

**Wolfeboro Board of Selectmen
Meeting Minutes
Approved
June 20, 2012**

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, Director of Parks & Recreation Ethan Hipple, Finance Director Pete Chamberlin, Director of Planning and Developing Rob Houseman, Police Lieutenant Rondeau, and Recording Secretary Amelia Capone-Muccio.

Chairman Murray 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 real estate.

Consideration of Minutes

➤ ***June 6, 2012***

Chairman Murray amended page ten, to add the following about the third paragraph from the bottom: "Mr. Bowers questioned if this is a formal complaint? Mr. Eaton replied yes."

Member Sarah Silk moved the Wolfeboro Board of Selectmen to accept the minutes of June 6, 2012 as amended. Dave Senecal seconded. Members voted, Chuck Storm abstained and being none opposed, the motion passed.

Public Input

Suzanne Ryan stated in regards to Town Hall improvements topic on the agenda, she would be particularly interested in how the Town's Procurement Policy is being implemented to expend the funds.

Public Hearings

I. Temporary Event permits

A. Wolfeboro Area Recreation Association to hold a run/swim duathlon on July 28, 2012 from 7:00 AM-11:00 AM at Bridge Falls Path and Albee Beach.

Chairman Murray opened the public hearing.

Holly Williams joined the Board and stated that this event will run the same as last year and such is their 2nd annual fundraising event for the Nick.

Chairman Murray questioned the number of participants.

Ms. Williams replied 100 and they are hoping for 200 this year.

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

Member Sarah Silk moved the Wolfeboro Board of Selectmen approve the issuance of a temporary event permit to the Wolfeboro Area Recreation Association to hold a run/swim duathlon on July 28, 2012 from 7:00 AM-11:00 AM at Bridge Falls Path and Albee Beach. Chuck Storm seconded. Members voted, all in favor, the motion passed.

B. Wolfeboro Area Recreation Association to hold a Family Fun Day on August 19, 2012 from 12:00 Noon-4:00 PM at the Nick.

Chairman Murray opened the Public Hearing.

Holly Williams joined the Board and stated that this event is the sixth annual event and the only changes are from Saturday to Sunday and a new activity this year is Helicopter rides.

Being no others to speak for or against the permit, Chairman Murray closed the Public Hearing.

Ms. Silk noted that new insurance certificates need to be filed with the Town.

Member Sarah Silk moved the Wolfeboro Area Recreation Association to hold a Family Fun Day on August 19, 2012 from 12:00 Noon-4:00 PM at the Nick. Chuck Storm seconded. Members voted, all in favor, the motion passed.

II. Amendment to Town Code for Use of Parking Spaces

Chairman Murray opened the Public Hearing. She read the notice of Public Hearing and the purpose of the Public Hearing as follows:

1. Chapter 165. Parking on Municipal Property Article II. Change from "Use of Municipal Parking Lots" to "Use of Municipal Parking Spaces".
2. Chapter 165-2. Applicability. Remove the current language and replace with "The restrictions contained in this article shall apply to all parking spaces owned, occupied or controlled by the Town of Wolfeboro, including those in municipal parking lots, except when and to the extent such restrictions are waived in conjunction with a temporary event or function sanctioned by the Town. Each of the parking spaces covered by this article is hereinafter sometimes referred to as "parking space".
3. Chapter 165-3. Restrictions. Change "parking lot" to "parking space."
4. Chapter 165-3. Restrictions. Add Section "E. No vehicle shall be parked in any town parking space with a "for sale" sign posted, displayed, or caused to be displayed, by any method or means, for a period of more than two hours."

Chairman Murray opened the hearing to public comment.

Tom Bickford joined the Board and stated he has a concern with such ordinance change and does not think this is time well spent for the Police Department. He also feels that the ordinance is not welcoming to visitors to Wolfeboro and is an intrusion on free speech.

Mr. Bowers suggest that Lieutenant Rondeau explain why this ordinance came about.

Lieutenant Rondeau joined the Board and explained that they initially received a complaint about a vehicle parked downtown for an excessive amount of time that was “for sale”. After receiving numerous complaints they tried to address the problem but could not. He explained the Board’s intent is to keep vehicles moving in the downtown area and have extended a current ordinance from the parking lots to the spaces downtown. He stated such ordinance is not designed to interfere with liberty and has a reasonable time limit for someone who is doing business in the downtown of 2 hours.

Being no others to speak for or against the permit, Chairman Murray closed the Public Hearing.

Member Chuck Storm moved the Wolfeboro Board of Selectmen to approve amending Chapter 165 of the Town Code as follows:

1. **Chapter 165. Parking on Municipal Property Article II. Change from “Use of Municipal Parking Lots” to “Use of Municipal Parking Spaces”.**
2. **Chapter 165-2. Applicability. Remove the current language and replace with “The restrictions contained in this article shall apply to all parking spaces owned, occupied or controlled by the Town of Wolfeboro, including those in municipal parking lots, except when and to the extent such restrictions are waived in conjunction with a temporary event or function sanctioned by the Town. Each of the parking spaces covered by this article is hereinafter sometimes referred to as “parking space”.**
3. **Chapter 165-3. Restrictions. Change “parking lot” to “parking space.”**
4. **Chapter 165-3. Restrictions. Add Section “E. No vehicle shall be parked in any town parking space with a “for sale” sign posted, displayed, or caused to be displayed, by any method or means, for a period of more than two hours.”**

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

Bulk Vote

A. Property Tax Refunds/Abatements

Approvals

i.	38 Amely Way	Tax Map 251 Lot 23 (2011)
ii.	61 Crooked Pond Lane	Tax Map 204, Lot 102 (2011)
iii.	326 Sewall Road	Tax Map 241, Lot 15 (2011)
iv.	86 Oakwood Road	Tax Map 259, Lot 38 (2011)
v.	Poles and R.O.W.	Tax Map UTL, Lot F (2011)
vi.	71 Scott Road	Tax Map 244, Lot 4 (2011)
vii.	20 Pflueger Lane	Tax Map 235, Lot 4 (2011)
viii.	Stoneham Road	Tax Map 120, Lot 3-1 (2012)
ix.	Jenness Farm Road	Tax Map 120, Lot 3 (2011)
x.	33 Blackberry Lane	Tax Map 190, Lot 106 (2012)
xi.	37 Christian Ridge Road	Tax Map 218, Lot 57 (Part 1)
xii.	90 North Main Street	Tax Map 217, Lot 127

Denials

i.	110 River Street	Tax Map 205, Lot 6 (2011)
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- ii. 680 North Main St Tax Map 142, Lots 10-11 (2011)
- iii. 64 Parker Island Road Tax Map 226, Lot 5 (2011)
- iv. 50 Worcester Island Road Tax Map 258, Lot 16 (2011)
- v. 64 Oakwood Road Tax Map 266, Lot 10 (2011)
- vi. 76 Hopewell Point Tax Map 240, Lot 20 (2011)
- vii. 38 Stonehenge Road Tax Map 260, Lot 20 (2011)

B. Notice of Intent to Cut Wood or Timber

- i. Waumbeck Road Tax Map 159, Lot 22

C. Not to Use PA-28 Form in 2013

D. Acceptance of Gift of two Memorial Park Benches with a value of \$2,400

It was moved by Linda Murray for the Wolfeboro Board of Selectmen to remove the Bulk Vote item Acceptance of Gift of two Memorial Benches with a value of \$2,400 to be discussed separately. Sarah Silk seconded. Members voted and being none opposed, the motion passed.

It was moved by Sarah Silk for the Wolfeboro Board of Selectmen to approve the Bulk Vote items listed above A-C as listed (excluding the removed item). Dave Senecal seconded. Members voted and being none opposed, the motion passed.

Acceptance of Gift of two Memorial Park Benches with a value of \$2,400

Ethan Hipple joined the Board for discussion and stated that they started a program a few years back with replacing benches funded by donors. He stated the program has worked well and he is requesting the town to accept two donated memorial 8 foot composite benches.

Chairman Murray questioned if they are looking for more donors.

Mr. Hipple replied yes they have many benches that need to be replaced and such is a great way to remember a loved one or for a cause.

Mr. Bowers questioned if they have name recognition.

Mr. Hipple replied they do have a 3 x 5 plaque.

It was moved by Chuck Storm for the Wolfeboro Board of Selectmen to accept the gift of two Memorial Park Benches with a value of \$2,400. Sarah Silk seconded. Members voted and being none opposed, the motion passed.

Appointments

A. Lakes Region Planning Commission

Mr. Owen stated the terms of two members have expired on the Lakes Region Planning Commission and both wish to be re-appointed. They are Chuck Storm and Donald St. Germain.

Member Sarah Silk moved the Wolfeboro Board of Selectmen to re-appoint Chuck Storm to a 4-year term as a Commissioner and Donald St. Germian to a 4-year term as Alternate member with the Lakes Region Planning Commission. Dave Bowers seconded. Members voted, Chuck Storm-abstained and all in favor, the motion passed.

New Business

A. Moose Mountain Jazz Band-Use of parking spaces during the Independence Day Parade

Mr. Owen stated Doug Cady has requested the use of three parking spaces downtown during the parade in front of the Avery Building for the Moose Mountain Jazz Band to perform during downtimes of the parade. He stated they wish to perform on a flatbed truck.

Ms. Silk questioned who would block those spaces the evening before.

Mr. Owen replied that he would make such arrangements.

Member Dave Bowers moved the Wolfeboro Board of Selectmen to approve the request of the Moose Mountain Jazz Band to block off and reserve three town parking spaces in front of the Avery Building on the morning of the 4th of July for the use of the Moose Mountain Jazz Band. Chuck Storm seconded. Members voted, all in favor, the motion passed.

B. Monthly Budget and Expenditures and Revenue Report.

Pete Chamberlin joined the Board for discussion.

Chairman Murray questioned a coding error in the Pop Whalen revenue.

Mr. Chamberlin replied he would correct such.

Ms. Silk questioned the expense of several departments' budget lines being at 100% expended, such as Welfare, Communications, Solid Waste, Planning and Animal Control.

Mr. Owen noted that some of those lines are one-time expenditure items; for example, the Planning Department line she is referring to has been expended since the Town Planner has attended his conference for the year.

Chairman Murray noted that the Town Treasurer has advised that he will be providing a monthly report of the Josiah Brown Trust.

Mr. Chamberlin stated in a recent meeting he attended at the Local Government Center he has learned that the NH Bond Bank and US Department of Agriculture Rural Development rates are so low the town can save about \$200,000 by refinancing the water bonds.

C. Update on the Regional Public Health Emergency Annex

Mary Reed, Carroll County Public Health Regional Coordinator, joined the Board for discussion and provided a presentation on the update of the Carroll County Coalition of Public Health's update to the Regional Public Health Annex. She provided a hard copy of such to the town. (See attached PowerPoint)

D. Energy Committee Status Update

Nancy Hirschberg, Chair of the Energy Committee, joined the Board to provide a PowerPoint presentation of what the Committee has accomplished and plans moving forward. She summarized that the Committee was established in 2007 with 6 members and started to measure the town's energy usage for the municipal facilities in order to find ways to reduce the town's energy costs. She stated they applied for a grant to track the energy and used an intern to do such and several departments made energy upgrades. She stated the focus was education and working with town departments. She noted the Municipal Electric Department implemented net metering for solar and wind power. She stated in 2010 the Committee began to focus on the more technical side of projects and applied and received a NH Energy Efficiency and Conservation Block Grant (EECBG) grant. She also referred to two documents she provided for the Board's information, Financing Municipal Energy dated 2011 and Road Map to a Secure Energy Future Community Energy Plan dated June 2012 and she did a brief overview of the report dated June 2012 (See attached). She noted the staff was very helpful and noted that she would be resigning as Chairman of the Committee going forward due to time constraints and the Committee would be electing a new Chairman.

Ms. Silk noted that page nine of the report shows a reduction in energy use which would have never happened if not for the Committee.

Chairman Murray thanked her for the update.

E. Rate Structure for Sailboat Sharing Proposal

Ethan Hipple joined the Board and explained that the Department is working with the NH Boat Museum to lease a 24 foot keelboat donated to the Museum to be used by those who pay an annual fee. He summarized that the Parks & Recreation Department would handle the program registration, boat scheduling, staffing, testing and liability insurance while the NH Boat Museum would be responsible for boat maintenance, boat registration and boat insurance.

Mr. Bowers suggested having the registration period open to local residents first then open it to non-residents.

Chairman Murray stated this is an example of another public/private partnership.

It was moved by Dave Bowers for the Wolfeboro Board of Selectmen to approve the Rate Structure for the Sailboat Sharing Proposal between the NH Boat Museum and the Wolfeboro Parks & Recreation Department as presented. Sarah Silk seconded. Members voted and being none opposed, the motion passed.

F. Status of Town Hall Improvements

Chairman Murray noted that she and Selectmen Silk attended a social with the Friends of Town Hall where Mr. Houseman gave the same status report.

Rob Houseman joined the Board and reviewed his spreadsheet summarizing that status of the funds from the \$200,000 the voters approved in March. (See attached)

Chairman Murray questioned the point raised about the procurement policy.

Mr. Houseman replied that the Asbestos removal project was previously bid which is how he acquired the estimate, but he could put out a new bid.

Ms. Silk questioned if they could get a better price from NRRA.

Mr. Houseman replied the estimate is from a contractor who will do the entire project including the disposal as a complete abatement needs to be done, blocking of office areas and will be done during nonbusiness hours. He stated he is encouraging that all work be done in a manner as to be incorporated with future renovations. He noted that number three on the list regarding the dehumidification requires more work that is out of his realm of expertise and he has only one response to date and expects a proposal for such this week.

Mr. Senecal questioned if he contacted Shawn Bergeron or use the same company as used at Pop Whalen.

Mr. Houseman replied he would check with Mr. Hipple and he has contacted Mr. Bergeron. He stated he has done a walk through with regards to the electric with Rick Burns and expects a proposal soon and has some request out to other Master Electricians as well. He stated with regards to the window he reached out to Pella Windows for a quote to replace the windows, which is a significant difference from the previous proposals. He noted there are some cost overages but such is due to doing the projects separate from the larger project.

Mr. Bowers questioned if Pella Windows proposed the discount in exchange for advertising.

Mr. Houseman replied no. The C.E.O resides in Tuftonboro and expressed interest in the building as a place to showcase his company's work.

Ms. Silk questioned a date they will have a proposal from Mr. Burns.

Mr. Houseman replied he contact Mr. Burns and request to move this forward as a priority. He stated that with regards to the baseboard heating, they are proposing to discontinue the baseboard heat in the Finance/Town Manager area and put in radiant heat above.

Chairman Murray questioned if that would work.

Bob Lemaire replied he believes it will.

Mr. Bowers questioned regulating the temperature.

Mr. Lemaire replied regulating temperature with radiant heat is tricky.

G. Selection of Street Furniture for Depot Square Bump-out

Chairman Murray stated the Board has been provided with Mr. Ford's suggestions for the bump-out furniture. She questioned if the Bike Rack will be moved.

Mr. Houseman replied it is being moved to Bean Park.

Ms. Silk questioned why they would put an ADA table closer to the ADA parking spaces.

Mr. Houseman spoke on behalf of Mr. Ford explaining that the thought process to the park was to have the side at the Railroad Station to accommodate benches for those who wanted to rest as it is a bus stop with a table on the side where the food establishments are.

The Board discussed the furniture suggestions and decided on a bench and trash can as noted on page 39 (Ultra Collection) but did not determine the color at this point as the colors available were not listed.

Other Business

Ms. Silk questioned the status of the Hawkers & Peddlers inquiry.

Mr. Owen replied he has not addressed such yet.

Town Manager's Report

Mr. Owen stated the following:

- He stated the town has received numerous applications for the Josiah Brown Trust scholarship.
- The town has received a request of the asbestos report for the McBride property and there is some interest in purchasing the home and moving it.
- He attending the meeting at the Local Government Center regarding the funding that was suspended by the State for the Waste Water projects and noted the town has lost \$160,000 in 2012. He stated a group of towns and cities have formed a coalition for legislation to re-introduce having the State resume those funding obligations.

Committee Reports

Mr. Storm attended the Planning Board work session.

Mr. Bowers attended the EDC meeting and they are continuing to work on the focus groups. He also attended a meeting with the Carroll County Commissioners and the towns of Moultonborough and Conway regarding Dispatch services that are paid for by each town but are not used, since each of the three towns has their own Dispatch services. He also attended the Chamber Social.

Chairman Murray stated that Milfoil harvesting took place the first two weeks of June and a lot of Milfoil was found. She thanked the following: Ken Marschner, Kurt Dietzer, Skip Lorimor, Susan Goodwin and Kathy Barnard for all their help and outstanding commitment. She noted DASH 2 needs a new engine. She also attended the Chamber Executive Board meeting. She attended an event on the Winnepesaukee Belle for Fire Chiefs. She reminded the public the Board would be meeting on July 11th and 25th due to the 4th of July Holiday.

Ms. Silk stated the Hazardous Waste Collection was June 16th 8 AM to Noon, which included a medicine collection and they collected 1 gallon of controlled medicine and 13 gallons of non-controlled medicine. She noted that she attended the Police Commission meeting where they discussed the new chemical drug "bath salts", downtown crosswalks which the Commission has requested more signs in the downtown area but they need to look into such further, the Traffic Officers will be starting up for the year, the Police Officers will be walking in town to be more visible as time allows and Officer Cooper, the School Resource Officer, oversees a facility that has upwards of 2,000 on campus at a time. She also stated the Board members have been invited to join the parade for the Libby's 100th Celebration in the parade.

Lieutenant Rondeau provided a brief overview regarding the "bath salts" and explained the town had developed an ordinance last year to deal with K2 spice on town property and now the new phase is the "bath salts". He explained these are synthetic drugs created to escape FDA regulations and are highly dangerous. He stated he has drafted

an ordinance for review by the Police Chief and such will be presented to the Police Commission and the forwarded to the Board for adoption.

Mr. Senecal attended the Carroll County Coalition meeting and noted as Ms. Reed presented this is quite an extensive program and a lot of work goes into the planning.

Public Comment

Bob Lemaire joined the Board and stated he would like to speak to two items regarding the Town Hall renovations:

1. He did a "right to know" request on the asbestos removal at the Town Manager's office and what was provided was not what Mr. Houseman presented and noted that they need to be more diligent with their information.
2. Although he appreciates Mr. Houseman's comments regarding the windows, the original estimate has gone from \$21,000 is now looking like \$50,000. He feels there is not a real heat loss in the windows and would like to see the money go farther.

Mr. Bowers questioned if he recommends another kind of window that is less expensive.

Mr. Lemaire replied he does not know what has been done but suggested they look at getting some estimates from others like Carroll County Glass.

Ms. Silk stated that he was asked to bid on the school project but said it was too big of a project.

Mr. Bowers replied they should check with them.

Mr. Houseman replied he would reach out to them.

Mr. Lemaire suggested they check with Granite State Glass as well. He stated just because the building is on the National Historic record doesn't mean it has to be approved by them. Do you want to be economic or try to stay on a list?

Mr. Bowers replied it is nice to be on the list, but it is not a financial consideration.

Mr. Lemaire suggested they take a look at Exeter's Town Hall who did a nice job replacing the windows and look into who they used.

Mr. Owen stated that if they do a straight bid they need an architect. This contractor did the design and reduced the pricing. He feels it is important that the building maintain its place on the National Register of Historic Places.

Chairman Murray stated they haven't decided on anything. They are just getting quotes for review at this point.

Mr. Lemaire stated that \$75,000 for windows is not a good situation.

Chairman Murray replied they have not agreed to that, this is their first review of it.

Mr. Lemaire stated the goal was to be done by November and the further you get into it you become committed.

Mr. Owen stated that developing bid specifications has a cost.

Mr. Houseman clarified that he reached out to Pella Windows for a quote since he knew the C.E.O and did it as a way to move the process along. If the Board wishes to go out for bids he can use some of the engineering funds for such, but such will consume most of the funds.

Chairman Murray stated that is what she thought they were going to do.

Mr. Houseman replied he will take the direction the Board wants to go.

Suzanne Ryan stated the procurement policy is not being followed.

Mr. Owen replied the Board has the right to waive it.

Mrs. Ryan replied that when you are using the taxpayer's money she would hope they send it out to bid.

Chairman Murray noted they are using the original bids.

Mrs. Ryan stated to gain public confidence they should be sending it out to bid with no waiver from the Board or Town Manager. She believes that the original proposal was to use a storm panel on the windows in aluminum. The project should be bid out to get the best product for the best value.

Tom Bickford questioned proceeding without following the procurement policy.

Chairman Murray replied this is the first review and discussion this Board has had and she did question such via e-mails which is why they are having the discussion.

Tom Bickford stated the issue about the procurement policy was raised by the members of the public.

Ms. Silk stated he is jumping the gun, they haven't taken any votes to secure the amounts and there was no vote to waiver the procurement policy.

Tom Bickford replied that is not the assumption, an issue was brought up if the procurement policy is being followed.

Chairman Murray replied this is the first time they are publicly discussing it.

Mr. Bowers stated there was no mention that the Board wants to abort bidding, and Pella was nice enough to provide the quote.

Tom Bickford stated he was asked to do it.

Mr. Bowers replied that the Board has not acted on it.

Tom Bickford stated but they did not ask if the bidding process was being followed.

Mr. Storm stated that they are discussing the status of the improvements and that this discussion is a waste of time.

Tom Bickford replied it is a public forum.

Questions from the Press

Tom Beeler of the Granite State News questioned the color of the bench.
Chairman Murray replied the colors were not listed on the one they chose on page 39.

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

Member Sarah Silk moved the Wolfeboro Board of Selectmen to enter non-public session at 9:00 PM to discuss real estate. Chuck Storm seconded. Roll call vote: Dave Bowers-yes, Dave Senecal-yes, Chuck Storm-yes, Sarah Silk-yes and Linda Murray-yes, the motion passed.

The Board re-entered public session at 9:25 PM.

Chairman Murray stated the non-public session minutes of June 20, 2012 were sealed by a 2/3rd's 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 9:26 PM. Member Dave Bowers seconded. Being none opposed, the motion passed.

Respectfully submitted,

Amelia Capone-Muccio

Recording Secretary