

**Wolfeboro Board of Selectmen
Meeting Minutes
Approved
July 17, 2013**

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

Members absent: None.

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

Chairman Silk opened the meeting at 6:30 PM.

Non-Public Session

None.

Consideration of Minutes

➤ **7/01/13**

Member Linda Murray moved the Wolfeboro Board of Selectmen to table the minutes of July 1, 2013. Dave Senecal seconded. Members voted and being all in favor, the motion passed.

Public Input

Robert Hanson, resident of Blue Berry Island, stated for the record that he was mugged and nearly killed in the area of the Railroad station on August 17th 2012. He also expressed concern about the docks in Back Bay designated for island residents and that they are now occupied by a Jet Ski business. He referred to the town ordinance that specifies such. He also noted that businesses are required to register their names with the Secretary of State's office.

Mrs. Murray clarified they have moved the sign and designated docks for the island residents one dock over, there is still the same number of docks provided, just relocated.

Tom Bickford of Percy Drive stated that he heard a call go out on Sunday of a person with heart history complaining of chest pain and that no paramedic ever responded to the call. He questioned where the second ambulance that was designated for Wolfeboro was and did it have a Paramedic on it. Does the contract guarantee a Paramedic for Wolfeboro? Does the second ambulance transport to other Hospitals and what steps will Wolfeboro take to assure a Paramedic will arrive when needed? He understands the Board cannot answer these questions tonight, but would like his concerns addressed.

Public Hearings

Temporary Event Permits

- i. **Wolfeboro Police Benevolent Association to hold Family Day on September 14, 2013 from 12:00 Noon – 4:00 PM at Foss Field (Back Field).**

Chairman Silk opened the public hearing.

Officer O'Brien addressed the Board and stated the New England Police Benevolent Association would like to hold a Family Day to thank the public for their support. The event will include a bounce house, dunk tank and will be a BBQ style event.

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

Member Dave Bowers moved the Wolfeboro Board of Selectmen to approve the issuance of a Temporary Event Permit for Wolfeboro Police Benevolent Association to hold Family Day on September 14, 2013 from 12:00 Noon – 4:00 PM at Foss Field (Back field) . Dave Senecal seconded. Members voted and being none opposed, the motion passed.

Bulk Vote

A. Weekly Manifests:

1. Manifest dated July 12, 2013
2. Manifest dated July 19, 2013

B. Property Tax Abatements/Refunds

Approvals

- | | | |
|------|------------------------|---------------------|
| i. | 208 Forest Road (2010) | Tax Map 228, Lot 49 |
| ii. | 208 Forest Road (2011) | Tax Map 228, Lot 49 |
| iii. | 208 Forest Road (2012) | Tax Map 228, Lot 49 |
| iv. | 74 Lehner Street | Tax Map 218, Lot 6 |
| v. | 80 Lehner Street | Tax Map 218, Lot 7 |

C. Property Tax Credits/ Exemption

Approval

- | | | |
|----|-----------------|---------------------|
| i. | 9 Juniper Green | Tax Map 205, Lot 18 |
|----|-----------------|---------------------|

D. Notices of Intent to Cut Wood or Timber

- | | | |
|------|---------------|--------------------|
| i. | Stoneham Road | Tax Map 138, Lot 7 |
| ii. | Stoneham Road | Tax Map 120, Lot 2 |
| iii. | Tibbets Road | Tax Map 108, Lot 2 |

E. Raffle Permits

- i. Parks & Recreation Department-Raffle to Benefit the Albert Dow III Memorial Scholarship Fund.
- ii. Ladies of the Lake Quilters Guild-Quilt Raffle August 3rd
- iii. Ladies of the Lake Quilters Guild-Quilt Raffle September 25th

F. MS-5 Form-Financial Report of the Town Budget

Chairman Silk requested to remove items E ii & iii and vote on them separately due to a conflict of interest.

It was moved by Dave Senecal for the Wolfeboro Board of Selectmen to remove items E ii and iii and vote on it separately. Brad Harriman seconded. Members voted and being none opposed, the motion passed.

It was moved by Dave Senecal for the Wolfeboro Board of Selectmen to approve the Bulk Vote items as submitted (not including items removed above). Brad Harriman seconded. Members voted and being none opposed, the motion passed.

It was moved by Dave Senecal for the Wolfeboro Board of Selectmen to approve the Bulk Vote items E ii and iii. Brad Harriman seconded. Members voted, Sarah Silk abstained and being none opposed, the motion passed.

New Business

A. Sale of Prodigal Beer at Wolfeboro Area Farmers Market

Mr. Owen stated that he received an e-mail that the representative for this request was not able to attend the meeting, and also received notification from the Farmers Market that they support this request. He noted as done with a similar previous request the Board needs to approve the request in order for the applicant to receive approval from the NH Liquor Commission.

It was moved by Dave Senecal for the Wolfeboro Board of Selectmen to approve the request of the Prodigal Brewing Company, LLC of Effingham, NH to sell its beer 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 beer purchased at Clark Park will be removed from those premises before the 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. Dave Bowers seconded. Members voted and being none opposed, the motion passed.

B. Commercial Vessel Landing Permit-Mail Boat

Mr. Owen stated that the Mail Boat received a Commercial Vessel Permit last year to be consistent with other commercial vessels at the docks and this is the renewal for this season.

Mrs. Murray stated she would like to see this come in at the same time as the others before the season starts in the future.

Chairman Silk requested a copy of their departure schedule.

It was moved by Linda Murray to approve and sign Commercial Vessel Landing Permit for Sandy McKenzie to continue to operate the Mail Boat from the Town Docks. Dave Bowers seconded. Members voted: being all in favor, the motion passed.

C. 2012 Financial Audit Report

Timothy Greene, CPA, principal of Roberts and Greene, PLLC, addressed the Board to present the findings of the 2012 Financial Audit. He noted they did preform a preliminary review in November, then spent two weeks at the Town Hall in March to review the financials and did follow ups on anything needed. He reviewed the report with the Board and reported no major concerns or difficulties in the audit.

Mrs. Murray noted she liked the comparison of the unemployment rate and revenues that covered expenses included in the report.

D. Monthly Expenditures and Revenues Report through June 30, 2013

Pete Chamberlin addressed the Board to review the monthly expenditures and revenues report as of June 30th. He reported the budgets expended as of the end of June as follows: General Fund 45.367%, Water Fund 45.033%, Electric Fund 47.019%, Sewer Fund 59.062% and Pop Whalen Fund 49.968%, with the overall budget expended to date at 47.230%. He noted his only concern has been with the Welfare budget, but it seems to be leveling off.

Mr. Owen agreed the Welfare Budget's expenditures have decreased since the summer months have begun.

Mr. Chamberlin reported they are anticipating a check from the Local Government Center in the amount of \$138,000 with 93% of it going into the general revenue and 7% of it being returned to the employees for overpayment in Health Insurance.

Mrs. Murray questioned the \$6,552 in the Parks & Recreation revolving fund and it was her understanding the surplus would be transferred to the General Fund.

Mr. Chamberlin replied he believes it includes half of the transfer, but would check into it.

E. Electric Rates for 2014

Barry Muccio, Director of Operations for the Municipal Electric Department, introduced Mayhew Seavey of PLM Electric Power Engineering to present the recommended electric rates for 2014.

Mr. Seavey joined the Board and reviewed a PowerPoint presentation (see attached) on the proposed decrease in electric rates beginning January of 2014. He projects an average decrease of 3 cents per kWh depending on the level of sales.

Chairman Silk thanked him for including a comparison with our competitors as that can be confusing to the customers and they get many questions regarding such because some

generation charges appear lower than Wolfeboro's only because the breakdown is itemized in a different manner.

Mr. Bowers questioned how the Northern Pass project would relate to these rates.

Mr. Owen replied that would have minimal impact on Wolfeboro, as Northern Pass is hydro power and relative to PSNH. Wolfeboro contracted with Constellation Energy which is based on natural gas prices.

It was moved by Linda Murray for the Wolfeboro Board of Selectmen to approve a new lower generation charge of \$0.0938/kWh to be effective for consumption on January 1, 2014. Dave Senecal seconded. Members voted and being all in favor, the motion passed.

F. Insurance Settlement for DPW Garage Fire

Dave Ford joined the Board and stated they have received an acceptable offer from Primex for the replacement of the DPW Garage. He introduced the town's public insurance adjuster hired to negotiate such settlement on behalf of the town, Tanner Royce of Robert A. Lucas & Associates.

Mr. Royce explained he was retained to negotiate a settlement with the town's insurance, Primex, to replace the DPW Garage destroyed by fire and for such replacement to be Code complaint in today's standards. He stated they received an offer on June 11th for building loss of \$117,375.74 and business personal property loss of \$22,674.28 which was not accepted. He stated they have since received a counter offer as of July 11th of building loss for \$241,281.85 and business personal property loss of \$31,148.21. He stated they believe this to be a fair offer to accept.

Mr. Ford stated he is agreeable to this offer and feels it will be adequate enough to replace the building in accordance with code and some upgrades. He stated that he would come back at a future meeting with the replacement plans.

It was moved by Dave Senecal for the Wolfeboro Board of Selectmen to approve the insurance settlement for the DPW Garage Fire in the following amounts: building loss-\$146,264.85; supplemental recoverable depreciation--\$95,016.00; and business property-\$23,980.58. Dave Bowers seconded. Members voted, Brad Harriman-abstained, all others in favor the motion passed.

G. Petition of Winnepesaukee Hills Estates Residents on condition of Winnepesaukee Drive

Bob Enos, resident of Winnepesaukee Hills Estates, addressed the Board to speak on behalf of the residents of Winnepesaukee Hills Estates to address the condition of the two roads in their development, Winnepesaukee Drive and Knights Pond Road. He referred to a statement outlining the deplorable condition of the road along with photos and that they are seeking some help from the town to correct the problem and take the private road over for the future. (See attached summary)

Mr. Owen stated upon receipt of this petition he forwarded it to the Town Attorney for review and was advised of the proper procedure to take over the road after it has been repaired. He explained the property owners would bear the cost of the road repairs and betterment liens would be attached to their properties to recover the costs and then a public hearing will be held to take over the roads. He summarized basically the town can finance the costs of the repairs and the property owners will pay it back in their property taxes, and it would not affect the rest of the taxpayers.

Mr. Ford stated he provided a cost estimate in the past for repair of the road, but did not look at the road and since he has done that he estimates the costs it to be higher. He stated he cannot give an accurate estimate without doing some test pits in the road to determine the base. He also went back in the file and did find some review between the former Public Works Director and the Developer and a surveyor, but nothing beyond a scope of work was ever pursued. He stated that he estimates this to be a half a million dollar repair and recommends the repairs be done correctly before the town accepts the roads.

Mrs. Murray questioned if he is looking for an independent review of the road.

Mr. Ford replied that he would need to spend a day doing test pits of the road and with the current workload he is not sure he can do that, and noted there would be a cost to hiring a consultant.

Chairman Silk questioned the next step after the test pits.

Mr. Ford replied that according to the Town Attorney there would be a process to take over the road after it is repaired, but noted the developer would need to agree to this as he still owns more than 50% of the lots.

Mr. Senecal agreed the residents and the developer would need to agree and should discuss such.

Mr. Enos stated 24 of the lots are owned by the developer, with 48 lots in total (2 in Alton). They are aware of the betterment process and are at the point they need to do something and believes the development as a whole would be agreeable to this process.

Mr. Bowers questioned who the developer is.

Mr. Enos replied that it is B & H Development and they do have pending litigation with them, but have obtained written permission for testing.

Mrs. Murray questioned if any of the road is in Alton.

Mr. Enos replied no, the Alton lots are in the woods.

Mr. Harriman questioned if the developer does not agree could they phase the repair to the area where there are homes.

Mr. Enos replied one resident would still be affected with a bad section of road.

Mr. Ford replied such is not a bad idea, but would really prefer to do the whole road if they are going to go through the process of taking the road over.

Mr. Enos also pointed out this would help the school system as the buses would be able to travel the road and use it as a turn around.

Mr. Owen stated that he understands if the town receives a petition to do this process they would need to schedule a public hearing at which all property owners would be notified which would include the developer and that such cost is reimbursed to the town and clearly documented.

Chairman Silk questioned the cost of the testing even if the betterment does not go forward.

Mrs. Murray stated such cost should be added to the betterment whether it was a consultant or the Public Works Department. She stated an agreement should be in writing before it moves forward to prevent any misunderstandings.

Mr. Enos noted they would prefer the cheapest way possible.

Mr. Ford noted that if such is the way they wish to go they do have time to add this to the Warrant for next year and construction next year.

H. Carroll County Transit Services

Jack Rose of Carroll County Transit addressed the Board to provide an update on the Blue Loon Bus transportation program. He reported the door to door bus service has been running strong since its inception, but the fixed routes system from West Ossipee to Conway and West Ossipee to Laconia was suspended due to lack of funding. He stated that such service will be starting again one day a week on Thursdays. He stated they are very excited about this program.

Chairman Silk questioned where the public can find the schedules.

Mr. Rose replied the Town Hall, the Library and their website list all the schedules.

Mr. Owen noted the directory is also listed on the Town web-site under community links/transportation.

I. Pathway Committee Update

Jim Eisenhower, George Vanderheiden, Alan Harding and Denise Roy-Palmer joined the Board for discussion.

Mr. Vanderheiden stated the Pathways Committee is seeking to hold a stakeholders meeting to address the issues with safe bike travel in the downtown core. He stated they feel strongly that this is important to their efforts of connecting Wolfeboro's assets for safe bike travel. He noted this is essential in connecting the trails with the new parking area in downtown as well as Foss Field. The Committee feels this is important to enhancing the safety of Wolfeboro's residents, guests and attracting visitors.

Mr. Eisenhower stated that they are working in partnership with the Economic Development Committee toward accomplishing key Master Plan objectives for a positive impact on the quality of life in Wolfeboro and to provide safe and comfortable bike travel downtown. He believes by doing this they can connect the attractions in Wolfeboro and referred to a map showing such. He noted they would be able to sell these maps. He stated they are seeking the Board's support for hosting such an informational meeting.

Mr. Harding agreed with the comments above and feels it is a terrific idea to enhance the vision of Wolfeboro and to bring visitors to town as well as be available to our residents.

Ms. Roy-Palmer stated that it will also enhance the shopping and eating in the downtown core and noted that the trail from Wolfeboro to Brookfield/Wakefield is underway. She stated this is important to Economic Development.

Chairman Silk stated the Board encourages these types of meetings and has seen them beneficial to other projects.

Mrs. Murray agreed they should support the recreational trails and link them with the center of Wolfeboro. She noted the map to find the trails should be easier to find on the town website as it is not listed under the Pathways Committee section.

Mr. Eisenhower noted they would be seeking support of the Planning Board as well. He noted that Rob Houseman and Dave Ford were both very supportive of hosting a stakeholders meeting.

J. 2014 Budget Guidelines

Mr. Owen stated he has provided his recommendation for the 2014 Budget process and reviewed the financial factors that impact the budget from his memo. (See attached) He stated that he is basically proposing the same guidelines as of 2013 and has already discussed these guidelines with the Department Heads at their last meeting.

It was moved by Dave Senecal for the Wolfeboro Board of Selectmen to approve the budget guidelines for the development of the 2014 Town Operating Budget as submitted by the Town Manger in his memorandum to the Board dated July 12, 2013. Dave Bowers seconded. Members voted and being none opposed, the motion passed.

K. Resolution Required by Leasing Company-Telephone System

Mr. Owen stated he has provided the lease that required Board approval for financing the new phone system approved at a previous meeting. He also stated that the phones at the Town Hall have not been working for two days and they seem to be having trouble getting Fairpoint to repair them. He noted that it seems Brewster Academy is also experiencing the same problem.

It was moved by Sarah Silk and seconded by Dave Senecal for the Wolfeboro Board of Selectmen to approve the following:

RESOLUTION: RESOLVED, that the Governing Body of the Town of Wolfeboro authorizes the Town Manager to finalize the financing of its new Telephone System with Municipal Leasing Consultants of Grand Isle, VT, Its Agents or Assignee. The proposal was approved at a rate of 5.623%, which is fixed until July 18, 2013, after which time the rate floats until funding and will be based on the Like Term Swap Rates. The Town Manager of the Town of Wolfeboro is hereby authorized to execute any and all legal documents necessary to conclude the financing of the lease purchase agreement. Members voted and being none opposed, the motion passed.

Any Other Business

Chairman Silk provided a copy of a flyer from the NE Association of Fire Chiefs and noted that she, Mrs. Murray and Mr. Owen attended the inauguration of Chief Morrill as the President. She noted the flyer shows Wolfeboro has been well represented in the past with three former Chiefs serving as President as follows; Chief Guy L. Foss, Chief Charles (Zip) Foss, and Chief Michael J. Howard.

Town Manager's Report

Mr. Owen reported the following:

- He stated the sign for island parking at the docks in Back Bay have been moved to accommodate Wolfeboro Jet Ski Rentals business. **It was moved by Linda Murray and seconded by Dave Senecal to approve moving the island resident dock parking to the next adjacent dock space along with the signage noting such. Members voted and being none opposed, the motion passed.**
- He noted that the Church across from Town Hall will be undergoing construction and has closed their parking lot for this process which is scheduled to take place at the same time as the Town Hall Parking lot upgrades and he recommends delaying the Town Hall lot upgrades in order to not have two lots closed in that area at the same time. The Board had a lengthy discussion on this matter with Mr. Senecal expressing his great concern of postponing a project voted by the taxpayers in order to accommodate the school which has not addressed its problem of lack of parking for their staff and guests. Mr. Senecal stated they are mandated to make these upgrades due to ADA compliance and feels such should not be postponed and to move forward as scheduled. Chairman Silk agreed with Mr. Senecal and noted the Hospital was able to accommodate their staff's lack of parking during the construction by utilizing a bus system and feels the school could do the same. Mrs. Murray expressed her concern about congestion in the area for those parents who take their children to school. Mr. Owen agreed his recommendation was made to reduce congestion and stress. **It was moved by Dave Senecal and seconded by Brad Harriman to move forward with the Town Hall parking lot upgrades as scheduled for the fall. Members voted, Linda Murray-opposed all others in favor the motion passed.**
- The State of NH Department of Resources and Economic Development has approved the ERZ-1 Designation-form for the revitalization zone for the area of Center, Pine and Lehner Street.
- Mr. Ford reports that NH DOT has approved funding for the municipally managed projects for Center Street and Middleton Road.

- The Parks & Recreation Maintenance Building contract was finalized and awarded to Mr. Kimball.
- They have received 7 applications for the Josiah Brown Scholarship and he is in the process of reviewing those applications.
- He will be attending, along with the Fire Chief, the Reverse E-911 training on July 24th.
- The plaque that was formally in the entry way of the Bell Tower has been removed from the safe and mounted on a wooden frame by the Daughters of the American Revolution (who originally donated it in 1959) and will be hung at Town Hall until it can be returned to the entry way of the tower.
- The Tax Collector's office will be closed July 26th for software upgrades.

Committee Reports

Mr. Harriman attended the Planning Board meeting on the First Congregation Church upgrades and a public forum for the rezoning of Center Street.

Mr. Bowers attended the Library Trustees meeting at which they were discussing the Library expansion plans. He also attended the EDC meeting.

Linda Murray stated she attended the following:

- The Chamber of Commerce Executive Board meeting.
- The Chamber's Social.
- The Planning Board forum.

Chairman Silk stated the following:

- She attended the Planning Board forum.
- The Hazardous Waste meeting in which they discussed the contract with Clean Harbors.
- They held the satellite Hazardous Waste Collection in Alton on Saturday which was attended by 63 households. She reminded the public of the Wolfeboro Collection next month at which they will also be collecting medicines.

Mr. Senecal reported he attended a meeting for Carroll County Transit and Carroll County Health.

Chairman Silk questioned the status of the Blue Loon buses.

Chamber of Commerce

None.

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 Linda Murray moved the Wolfeboro Board of Selectmen to enter non-public session at 9:43 PM to discuss litigation. Dave Senecal seconded. Roll call vote: Dave Bowers-yes, Dave Senecal-yes, Brad Harriman-yes, Sarah Silk-yes, and Linda Murray-yes, the motion passed.

The Board re-entered public session at 9:59 PM.

Chairman Silk stated the non-public session minutes of July 17, 2013 were sealed by a 2/3rds 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 10:00 PM. Member Brad Harriman seconded. Being none opposed, the motion passed.

Respectfully submitted,
Amelia Capone-Muccio
Recording Secretary