

**Wolfeboro Board of Selectmen  
Meeting minutes  
Unapproved  
December 1, 2010**

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

**Staff present:** Town Manager David W. Owen, Planning and Development Director Rob Houseman, Director of Public Works Dave Ford, Director of Parks and Recreation Ethan Hipple, Municipal Electric Department Jim Shannon, Deputy Fire Chief Tom Zotti 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 needed to discuss Collective Bargaining.

**Consideration of Minutes**

➤ **November 17, 2010**

Ms. Silk amended page seven, fifth paragraph from the bottom, change the sentence to read, *"Ms. Silk stated she spoke with Central Dispatch Supervisor Mia Lyons on the status of the upgrades, but due to the helicopter landing pad at Huggins Hospital, they can only do a small extension of the height of the tower at the Public Safety Building. She stated more information on the estimate will be forthcoming."*

**Member Chuck Storm moved the Wolfeboro Board of Selectmen accept the minutes of November 17, 2010 as amended. Sarah Silk seconded. Members voted and being none opposed the motion passed.**

**Public Input**

Joyce Davis joined the Board for discussion and on behalf of the Library Staff she provided the Board with an invitation to the Library's Open House on December 10, 2010 from 10 AM to 1 PM.

Josephine Amatucci joined the Board for discussion and explained she had requested to be at the beginning of the Agenda and does not want to wait until the end of meeting to speak. She stated she has had a lot of interest in her proposal and has received many signatures for her petition. She stated she did not agree with Chairman Murray's comments regarding the vote for the land purchased for the library expansion. She stated the deed for the land purchase does not restrict the land to just the library expansion.

Chairman Murray agreed she had misspoke at the last meeting and stated that in 2003 the voters passed Article 15, which allowed the Board of Selectmen to acquire and sell land or both, under RSA 41:14-a (she read the RSA for the record). In September the Library Trustees signed an agreement with Ida Glidden. On October 22, 2008 the Board of Selectmen sent the land purchase request to the Planning Board and the Conservation Commission for review. The Planning Board and the Conservation met in November and supported the acquisition. The first Public Hearing was held November 19, 2008 and she read that public notice and the second Public Hearing was

December 3, 2010 and she read the public notice. She explained the process at both meetings and the Board did not receive any written petitions against such purchase to put on the Warrant. She read the portion of the deed restricting the use of the land for the use of the Wolfeboro Public Library.

### **Bulk Vote**

#### **1. Property Tax Refund/ Abatement**

- |                            |                     |
|----------------------------|---------------------|
| i. Abatement/ Refund # 15  | Tax Map 16, Lot 5   |
| ii. Abatement/ Refund #20  | Tax Map 190, Lot 61 |
| iii. Abatement/ Refund #24 | Tax Map 126, Lot 18 |

#### **2. Notice of Intent to Cut Wood or Timber**

- |                    |                    |
|--------------------|--------------------|
| i. Beach Pond Road | Tax Map 98, Lot 33 |
|--------------------|--------------------|

Mr. Owen provided the Board with an additional notice of intent to cut wood or timber for Tax Map 176 Lot 20-1, Pine Hill Road.

**Member Chuck Storm moved the Wolfeboro Board of Selectmen accept the request to add Tax Map 176 Lot 20-1 to the bulk vote. Sarah Silk seconded. Members voted and being none opposed the motion passed.**

**Member Sarah Silk moved the Wolfeboro Board of Selectmen accept the bulk vote as submitted including the additional intent to cut wood or timber. Chuck Storm seconded. Members voted and being none opposed the motion passed.**

### **New Business**

#### **A. Conference with the Library Board of Trustees for an update on Library Feasibility Study.**

John Sandeen, Chairman of the Wolfeboro Public Library joined the Board for discussion and introduced Candy Thayer, Trustee and Chairman of the Building Committee, Cynthia Scott, Library Director, Joyce Davis and Jane Newcomb. He thanked the Board for the opportunity to present the final report of the Conceptual Architectural study of the library expansion. As of the October 22<sup>nd</sup> meeting with Johnson Roberts architects, they completed the study and selected an expansion. The selected plan uses the existing library property and the purchased property at 263 South Main Street. The property at 263 South Main Street was purchased with funds bequeathed to the Library for the purpose of expanding the library, which was ensured in the deed. Based on Town Zoning and building codes approximately 2.5 acres is need to expand the building, no other buildings can be accommodated on the property. The plan doubles the size of the library in order to expand the services to the Wolfeboro community. The expansion is based on the 2005 needs assessment study of library usage and growth. The architectural plan is very creative and forward thinking about the needs of Wolfeboro over the next 30 to 40 years. We, on the Trustee Board, want to thank the citizens and the Board for their support.

Candy Thayer joined the Board and provided an overview of the proposed conceptual architectural plans by Johnson Roberts Associates, Inc. (*See attached*)

Chairman Murray thanked them for a detailed report.

Ms. Silk applauded them on their detailed process.

### ***B. Wolfeboro 250<sup>th</sup> Final Report***

Kathy Eaton, Chairman of the 250<sup>th</sup> Committee, joined the Board and provided them with an overview of the yearlong celebration from November 14, 2009 with the “kick-off” reception to November 14, 2010 with the closing ceremony reception. She thanked the members, Jim Rogers, Q. David Bowers, Mary DeVries, Linda Murray, Dave Owen and Louise Horsken. The Committee held several events and even put out a commemorative book. She explained the taxpayers approved the expenditure of \$10,000 for this Committee’s events and they are please to report they will give back half of that money and would like to establish a fund with the Wolfeboro Historical Society to build a permanent memorial to General Wolf. She stated they would be back in December with an article to do such.

Chairman Murray thanked the Committee for all their work and it was a lot of fun.

### ***C. Carroll County Transit update***

Ted LaLiberte, System Manager, joined the Board for discussion and stated they now have some busses and hope to start implementing services next week. He explained they would be implementing the curb to curb service for the elderly and disabled first, since the busses they have received are the 8 passenger buses. They hope to have the 16 passenger busses in January for travel from Wolfeboro to West Ossipee. He stated anyone can contact them at 1-866-752-6890.

Chairman Murray suggested posting that number on the website.

### ***C. Acceptance of Grant from Primex Workers Compensation Safety Improvement Program***

Tom Zotti, member of the Joint Loss Management Committee, joined the Board and explained that each community is allocated some funds for minimizing risk and Wolfeboro is allocated \$ 2, 010 which will be applied to the following:

- Yak Trax for the Fire/Rescue and Parks and Recreation Departments.
- Adjustable-width pallet truck for the Municipal Electric Department
- Construction signage for the Public Works Department.

**Member Sarah Silk moved the Wolfeboro Board of Selectmen amend to accept a grant in the amount of \$2,010 from Primex and its Workers Compensation Safety Improvement Program for safety equipment for various Town departments. Chuck Storm seconded. Members voted and being none opposed the motion passed.**

### ***E. Cell Phone Use Policy***

Jim Shannon, Chairman of the Joint Loss Management Committee, joined the Board for discussion and explained the Committee has provided the Board with a proposed Cell Phone Use Policy to be adopted for the Town.

Chairman Murray questioned if they had considered allowing the employees to use “hands free” devices. She stated they do have many employees who need to receive calls and how such would compare to radio use.

Mr. Shannon replied that they do not have any statistics on radio use, but deemed it different than phone use as you have no need to dial. The Committee supports this policy for safety.

Mr. Zotti stated they had discussed the difference with radio use and deemed the radio doesn't usually require extended conversation. The "hands free" devices still have distraction.

Chairman Murray questioned how they would plan to enforce the policy.

Mr. Owen replied by the town's progressive discipline policy.

Chairman Murray stated she would prefer to include a clause for "hands free" devices.

**Member Dave Senecal moved the Wolfeboro Board of Selectmen consider adopting the policy, but would like to include a "hands free" device option and "no text messaging" included. Chuck Storm seconded. Members voted and being none opposed the motion passed.**

#### ***F. Septage Agreement with Plymouth Village Water & Sewer District***

Dave Ford joined the Board for discussion and explained that our facility is limited to the ability to treat large amounts of septage and limits the disposal. He explained other towns accept large septic haulers, Plymouth Village Water & Sewer District being one of those locations. He attached an agreement providing Wolfeboro property owners a reduced rate to accept the waste at their site, the \$ 100 per year cost for the Town Wolfeboro would save money to the taxpayers over time.

Ms. Silk questioned the ban on spreading sewer sludge.

**Member Chuck Storm moved the Wolfeboro Board of Selectmen to approve and sign the Septage Agreement with the Plymouth Village Water & Sewer District. Dave Senecal seconded. Members voted and being none opposed the motion passed.**

#### ***G. Warrant Article Review***

Mr. Owen provided the Board with a revised set of Warrant Articles that have been reviewed by Town Counsel. He also pointed out the discrepancy between the amounts on Article A for the Town Hall.

Mr. Senecal stated the numbers are close and suggested the rounded up the figure to \$4 million as previously agreed.

Chairman Murray stated the Board received the second cost estimate from Raymond Construction Management Company for \$ 4.1 million dollars.

Mr. Houseman stated that he is in the process of getting a scope of work on energy efficiency and heating and cooling of the building at which he would be coming back to the Board with a proposal.

#### **Article B**

Ethan Hipple joined the Board for discussion and explained that he is still waiting on the estimate.

Mr. Owen pointed out that if the estimate comes in higher than what they have already earmarked, they will have to repost the article.

The Board agreed to keep Article A at \$ 4 million as previously agreed and will need to be reposted.

Chairman Murray stated that the Warrant Articles will be presented to the Chamber of Commerce by the Town Manager, Rob Houseman and Dave Ford tomorrow and on December 9th she, Rob Houseman and Joyce Davis would be giving a PowerPoint presentation on the proposed Town Hall renovations to the Men's Breakfast Club.

**Member Chuck Storm moved the Wolfeboro Board of Selectmen to accept the PowerPoint presentation on Brewster Memorial Hall. Sarah Silk seconded. Being none opposed, the motion passed.**

#### Article I

Dave Ford joined the Board and stated that he suggests bidding this project with the Glendon/ School Street project in order to gain a better price, but noted due to the size of the project it will not be completed in one year.

**Member Dave Senecal moved the Wolfeboro Board of Selectmen to remove Warrant Article I as recommended. Sarah Silk seconded. Being none opposed, the motion passed.**

#### Article D

Mr. Owen stated that in regards to the Article for temporary office space if Brewster Hall renovations should pass, a new location at Huggin's Hospital is being considered with extremely favorable terms. He plans to have more information on this at the meeting on December 15<sup>th</sup>.

Chairman Murray suggested providing and explanation of those terms for the public's information.

#### ***H. Fairview Estates***

Chairman Murray stated they have been requested by Dick Hamilton to join with Fairview Estates request for the Department of Health and Human Services to delay certifying a Community Residential Center application for 15 Eagle Trace until the Legislative body can review the Health and Humane Service policy on the effects of Zoning.

Mr. Senecal stated he would be stepping down from discussion on this, noting a conflict with the development of Fairview Estates.

**Member Chuck Storm moved the Wolfeboro Board of Selectmen to join with Fairview Estates in requesting the Department of Health and Humane Services in delaying certification of the Community Residential Center until the Legislative Counsel and Body can review the Health and Humane Service policy for Zoning. Sarah Silk seconded. Dave Senecal-abstained and all others in favor, the motion passed.**

Ms. Silk questioned their temporary certification.

Mr. Houseman replied they have temporary certification for three months for fit up and the State will come in to certify them for operation.

#### ***I. Josiah Brown Trust Update***

Chairman Murray stated she had requested a status on this issue. She explained this trust was to be used by the Town of Wolfeboro for the education of the poor and worthy residents of the town of Wolfeboro. She outlined a timeline starting from 2004, when the trustees James J. Kallad tried to evict Brewster Academy from Brown Hall, which was bequeathed to Brewster Academy to be used as a dorm. Trustee James J. Kallad lost the lawsuit. In 2006 the Town of Wolfeboro stopped receiving income from the Josiah Brown Trust and since then no scholarships have not been given. The State of Massachusetts Probate Court has not received any account from 2006 to 2009. Because no funds have been received or any accountings filed, the Town of Wolfeboro took action. On June 30, 2008 the Town Manager sent a letter to the Trustee seeking to find out what had happen to the principal and income of the Trust and that letter was not answered. In January of the Board of Selectmen filed with the Massachusetts Probate and Family Court to have a suitable guardian appointed to the Trust and to have an accounting of the Josiah Brown Trust to January 11, 2009, which was the date of James J. Kallad's death. They requested to have Timothy Bates, Edith DesMarias and Thomas W. Roberts or other suitable persons to be appointed as successor Trustees. In November 2009 the town was informed there was income from the Trust, but has not received it to date. John P. Kallad was appointed interim trustee and has yet to provide the accounting to bring the trust up to date. The Town is still working with John P. Kallad and has been told an accounting will be filed by December 15, 2010 and once those accountings are filed Timothy Bates, Edith DesMairias and Thomas W. Roberts will be appointed co-trustees and the Town will receive income. She finds it a shame that worthy students have not been able to receive assistance from this fund and they hope to have some funds in 2011.

### **Old Business**

Chairman Murray stated the following:

- She provided the Town Manager's Goals for 2011 for signatures.
- The Greater Wakefield Resource has sent in a request for \$500, which is beyond the deadline for Agency requests. The Board agreed not to fund this request.
- She suggested that due to the timing of the resignation of Marge Webster and the short time in which they will start to receiving fillings for Board of Selectmen openings, she suggested not filing her position. The Board agreed.

### **Any Other Business**

Chairman Murray stated the Carroll County Delegation will meet December 13, 2010 at 9 AM to discuss the County Budget.

### **Town Manager's Report**

Mr. Owen stated the following:

- . There is an additional cost of \$ 175 to put color photos on the back of the Town Report.

**Member Dave Senecal moved the Wolfeboro Board of Selectmen to approve the additional expenditure of \$175 for color photos on the back of the Town Report. Sarah Silk seconded. Being none opposed, the motion passed.**

- He has been in contact with the estate of Bun McBride on purchasing his property that abuts the Public Safety Building and the Wolfeboro Public Library.
- The Budget Committee met Monday and voted to add funds in the Sewer budget for legal expenses. They removed the Capital Outlay project for Clark Park parking lot paving to a Warrant Article.

- The Conservation Commission and the Planning Board have reviewed and do not object to a water line easement at 245 South Main Street. The Board scheduled the public hearings for such for January 5 and 19, 2011, with a vote to take place at the February 2<sup>nd</sup> meeting.
- They received notice from NH DES for a Milfoil Grant in the amount of \$5,100 in 2011 with a 30% match.

### **Committee Reports**

Ms. Silk is helping the State Legislative Study Committee create a tri-fold flyer for Sharps disposal for State wide use.

### **Chamber of Commerce**

None

### **Questions from the Public**

None.

### **Questions from the Press**

None.

*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 8:43 PM to discuss Collective Bargaining. Dave Senecal seconded. Roll call vote: Sarah Silk-yes, Chuck Storm-yes, Dave Senecal-yes and Linda Murray-yes, the motion passed.**

The Board re-entered public session at 9:16 PM.

Chairman Murray announced that the Board sealed the minutes of the December 1, 2010 non-public session with a 2/3<sup>rd</sup> 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 9:16 PM. Member Chuck Storm seconded. Being none opposed, the motion passed.**

Respectfully submitted,

**Amelia Capone-Muccio**

Recording Secretary