

**Wolfeboro Board of Selectmen
Meeting minutes
Approved
August 18, 2010**

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

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

Chairman Murray called the meeting to order at 6:30 PM in the Wolfeboro Public Library.

Non-Public Session RSA 91-A: 3II

Mr. Owen stated a non-public session is not needed.

Consideration of Minutes

➤ ***August 4, 2010***

Ms. Silk amended page six the first bullet under Town Manager's Report to change "Fire Department" to the "State Fire Marshall".

Chairman Murray made the following amendments:

- Page three, second paragraph from the bottom, first sentence to read; *Chairman Murray stated she had mixed feelings on ceasing to recognize the firefighter's union.*
- Page four, the seventh line down to change the beginning of the sentence to "*I think every new Selectman has had an issue with differential pay*".
- Page four, the eleventh line down to change "to" to "two".
- Page four, the fourteenth line to remove "*and those are for the firefighters*" and put in "*for the firefighters union employees*".
- Page four the nineteenth line from the bottom to change the beginning of the sentence to "*On a Pay and Classification Oversight Committee were the following members*".
- Page six, the second paragraph, second sentence to add after Planning Board; *and the Board of Selectmen through the Town Manger who oversees the Code Officer's job of enforcing the Town's codes and Zoning Ordinances.*

Member Marge Webster moved the Wolfeboro Board of Selectmen accept the minutes of August 4, 2010 as amended. Sarah Silk seconded. Members voted, being none opposed the motion passed.

➤ ***July 28, 2010 Special Meeting***

Chairman Murray made the following amendments:

- Page one; first paragraph under Pop Whalen to remove;” but Chief Morrill agreed to sign it as well, contingent upon having a compliance plan”.
- Page one, fifth paragraph should read “Chairman Murray noted that in 2009 when the Board of Selectmen was developing a draft warrant article for the Town Hall, both Ms. Cline and Deputy Zotti informed the Board of Selectmen that there were life safety issues that needed to be addressed if repairs of the building were done. She questioned why they were not as pro-active on this project”.
- Page two, the first paragraph change “warrant article” to Capital project submittal to the CIP Committee”.
- Page two, fifth paragraph from the bottom to read “done for a proposed 2011 warrant article, but final plans and specification for the Pop Whalen sprinkling system are not done until the project is funded.
- Page three; third paragraph from the bottom to add, “Chief Morrill joined the Board for discussion”.
- Page four, first paragraph should read, “Deputy Zotti suggested that it should be a town policy to review proposed warrant articles with the Code Enforcement Officer and Fire Department”.
- Page four, eighth paragraph from the bottom, starting at the end of the sentence should read; “She stated that the asset management plan should help the Town move forward on addressing maintenance, upgrades and replacement of Town Buildings”.
- Pages four, ninth paragraph, add the word “proposed” before warrant article.
- Page five, the motion to correct “Department’s” to “Departments”.

Member Sarah Silk moved the Wolfeboro Board of Selectmen to accept the minutes of July 28, 2010 as amended. Chuck Storm seconded. Members voted, being none opposed the motion passed.

Public Input

None.

Bulk Vote

A. Property Tax Abatement/Refunds

- i. Abatement/Refund #2 (2008) Tax Map 251, Lot 23

B. Intent to Cut Wood or Timber

- i. Jonathan Hersey Road Tax Map 111, Lot 7

C. Land Use Change Tax

- i. Pleasant Valley Road Tax Map 249, Lot 1-3
- ii. Springfield Point Road Tax Map 266, Lot 4

D. Application to DRA for Reimbursement for Federal and State Forest Lands

E. Form MS-5

Mr. Owen stated he would like to add an additional Intent to cut wood or timber for Tax Map #146 lots 8 &15 to the Bulk Vote.

Member Marge Webster moved the Wolfeboro Board of Selectmen approve the bulk vote as listed above; including the intent to cut wood or timber for tax map #146 lots 8 & 15. Sarah Silk seconded. Members voted and being none opposed the motion passed.

New Business

A. Revised Policy on Accommodations to Individuals with Disabilities

Mr. Owen stated that as part of the settlement agreement with the U.S. Department of Justice, they would like to broaden the policy previously adopted to cover other facilities that are not ADA accessible. He had provided the Board with a revised policy for approval, which he did have reviewed by the U.S. Attorney.

Member Chuck Storm moved the Wolfeboro Board of Selectmen to approve the adoption of the Revised Policy on Accommodations to Individuals with Disabilities. Marge Webster seconded. Members voted and being none opposed the motion passed.

B. Community Development Block Grant Requirements

- i. Code of Ethics for CDBG Administration
- ii. Financial Management Plan
- iii. Authorization to Submit Claims

Mr. Owen stated the Board needs to act on the above administrative matters for the Community Development Block Grant.

Member Marge Webster moved the Wolfeboro Board of Selectmen to approve and sign the Wolfeboro Code of Ethics for the Community Development Block Grant Administration. Sarah Silk seconded. Members voted and being none opposed the motion passed.

Member Marge Webster moved the Wolfeboro Board of Selectmen to approve and sign the Wolfeboro Financial Management plan for the Community Development Block Grant project. Sarah Silk seconded. Members voted and being none opposed the motion passed.

Member Sarah Silk moved the Wolfeboro Board of Selectmen to designate the Town Manager David W. Owen and/or Board of Selectmen Chairman Linda T. Murray to sign requisitions for payment of Community Development Block Grant funds. Marge Webster seconded. Members voted and being none opposed the motion passed.

Mr. Owen updated the Board on the status of the project noting that it is scheduled to go out to bid in September with construction in October.

C. Revised payment-in-lieu- of- taxes agreement for Hearthstone Homes of Wolfeboro, Inc.

Mr. Owen stated that he was approached by the representatives of Hearthstone Homes, Jen Haskell and Dick Hamilton, notifying him that the agreement needed to be revised due to changes in circumstances. He explained that the tax rate used to calculate the agreement had gone down, the valuation of the property had gone up slightly and they have occupancy issues and no longer have a waiting list. He discussed all these issues with the Contract Assessor and he has suggested a 5% abatement based on the circumstances and that they would pay \$15,103.65 for the current tax year and the same next year.

Jen Haskell joined the Board for discussion and stated that due to the change in circumstances they felt a reduction was appropriate and expressed the gratitude for such on behalf of Hearthstone Homes.

Chairman Murray pointed out that although they are reducing the amount called for in the agreement, the town still would receive an increase of about \$3,000 more than last year. She suggested adding the review of occupancy in the third paragraph of the agreement as well.

Mrs. Haskell agreed to such change.

Member Marge Webster moved the Wolfeboro Board of Selectmen to approve and sign the Further Revised and Extended Payment-in-Lieu-of-Taxes Agreement with Hearthstone Homes of Wolfeboro, Inc, including the revision made this evening by Chairman Murray. Chuck Storm seconded. Members voted and being none opposed the motion passed.

D. Chamber of Commerce Lease

Mr. Owen stated the Chamber Lease is up for renewal and he has provided a new lease with no changes.

Member Sarah Silk moved the Wolfeboro Board of Selectmen to approve and sign the lease renewal with the Wolfeboro Area Chamber of Commerce for a term of one year from October 1, 2010 through September 30, 2011. Chuck Storm seconded. Members voted, Marge Webster –abstained and being none opposed the motion passed.

Ms. Webster stated she abstained because she felt there should be some sort of increase.

E. Accept WEDCO funds for EDC study

Mr. Owen stated that WEDCO is contributing \$1,500 toward the Economic Development Strategy Study.

Member Sarah Silk moved the Wolfeboro Board of Selectmen to acknowledge WEDCO's contribution of funds in the amount of \$1,500 from the Wentworth Economic Development Council toward the cost of Economic Development Strategy Plan, Phase 1. Chuck Storm seconded. Members voted and being none opposed the motion passed.

F. Monthly Budget Expenditures and Revenues Report

Pete Chamberlin joined the Board for discussion and stated he added a few extra reports this month including a report from Director of Municipal Electric Department Operations Barry Muccio and the balance of the Trusts funds for 2011 Budget review purposes.

Chairman Murray questioned if he is comfortable with the budget as stands today.

Mr. Chamberlin replied he is.

Chairman Murray pointed out that last month's expense in the Welfare budget has decreased.

Ms. Webster stated that the report has improved and he had done a great job.

Any Other Business

➤ **State Aid Grant**

Mr. Owen stated Public Works Director Dave Ford provided him with a State Aid Grant this afternoon and stated that the Town needs to put in an application for funds even though payments for this grant have been suspended by the State, to ensure if the State should decide to start payments again that the Town would be able to receive funds.

Member Sarah Silk moved the Wolfeboro Board of Selectmen to authorize David W. Owen to act on behalf of the Town of Wolfeboro in negotiating for and accepting any and all State Aid in connection with sewage disposal facilities. Marge Webster seconded. Members voted and being none opposed the motion passed.

➤ **Governor's Reception speech**

Chairman Murray stated she has been asked to give a speech as a Board of Selectmen representative at the Governor's Reception and if any of the members wished to add to the speech to e-mail her.

Town Manager's Report

Mr. Owen stated the following:

- He met with the Budget Committee last week and discussed the Board's issue with their schedule and they have agreed to push out the first meeting by one week. He provided a revised copy of the schedule.
- He and the Director of the Municipal Electric Department Barry Muccio met with the consultant to discuss the Electric Purchase Power contract and received good news that they would not have to increase the rates next year. He stated the consultant suggested a "extend & blend" strategy to lower rates for the remainder of the contract and he requested more information on such.
- The Local Government Center is seeking nominations for the Municipal Volunteer of the Year and he suggests nominating Ken Marschner for this, as he has gone above and beyond for the Milfoil Committee. The Board agreed to nominate Ken Marschner.
- He provided a draft RFP for Contract Assessing services for review and comment. He has also started the process of seeking information on hiring a full time Assesor. He stated with the information he has received so far it looks like they would need to pay around \$60,000-\$65,000 plus benefits, but he would provide more information when he completes his analysis.
- He is currently reviewing the Welfare guidelines and comparing them to surrounding communities.
- The new assessments have been sent to the taxpayers and hearings with the Assessing Department start tomorrow and will continue as needed.
- He stated the Auditors are scheduled to meet with the Board on September 15, 2010 to present the audit.

Chairman Murray questioned if they would be charged for the additional hearings.

Mr. Owen replied he would verify such.

Committee Reports

Ms. Silk reported the following:

- August 21, 2010 is the next Household Hazardous Waste Collection with a Medicine collection from 8:30 AM to Noon.
- NERRA will be presenting a check to the Solid Waste Department on August 31, 2010 at 9 AM for \$5,000 towards the purchase of a backhoe.
- She noted the importance of recycling and that many common items are made from recycled plastic.

Mr. Senecal reported the following:

- Carroll County Health Services has been meeting regularly for Emergency preparedness.
- Carroll County Transit is moving forward and the busses are coming soon.

Ms. Webster stated the Budget Committee met and expressed concern about the Welfare Budget, but the Town Manager explained how they would cover those overages.

Mr. Storm stated the Planning Board met last night and discussed the following:

- Voted to pass impact fees on a per unit basis.
- The Street improvement/condition report will be reviewed once completed by the intern.
- They filled the room last night with the downtown merchants regarding the Sign Ordinance and after a lengthy discussion the Planning Board asked him to request the Board of Selectmen to put a temporary moratorium on the Sign Ordinance for the rest of the season to allow the Planning Board to review the ordinance in its entirety. He also stated that Victor Drouin provided him with some suggestions in letterform, which he will forward to all the members.
- They are looking to clean up Zoning in the areas of Rt. 109 and Varney Road from Commercial to Residential.

DISCUSSION:

Chairman Murray questioned if the Planning Board is looking for the Board to put a moratorium on enforcement of "A-frame" signs.

Mr. Storm replied the Planning Board asked him to bring it up to the Board at tonight's meeting.

Ms. Webster stated that she talked with three merchants that were at that meeting last night and all of them were extremely positive about the meeting.

Chairman Murray stated she couldn't vote on such moratorium unless they send letters to those they asked to remove the signs already.

Ms. Silk pointed out the majority of voters voted in the ordinance. She asked if they were represented or heard at the Planning Board meeting

Mr. Storm stated that when they held the public hearing on the sign ordinance no one from the public attended and he feels that the public may have not been engaged on the sign ordinance.

Mr. Owen stated he had been tipped off that this discussion would come up tonight, so he had the moratorium request run by the Town Attorney and provided the Board with a copy of Town Counsel's recommendations.

Ms. Webster stated she understands the concern regarding liability, but they still have 21 “sandwich board” signs out and they need to be fair and consistent. She suggested allowing these signs for the season, such as May to October.

Mr. Senecal expressed concern about the size; he would like to know the average sign size they would be allowing.

Ms. Silk stated that she does not understand how they could allow these signs that would be impeding the public way and how would this work with ADA requirements. She questioned if this included current signs, signs that were taken down and new signs.

Chairman Murray stated she is not opposed to a moratorium on “A-frame” signs, but is not willing to do it without clear language and knowing the town’s liability on the sidewalks. She stated she went downtown today and a table and chair set was blocking the sidewalk. She would like to see a measurement and restriction of not blocking the sidewalks and is not ready to make that decision tonight. She questioned how this would affect temporary event permit process.

Ms. Webster stated she believes they are just looking for a temporary moratorium to get through the season.

Mr. Owen stated that he would suggest limiting the signs to be on their own premise or in front of their store.

Mr. Storm suggested limiting to one or two signs depending on if they have two entrances.

Ms. Webster questioned the ones that have been removed.

Chairman Murray stated she would like to get the liability issue cleared up and leave it to the ones that are currently out. She stated she would have liked a written request from the Planning Board as to exactly what the Planning Board wants the Board to do.

Mr. Storm replied that the intent was to provide a moratorium on the “sandwich board signs” to allow the Planning Board time to review the ordinance as a whole because they also discussed lack of way-finding signage for the town as well.

Ms. Silk questioned if they plan to get input from the Department Heads and stated she is disappointed at the lack of communication from the Planning Board.

Chairman Murray replied they would.

Mr. Senecal stated they need more information as to the size of the signs, but noted that this moratorium would only be for two more months.

Member Marge Webster moved the Wolfeboro Board of Selectmen to put a moratorium on enforcement of “sandwich board” signs approximately 2 x 3 feet and allow them in front of their own business or property, not more than two signs per location and not to impede the sidewalk, effective today through October 30, 2010, subject to review of the town’s insurance carrier for liability. Chuck Storm seconded.

DISCUSSION:

Chairman Murray stated she would like Mr. Owen to write up the specifications.

Ms. Webster stated she would like the businesses to be notified of such in writing.

Mr. Senecal stated the ordinance needs to be reviewed by the Planning Board to ensure this does not happen again.

Chairman Murray stated the Chamber of Commerce would be meeting with the Planning Board September 28, 2010 to discuss the sign ordinance.

Members voted and being none opposed the motion passed

Chairman Murray reported the following:

- The EDC reviewed the first part of the Strategic Plan and has sent it back to the consultant.
- The CIP Committee toured the Parks and Recreation CIP project sites.
- The Colonial Homecoming Days Governor's Reception tickets are on sale for \$10 and will be \$12 at the door this Friday August 20th from 6-8PM at the Pickney Boathouse. She thanked Brewster Academy for all their help with accommodating them for this event.

Tom Beeler from the 250th Committee joined the Board for discussion and summarized the events of the Colonial Home Coming Days as follows; Colonial re-enactors will be camping on Brewster Field, many demonstrations such as blacksmith and leatherman, children's activities, stage coach rides and more. He explained that they hope to make this an annual event.

Chairman Murray stated they are still looking for volunteers for parking.

Chamber of Commerce

None

Questions from the Public

None.

Questions from the Press

Tom Beeler of the Granite State News stated the Chamber of Commerce has asked their members to come together to discuss the sign ordinance and it seems to be clearly a matter of interest.

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

Member Marge Webster moved the Wolfeboro Board of Selectmen to adjourn at 8:11PM. Member Dave Senecal seconded. Being none opposed, the motion passed.

Respectfully submitted,

Amelia Capone-Muccio

Amelia Capone-Muccio