services of Robert A. Lucas and Associates, Public Insurance Adjusters at a rate agreed of 6% to negotiate the best settlement with Primex. Dave Bowers seconded. Members voted and being none opposed, the motion passed.

C. Carry Forward of Capital Expense Projects into 2013

Pete Chamberlin joined the Board for discussion and explained that basically this is a housekeeping item to vote and carry over the following projects to 2013:

- Middleton Road Cemetery
- Way finding signage
- Town Hall Repairs & Upgrades
- Public Safety Radio Upgrade.

Chairman Murray questioned the projected dates expended.

Mr. Chamberlin replied they have spent \$88,000 on the Town Hall repairs to date and have some outstanding accounts payable. He stated the dehumidification project is out to bid.

Mr. Owen noted that they are awaiting approval on the "mock window" for the window replacements.

It was moved by Chuck Storm for the Wolfeboro Board of Selectmen to approve carrying- over into 2013 the following general fund capital expense projects:

Operating Budget Capital Items:

1-49606-710 Middleton Road Cemetery Balance \$8,199.40

1-49617.760 Way finding Signage Balance \$4,418.87

Warrant Articles:

1-57760-130 Town Hall Repairs & Upgrades Balance \$115,578.42

1-57760-140 Public Safety Radio Upgrade Balance \$72,199.50

Dave Bowers seconded. Being none opposed, the motion passed.

D. Amended Resolution Establishing the Sam and Olivia Smith Libby Museum Fund

Linda Murray recused herself from discussion and vote on the matter and left the table.

Mr. Owen stated the Trustees of Trust Funds had expressed concerns with how the funds were structured and to be administered by them and requested such to be redrafted. He stated that it was reviewed by Counsel by both parties as well as the Attorney General's office and the Trustees have agreed to the revisions.

Vice-Chairman Silk noted the section regarding distribution was changed.

Ralph Joslin, Trustee of the Trust Funds, replied yes, the section on property was revised as well as they are not authorized to handle properties.

Member Chuck Storm moved the Wolfeboro Board of Selectmen to approve the Amended Resolution Establishing the Sam and Olivia Smith Libby Museum Fund and to authorize the Board's Chairman to sign the Amended Resolution on behalf of the Board. Dave Bowers seconded. Members voted and being none opposed, the motion passed.

E. Policy and Procedure for Handling Donations by the Welfare Department

Chairman Murray stated a new form has been drafted as a result of an issue she brought up about donations received by the Welfare Department.

Mr. Owen stated the Finance Director drafted a new form for documenting donations to the Welfare Department as well as their disposition. He stated this new form has been discussed with the Welfare Director on how it is to be used.

Chairman Murray noted this will be for donated items such as furniture, appliances, bikes, etc.

Ms. Silk stated the form is a great idea but suggested a few revisions such as including address and phone numbers of the donator as well for those who receive the items.

Chairman Murray questioned if they should amend the job description to include the form. The Board agreed.

It was moved by Sarah Silk for the Wolfeboro Board of Selectmen to accept a policy of the Town of Wolfeboro and its Welfare Department to require the Welfare Director to document the receipt of all gifts and donations received by the Welfare Department on behalf of needy and poor individuals and families in Wolfeboro and to add such to the Welfare Director's job description. Chuck Storm seconded. Being none opposed, the motion passed.

It was moved by Chuck Storm for the Wolfeboro Board of Selectmen to accept the Welfare Department's Acknowledgement of Receipt of Donation form as amended at this meeting for each gift or donation received and copies of all completed forms shall be submitted by the Welfare Department to the Finance Director. Dave Bowers seconded. Being none opposed, the motion passed.

Old Business

Ms. Silk stated in regards to the State budget regarding funding for the roads she referred to an article in today's Foster's Daily Democrat discussing the Sarah Long bridge and how a project of that size can take most of the State's funds. She this also explains why the State cannot provide the Town with exacting funding allotments until all projects are determined.

Any Other Business

Ms. Silk stated Steve Guyer from the High School has advised they are looking into the matter regarding the Deliberative Session broadcast. She stated he would be able to attend the Board's February 20th meeting to provide an update.

Chairman Murray restated the dates the Deliberative Session would be aired as follows:

- Tonight (Feb. 6th) at 9:00 PM
- Thursday (Feb. 7th) 3:00 AM, 9:00 AM, 3:00 PM
- February 15th 6:30 PM
- February 16th 1:30 AM, 8:30 AM, 1:30 PM & 6:30 PM
- February 17th 1:30 AM

Town Manager's Report

Mr. Owen reported the following:

- The property owner of 74 & 80 Lehner Street has responded to the Town's concerns regarding securing the buildings and has addressed the concerned raised by removing a porch and securing the open sections of the building as kids were found in the building.

- He noted that residents have received a mass mailing notice from a company offering low electricity costs and stated this mailing was directed at PSNH customers. He stated the mailing has generated a lot of calls and emails and explained that Wolfeboro residents cannot participate in such program. He reminded the public the Town has negotiated a new energy contract and Wolfeboro customers will see a significant decrease starting in 2014. He noted these companies are negotiating on the spot market and providing 6-month contracts to customers of PSNH for a lower rate.
- He stated the Parks and Recreation Department has ceased the pass program with Waterville Valley due to permitting issues with the Forest Service.
- He stated there is a legislative hearing tomorrow in Concord regarding the State Aid Grant funding for HB 623.

Committee Reports

Mr. Storm reported the Planning Board met to discuss next year's plans and is continuing to discuss the Rt. 28 corridor to Ossipee. They have received the Crescent Lake Watershed plan for review.

Mr. Bowers attended the Library Trustees meeting at which they discussed the Warrant Article and structural problems at the Library.

Chairman Murray reported she also attended the following:

- The Chamber Social at the Village Players
- The Senior Center luncheon with Selectmen Silk
- She reminded the public Winter Carnival is February 25 to March 2 and includes a number of events including the Friends of Abenaki pancake breakfast on March 2nd at Garwood's from 7:00 AM to 10:00 AM.

Mr. Senecal reported Carroll County Transit met and proudly reports they had over 7,000 rides last year and have increased to 6,000 in the first six months of their new year. Ossipee to Laconia has the most ridership and the senior activities ridership has increased.

Ms. Silk stated Carroll County Transit now provides transportation to White Mountain Medical Center located on Rt. 16 in Wakefield.

Public Comment

None.

Questions from the Press

None.

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

Member Chuck Storm moved the Wolfeboro Board of Selectmen to adjourn at 8:07 PM. Member Dave Bowers seconded. Being none opposed, the motion passed.

Respectfully submitted,

Amelia Capone-Muccio
Recording Secretary