

Wolfeboro Board of Selectmen Meeting Minutes-Unapproved August 5, 2015

Members present: Chairman Dave Senecal, Dave Bowers, Brad Harriman, Linda Murray and Luke Freudenberg.

Staff present: Town Manager David W. Owen, Director of the Municipal Electric Department Barry Muccio and Recording Secretary Amelia Capone-Muccio.

Chairman Senecal opened the meeting at 6:30 PM.

Non-Public Session RSA 91-A:3

Mr. Owen stated a non-public session is needed to discuss the hiring of any person as public employee in the Electric Department under RSA 91-A:3, II b.

Consideration of Minutes

➤ 6/17/15 Meeting

Chairman Murray noted that she had amended the minutes to include changes to a couple motions.

Member Linda Murray moved the Wolfeboro Board of Selectmen approve the minutes of the July 15, 2015 meeting as amended. Brad Harriman seconded. Members voted, Dave Bowers-abstained and being all others in favor, the motion passed.

Public Input

Josephine Amatucci addressed the Board and stated dismissals of Police Officers and Police Chiefs are consistently done all over New Hampshire by the Selectmen of the various towns. I am asking this for a zero tolerance policy for Police Officers who commit intentional criminal acts. Chief Stuart Chase and Office Dean Rondeau who have intentionally retaliated against me and caused me injury. Retaliation is a violation of the first amendment where a person has a right to redress a grievance to the police without retaliation. Officer Rondeau retaliated and Chief Chase retaliated when I accused the Police of misconduct. They have violated my first amended right to redress grievances with the police. I am demanding that the issue on administrative action by this town for criminal acts by the police on the agenda or there be a public forum to address how the town deals with criminal acts of the police including misdemeanors. The people have a right to know how the town is going to address these criminal acts of Officer Rondeau and Chief Chase. They both had no probable cause to accuse me of bogus traffic violations. I am demanding that the Town has a mandate policy that applies to a uniform standard of dismissal for employees who engage in a criminal act including misdemeanors. Rondeau and Police Chief Chase have committed the crime of intentional retaliation and they must be terminated. A uniform standard of dismissal can take all appropriate administrative action as swiftly as possible for actions that compromise the mission

of this board which is to ensure public safety and zero tolerance for anything less than the absolute integrity. I need a response from this Board by the next meeting how they will respond to this pleading and to be on an Agenda for a special public forum addressing a standard to be followed for criminal acts by the Police.

Suzanne Ryan addressed the Board and stated she has some questions regarding the Agenda item for the electric lineman contract and questioned if the public would have an opportunity to ask questions on this matter as she was part of a committee with John Linville that studied the Electric Department and has some knowledge on that topic and that right now the Department pays \$800,000 for the lineman from NHEC.

Mr. Owen replied that the Agenda item will have discussion on the topic and it will be up to the Board to take questions.

Public Hearings

Temporary Event Permits

A. Wolfeboro Area Recreation Association to hold Beer Festival on August 15, 2015 from 12:00 Noon -4:00 PM at the Nick.

Chairman Senecal opened the public hearing.

Lisa Beverage addressed the Board.

Chairman Senecal noted the event has a liquor license from the State.

Mrs. Murray thanked them for providing the insurance policy and noted this is a good time to share information with the public on the event.

Mrs. Beverage stated the event will host 31 local New England Breweries who will have 3-4 of their craft beers along with music and games for this event.

Mr. Senecal questioned if there is a charge for the event.

Mrs. Beverage replied yes before the event tickets can be purchased for \$30 at Beverage Craft Beer and Soap Co. or on the day of for \$40.

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

It was moved by Linda Murray and seconded by Brad Harriman to issue a Temporary Event Permit to the Wolfeboro Area Recreation Association to hold Beer Festival on August 15, 2015 from 12:00 Noon -4:00 PM at the Nick. Members voted and being all in favor the motion passed.

B. New Hampshire Boat Museum to hold a Boat House Tour on August 13, 2015 (rain date August 14, 2015) from 8:00 AM – 4:00 PM, and requests one side of a Town Dock for water taxis.

Chairman Senecal opened the public hearing.

Hank Why addressed the Board to state this is an annual fundraiser for the NH Boat Museum and they are requesting some additional space this year to use the Town Docks for water taxis.

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

It was moved by Luke Freudenberg and seconded by Linda Murray to issue a Temporary Event Permit to the New Hampshire Boat Museum to hold a Boat House Tour on August 13, 2015 (rain date August 14, 2015) from 8:00 AM – 4:00 PM, including the request of one side of the Town Docks for water taxis. Members voted and being all in favor the motion passed.

Bulk Vote

A. Weekly Manifests:

1. Manifest dated July 24, 2015
2. Manifest dated July 31, 2015
3. Manifest dated August 7, 2015

B. Property Tax Abatements/Refunds

- | | | |
|-------|-------------------------------------|------------------------|
| i. | Abatement/Refund #31 (2014) | Tax Map 172, Lot 27-18 |
| ii. | Abatement/Refund #35 (2014) | Tax Map 158, Lot 16 |
| iii. | Abatement/ Refund #38-Part 1 (2014) | Tax Map 267, Lot 2 |
| iv. | Abatement/ Refund #38-Part 2 (2014) | Tax Map 260, Lot 10 |
| v. | Abatement/ Refund #38-Part 3 (2014) | Tax Map 260, Lot 11 |
| vi. | Abatement/ Refund #48 (2014) | Tax Map 204, Lot 104 |
| vii. | Abatement/ Refund #49 (2014) | Tax Map 172, Lot 27-12 |
| viii. | Abatement/ Refund #52-Part 1 (2014) | Tax Map 151, Lot 6 |
| ix. | Abatement/ Refund #52 Part 2 (2014) | Tax Map 203, Lot 118 |
| x. | Abatement/ Refund #114 (2013) | Tax Map 181, Lot 11 |

C. Notice of Intent to Cut Wood or Timber

- | | | |
|----|-----------------|--------------------|
| i. | New Garden Road | Tax Map 254, Lot 1 |
|----|-----------------|--------------------|

D. Acceptance of a Donation of \$2,300

- i. \$2,000 for Libby Museum
- ii. \$300 for in Memorium of Dennis Bean

It was moved by Dave Bowers and seconded by Linda Murray to vote on Item D of the Bulk Vote separately. Members voted and being all in favor, the motion passed.

It was moved by Linda Murray and seconded by Brad Harriman to accept the Bulk Vote items A-C above. Members voted and being all in favor the motion passed.

It was moved by Linda Murray and seconded by Brad Harriman to accept Bulk Vote item D. Members voted, Dave Bowers-abstained and being all others in favor, the motion passed.

Appointments

A. Library Board of Trustees

Mike Hodder, Chair, addressed the Board to present Pat McLaughlin, Bob Cain and Susan Raser as alternates to the Wolfeboro Public Library Board for one year terms.

It was moved by Dave Bowers and seconded by Brad Harriman to appoint Pat McLaughlin, Bob Cain and Susan Raser as alternates to the Board of Library Trustees for a one year term expiring July 31, 2016. Members voted and being all in favor, the motion passed.

B. Pathways Committee

It was moved by Linda Murray and seconded by Dave Senecal to appoint Mal Blodgett as an alternate member of the Pathways Committee for a three year term expiring April 30, 2018. Members voted and being none opposed, the motion passed.

New Business

A. Production Company Filming in Wolfeboro

Mr. Owen stated a production company has made inquiry to the Town about filming a movie for TV in Wolfeboro. He noted they are here to request permission to film in two areas downtown.

Daniel Kim addressed the Board to state Panoramic Production Company is here to request permission to film in two locations downtown. He introduced Emily Gossett, Matt Weison and Aaron Nelson to the Board to speak about the request.

Ms. Gossett stated they request to film portions of a pilot program based on the bestselling book Significance in Wolfeboro and have received great support from Wolfeboro on this project including from the schools, Kingswood and Brewster Academy.

Mr. Nelson stated they plan to shoot at night on August 20th and 21st in the downtown area and indicated on the map where such locations would be. He explained they will be respectful of the residents of the area and will leave the area as it was found, cleaning up after themselves after the shoot.

Mr. Weison stated that they use lighting to shoot the scenes but it is special lighting that is to shoot from above and should not affect the residents of that area.

Chairman Senecal questioned the hours they plan to shoot and if they need electricity to shoot the scenes.

Mr. Nelson replied they would start at about dusk and will shoot to about 4:00 to 5:00 in the morning and will use two Wolfeboro Police Officers for traffic detail during the shooting.

Mr. Kim noted that some concerns were expressed about the dark and keeping people away from the water and he explained they have addressed this concern. He stated they have a generator that is special for film production and is very quiet to allow them to shoot the scenes.

Mr. Freudenberg noted that a Friday night may be busy downtown and have many people around.

Mr. Nelson replied they are okay with that and Daniel noted the local merchants have been very supportive of the production.

It was moved by Dave Bowers and seconded by Brad Harriman to approve and allow Panoramic Production Company to shoot two scenes for a movie production as requested in downtown Wolfeboro on August 20th and 21st starting at dusk to 4:00 to 5:00 AM as requested with two Wolfeboro Police Officers on detail. Members voted and being none opposed, the motion passed.

B. Use of Cate Park for sale of Christmas Trees by the Rotary Club.

Dave Scarnulis addressed the Board to request the annual use of Cate Park to sell Christmas Trees which is a major fundraiser for the Rotary Club.

It was moved by Linda Murray and seconded by Dave Senecal to approve the request of the Wolfeboro Rotary Club to sell Christmas Trees in Cate Park from November 28th to December 22nd. Members voted and being none opposed, the motion passed.

C. Agreement for Extension of Intermunicipal Agreement

Mr. Owen stated that as previously discussed at a past meeting Moultonborough has completed the withdrawal from the Intermunicipal Agreement and has received their share of the funds and the agreement has been reviewed by counsel and is ready for approval. He noted that as previously discussed the Intermunicipal Agreement will continue with Wolfeboro and Tuftonboro.

It was moved by Linda Murray and seconded by Dave Bowers to the following motion: RESOLVED, that the Board of Selectmen authorize the Board Chairman to sign an Intermunicipal Agreement for the extension of the 2010 Intermunicipal Agreement for the Provision of Aquatic Nuisance Plant Control between the Towns of Tuftonboro and Wolfeboro, thereby extending the Intermunicipal Agreement between Tuftonboro and Wolfeboro for a second term of five years to commence October 1, 2015 and terminate September 30, 2020. Members voted and being none opposed, the motion passed.

D. Letter of Support for Veterans Transitional Housing

Robert Pierpont addressed the Board to state he has previously come before the Board to discuss a proposal to have transitional housing for Veterans at the former Nursing home in Ossipee and noted that they have received letters of support for this program from residents of

Carroll County (over 500) and support letters from the Towns of Effingham, Tufonboro and Albany who all support providing transitional housing for veterans returning to the United States and need housing and employment. He gave a brief overview of this nonprofit organization that will be co-od and a plan to renovate 17 rooms in the old nursing home to house and provide education for veterans who are getting back on their feet in Carroll County. He noted that Carroll County is the only county who does not have such program.

Mr. Harriman questioned if other counties have a similar program.

Mr. Pierpont replied this will be smaller than what the other counties provide.

Mrs. Murray questioned if there would be a time limit on how long someone could stay.

Mr. Pierpont replied yes, they would be required to apply for two jobs per week and if they are there longer than 6 months they would have to be transferred to a larger facility.

Mr. Freudenberg stated that he attended the meetings when the nursing home was to be closed and the discussions on building the \$28 million dollar facility and questioned the cost to renovate these wings they propose to use.

Mr. Pierpont replied it is estimated to cost roughly \$1.9 million dollars to renovate. He noted Home Depot in Conway has offered to provide the materials for the project and they will be using volunteers for services such as electrical, plumbing, painting etc.

It was moved by Linda Murray and seconded by Brad Harriman to approve and sign the letter of support to the Carroll County Commissioners and County Delegation on behalf of Starting Home's effort to use the former county nursing home as transitional housing for veterans. Members voted and being none opposed, the motion passed.

E. Amendments to the Welfare Guidelines

Mr. Owen stated the Welfare Director has proposed amendments to the Town's Welfare Guidelines, which have been reviewed with him and he supports these revisions. He noted the proposed changes are as follows:

- A new application for assistance to be consistent with the new software system.
- A new Mission Statement, to be included on the cover page of the Welfare Guidelines.
- A new Basic Needs Policy
- Amendments to section IX Determination of Eligibility for shelters.

Amy Capone-Muccio, Welfare Director stated the revisions are consistent with other local departments and incorporate changes consistent with the new software system.

It was moved by Linda Murray and seconded by Dave Bowers to approve and sign the amended Welfare Guidelines, which incorporate the following changes:

- A new application for assistance to be consistent with the new software system.
- A new Mission Statement, to be included on the cover page of the Welfare Guidelines.
- A new Basic Needs Policy

- **Amendment section IX Determination of Eligibility and Amount, Subsection E. Standard of Need,**
 1. **Shelter by adding new subsections f. and g. as follows:**
 - f. **Hotels, Motels and Inns:** Occupants of hotels, motels and inns and classified as such, are not normally considered “tenants” and are exempt from legal eviction process defined in RSA 540/ RSA 540:1-a. Persons residing in housing exempt from the legal eviction process are not normally considered to be residing in permanent housing under these guidelines.
 - g. **Single Family Home Boarders:** Occupants of single-family homes in which the occupants of single-family homes in which the occupant has no lease, which is the primary and usual residence of the owner are not normally considered “tenants” and are exempt from the legal eviction process defined in RSA 540. RSA 540:1. RSA 540: 1-a. Persons residing in housing exempt from the legal eviction process are not normally considered to be residing in permanent housing under these guidelines.
 - **To amend Appendix A-Allowable levels of Assistance Payments for the Town of Wolfeboro by changing the Telephone Allowance from \$25 to \$45.**
- Members voted and being none opposed, the motion passed.**

F. Electric Department Contract with NHEC

Barry Muccio addressed the Board and stated that the Municipal Electric Department is in the final year of a 5-year contract with NH Electric Co-op for lineman services. He stated they have had three 5-year contracts with them for having lineman for 15 years on the Town’s system. He stated he was shocked to receive notice from them that they would not be re-bidding on the contract when it expires, but he has since had a meeting with members of the NHEC, himself and the Town Manager to discuss this issue and was informed that NHEC had been having trouble filling first class lineman positions as there is a shortage of lineman nationwide. He stated that the current contract calls for five lineman and they have been working with four and filling the vacant slot on a rotating basis from other locations but due to the lack of ability to fill that position have indicated they would like to change to four lineman. He explained they agreed to alter the RFP to accommodate the four lineman vs. the five since they have been working at this level for several months anyway. He stated this includes two first class lineman and two apprentices (who will eventually be first class lineman). He feels the department can work with this and plans to put it out to bid with bids due on September 18th.

Mr. Owen stated the Vice President of Operations for NHEC has indicated to him that they have had staffing issues of their own and the ability to backfill Wolfeboro has become a problem.

Mrs. Murray questioned if this will work for Wolfeboro or will they need to supplement it with our own employees.

Mr. Muccio replied they can work with this structure but may need to look into supplement storm coverage with private contract crews.

Mrs. Murray questioned if they can do this.

Mr. Muccio replied yes, Wolfeboro is a member of North East Public Power Association and can utilize them for these services.

Mrs. Murray questioned if long term Capital Projects will be affected.

Mr. Muccio replied no, that those projects are bid projects done by private contractors.

Mr. Harriman questioned if this will affect outage response time.

Mr. Muccio replied no, they currently have four linemen on the trucks and will continue to have four, basically this eliminates the supervising lineman which is a duplicate service as he has been doing this for all these years anyway.

Mrs. Murray questioned if he has been satisfied with the work of the service.

Mr. Muccio replied yes it has been a successful 15 years. He stated this is for informational purposes and would re-discuss the issue after the bids are received September 18th.

G. Josiah Brown Scholarship Awards

Mr. Owen stated the Town has received 6 applications for scholarship assistance by the deadline of July 15th. They received three new applications and three returning applicants for a total of six applicants. He noted this is a reduction in applicants from the last award over the winter, which can increase the award amount to the applicants from \$1,000 to \$1,500 because of an increase in funding from the Trustees. He noted one returning applicant has received a waiver in the past for being just over the guidelines. Based on that he recommends awarding the applicants with a \$1,500 scholarship each.

It was moved by Brad Harriman and seconded by Linda Murray to approve the award of Josiah W. Brown Scholarships of \$1,500 to each of the following individuals:

- Nicholas Carter
- Maria Hendrickson
- Sarah Nichols
- Lily Greene
- Mikalya Jacobs
- Calysta Jacobs

Members voted and being none opposed, the motion passed.

H. Request to Restore Lots to Pre-Merger Status

Linda Murray recused herself from discussion and left the table, noting a conflict of interest.

Mr. Owen stated they have received an application from Attorney Roger Murray regarding two lots which were involuntarily merged and a request to restore them pursuant to RSA 674:39 aa, II and such has been reviewed by Town Counsel, who advises that it is a proper request and recommends approval.

It was moved by Dave Senecal and seconded by Luke Freudenberg that pursuant to RSA 674:39 aa II and pursuant to the request of Roger F. Murray, III, dated July 15, 2015, tax map parcels 223-6 and 223-16, which were involuntary merged by the Town for purposes of taxation, be restored to their pre-merger status, and to instruct the Town Assessor to change the Town's tax records and valuations in accordance with the pre-merger boundaries of parcels 223-9 and 223-16. Members voted and being all in favor, the motion passed. (*Note-Linda Murray was not present at the table for this vote)

Linda Murray re-joined the Board.

Town Manager's Report

Mr. Owen reported the following:

- He noted that due to the recent tragedy in Lancaster, the Walker Brothers Circus scheduled to be in Wolfeboro Saturday has been canceled as well as all other scheduled circus events in NH.
- He provided the latest financial information on the Town Hall Renovation project. (See attached) He also noted an update on the construction status as follows: the big store front windows have been installed, the elevator has been installed and almost complete, the chiller pad has been installed, there is an additional 220 service needed for the copy room which will increase the cost of the electrical work by \$320 and the Architect for the project will be at the construction meeting tomorrow.
- The first construction meeting for the Abenaki Lodge project was today and they plan to meet bi-weekly. He noted the foundation work is done and septic is installed. He stated the Friends of Abenaki have indicated they wish to raise additional funds to upgrade the shingling on the building, purchase kitchen appliances and install a patio.
- The sale of the Tax Deeded property will be on the next agenda.
- The Barn preservation easements that were discussed at the last meeting have been updated with an improvement schedule and are awaiting changes.
- The NH Lakes Association's Lake Host program has indicated the program is working with a number of saves this year.
- He noted a change in the procedure for sealing Non-public session minutes will go into effect January 2016 and that sealing of the minutes will need to be done in the public portion of the meeting.
- Department Heads have completed their Goals and Objectives and submitted them to his office and he will be forwarding those to the Board for review.
- Lastly he will be out of the office Friday, August 7th to mid-day Tuesday, August 11th.

Committee Reports

Mr. Freudenberg attended the Police Commission meeting where discussion was had on Laconia Police Department's new program on Compassionate Policing with an Officer dedicated to helping those addicted to heroin who find themselves in the criminal system for drugs. He stated that because of the large number of overdoses in the state and particularly in Laconia they have looked into alternatives ways to address the problem and often the first 24 hours after an overdoses is the best time to seek help for those addicted. The officer follows the person through getting help for their treatment and so far have seen success in this program with 45 people entering in and 35 still in the program. He noted about 15 have relapsed but it is still considered a success. He stated the Police Commission is interested in this program as something possible for Wolfeboro.

Mrs. Murray stated she attended two Town Hall construction meetings, the Chamber Social, the Milfoil joint board meetings, a Fisherville meeting. She reported that the Milfoil Committee

did two day of DASH work on 7/27 and 7/28 and the Fisherville Committee is working on a T Shirt design and provided a draft of such. She also noted along with Mr. Freudenberg they attended a forum on the Town Docks and noted the following needs; green space, additional boat parking, and more restrooms and restroom maintenance. Mr. Freudenberg noted the problems addressed at the Town Dock meeting as follows; address the overhead wires, parking enforcement, lot layout and safety and sidewalks and crosswalks.

Chairman Senecal reported he attended the Libby Museum Moose Day celebration and a ZBA meeting.

Mr. Bowers stated he attended the Moose Day celebration and with regards to the Town Dock forum he noted he has never seen the accessible dock utilized and that a lot of the spaces are not getting used because of the way people park their boats.

Mr. Harriman stated he attended the Libby Moose Day celebration, which was very well attended with over 200 guests. He also attended the WCTV meeting discuss the upcoming budget and rules of procedures. He attended a Planning Board meeting on a pre-application for Woodbine that was well attended.

Questions from the Press

None.

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

Member Dave Bowers moved the Wolfeboro Board of Selectmen to enter non-public session at 7:59 PM to discuss the hiring of any person as public employee in the Electric Department under RSA 91-A:3, II b. Brad Harriman seconded. Roll call vote: Luke Freudenberg-yes, Dave Senecal-yes, Dave Bowers-yes, Brad Harriman-yes, and Linda Murray-yes, the motion passed.

The Board re-entered public session at 8:21 PM.

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

Member Dave Senecal moved the Wolfeboro Board of Selectmen to adjourn at 8:22 PM. Member Linda Murray seconded. Being none opposed, the motion passed.

Respectfully submitted,
Amelia Capone-Muccio
Recording Secretary