

**Wolfeboro Board of Selectmen  
Meeting minutes  
Approved  
February 3, 2011**

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

**Members absent:** Dave Senecal.

**Staff present:** Town Manager David W. Owen and Recording Secretary Amelia Capone-Muccio

Chairman Murray called the meeting to order at 6:30 PM.

**Non-Public Session RSA 91-A: 3II**

Mr. Owen stated a non-public session is needed to discuss litigation.

**Consideration of Minutes**

➤ **January 13, 2011**

Chairman Murray made the following amendments:

- Page 4, first paragraph, to change RSA 39:3-b to RSA 39:3 and 30:3b.
- Page 5, the second paragraph to read as follows: Chairman Murray pointed out that RSA 41:14-a states that a petition with 20 registered voter signatures would require the Board of Selectmen to place the purchases or sale on the next town warrant.
- Page 6, tenth paragraph to correct the spelling of Russell Schundler

**Member Sarah Silk moved the Wolfeboro Board of Selectmen to approve the minutes of January 13, 2011 as amended. Chuck Storm seconded. Members voted and being none opposed the motion passed.**

➤ **January 19, 2011**

**Member Sarah Silk moved the Wolfeboro Board of Selectmen to approve the minutes of January 19, 2011 as submitted. Chuck Storm seconded. Members voted and being none opposed the motion passed.**

**Public Input**

Josephine Amatucci joined the Board for discussion and stated that she has a letter from an attorney stating that the lot purchased for a library expansion (Ida Glidden lot) does not state that it can not be used for a Town Hall and she does not want the Board to tell the public that is can not be used as such at the Deliberative Session.

Chairman Murray replied she would turn that discussion over to the Town Attorney at the Deliberative Session as they received a legal opinion on the matter from him.

Ms. Amatucci questioned the purchase of the McBride property and a letter written to the executor of the estate suggesting restrictions for library use and expansion of the public safety building's parking lot.

Mr. Owen replied the letter indicates that town is interested in purchasing such property for the Library expansion and the widening of the Public Safety Building's exit driveway.

Ms. Amatucci expressed her concern that he is asking them to add restrictions and read the letter. (See attached) She noted that she asked Mr. Senecal if he asked the Town Manager to put that in the letter and he said he did not.

Joyce Davis joined the Board for discussion to invite them and the public to a forum discussing the proposed Town Hall Renovation project on February 24, 2011 at 7 PM at the Wolfeboro Public Library sponsored by the Friends of the Town Hall.

Ms. Silk questioned if the Friends of Town Hall plan to show the video done by Fritz Wetherbee on Brewster Hall on WCTV.

Mrs. Davis replied that they do not have plans to show that video, but may use some clips from it in another program.

### **Public Hearings Temporary Event Permits**

***A. Hospital Aid Association, Inc. to hold its Annual Street Fair on August 5 and 6, 2011 (tents to be erected on July 31 and removal and cleanup completed on August 8, 2011) from 10:00 AM to 10:00 PM at Monument Field on South Main Street.***

Chairman Murray opened the public hearing.

Ms. Silk stepped down and presented the request noting it is the 74<sup>th</sup> Annual Event. She stated in 2009 they had done a parking plan coordinated with the Police Department.

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

Ms. Silk rejoined the Board.

**Member Chuck Storm moved the Wolfeboro Board of Selectmen to approve the Temporary Event permit for Hospital Aid, Inc. to hold its Annual Street Fair on August 5 and 6, 2011 (tents to be erected on July 31 and removal and cleanup completed on August 8, 2011) from 10:00 AM to 10:00 PM at Monument Field on South Main Street. Linda Murray seconded. Members voted, Sarah Silk-abstained and being none opposed the motion passed.**

***B. New Hampshire Boat Museum to hold Model Yacht Sailing on Back Bay every Tuesday from April 1, 2011-November 30, 2011 along Bridge Falls Path in Back Bay.***

Chairman Murray opened the public hearing.

Mark Whitehead joined the Board for discussion and stated this has been a very successful program.

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

Ms. Silk noted the insurance certificate expires in June.

Mr. Whitehead replied his aware of that and they would submit the new one once it is received.

**Member Chuck Storm moved the Wolfeboro Board of Selectmen to approve the Temporary Event permit for the New Hampshire Boat Museum to hold Model Yacht Sailing on Back Bay every Tuesday from April 1, 2011-November 30, 2011 along Bridge Falls Path in Back Bay. Sarah Silk seconded. Members voted and being none opposed the motion passed.**

## **Bulk Vote**

### **A. Property Tax Credits/ Exemptions**

#### **Approvals**

- i. 32 Dead Horse Hill Tax Map 189, Lot 6
- ii. 10 Christopher Court Tax Map 143, Lot 16

### **B. Raffle Permit**

- i. Hospital Aid Association

### **C. Notice of Intent to cut wood or timber**

- i. Pork Hill Road Tax Map 14 Lot 2

### **D. Timber Tax Levy \$3, 657.82**

### **E. Certification of Yield Taxes Assessed**

- i. Tax Map 111 Lot 7
- ii. Tax Map 104 Lot 9, 10 and 11

Ms. Silk stated she would need to step down from Property Tax Credit/ Exemption # i Tax Map 189, Lot 6 and the Raffle permit.

**Member Linda Murray moved the Wolfeboro Board of Selectmen remove Property Tax Credit/Exemption # i. Tax Map 189, Lot 6 and the raffle permit. Chuck Storm seconded. Members voted and being none opposed the motion passed.**

**Member Sarah Silk moved the Wolfeboro Board of Selectmen to approve the Bulk Vote items in A through E above, excluding Property credit /exemption # i Tax Map 189, Lot 6 and the raffle permit. Chuck Storm seconded. Members voted and being none opposed the motion passed.**

**Member Chuck Storm moved the Wolfeboro Board of Selectmen to approve Property Tax credit/exemption # i Tax Map 189, Lot 6 and the raffle permit. Linda Murray seconded. Members voted Sarah Silk-abstained and being none opposed the motion passed.**

## **New Business**

### **A. Water Easement**

Chairman Murray stated RSA 41:14-a requires the Board to seek review by the Planning Board and the Conservation Commission, hold two public hearings not more than 14 days or less than 7 days apart and vote on such approval at the third meeting so long as petition is not received with 50 registered voters signatures. Since no petition was received and all the above has been done she recommends the Board vote to approve the Water Easement.

**Member Sarah Silk moved the Wolfeboro Board of Selectmen to approve and sign a Quitclaim Deed granting a 20 foot wide water easement over a portion of the Public Safety Building parcel to Michael J. O'Connell, Trustee of the Michael J. O'Connell Revocable Trust of 2009, of 8 Old French Mill Road, Barrington, NH. Chuck Storm seconded. Members voted and being none opposed the motion passed.**

### **B. Perambulation Reports New Durham and Brookfield**

Chairman Murray noted she would not take part in the discussion on New Durham's perambulation.

#### **➤ New Durham**

Vice-Chairman Silk stated the perambulation of the Wolfeboro/ New Durham town line is complete and ready for signatures. She noted that this will be jointly paid for by both towns.

Roger Murray joined the Board and stated that his property is both in Wolfeboro and New Durham and about every twenty years there is an issue with the town line that runs through his house. He is currently assessed for his house lot and for 6% of the house in Wolfeboro and New Durham does not assess the house lot. He would like to get this in writing from both towns to prevent this problem in the future.

Ms. Silk replied such could be provided.

**Member Sarah Silk moved the Wolfeboro Board of Selectmen to approve and sign the Return of Perambulation for the New Durham/Wolfeboro Town Line subject to the condition that properties on the towline continue to be assessed in the same manner by both towns. Chuck Storm seconded. Members voted, Linda Murray-abstained and being none opposed the motion passed.**

#### **➤ Brookfield**

Chairman Murray stated that the Board had previously tabled the discussion on approving Brookfield's perambulation to seek review by the town Attorney regarding the fact some monuments were missing and the advice received by town attorney was that the Board could sign the agreement so long as Brookfield agrees no changes were made to property or the town line. She stated that Brookfield has forwarded a letter agreeing to such.

**Member Sarah Silk moved the Wolfeboro Board of Selectmen to approve and sign the Return of Perambulation for the Brookfield/Wolfeboro Town Line and that no changes were made to property or the town line. Chuck Storm seconded. Members voted and being none opposed the motion passed.**

### ***C. Parcel of Property at 255 South Main Street***

Mr. Owen stated that they have opened discussion with the executor of Bun McBride's estate on moving forward with the acquisition of that property. He suggests hiring an appraiser to provide a fair market price and to split that cost with the estate.

**Member Chuck Storm moved the Wolfeboro Board of Selectmen to approve using funds from the Selectmen's Miscellaneous Operating Expenses account to pay 50% of the cost of an appraisal of the property at 255 South Main Street. Sarah Silk seconded.**

### ***DISCUSSION:***

Ms. Silk pointed out that the person who sells the property has a right to put whatever they wish to be done with the property in the deed.

Chairman Murray pointed out that they would follow the same process as they do with all property purchases.

**Members voted and being none opposed the motion passed.**

### ***D. Fairway View Estates-Senate Bill No. 94***

Chairman Murray stated that Senate Bill No. 94 addresses the issue on Fairway View Estates regarding a group home and that Senator Bradley has proposed such amendment to the RSA's, which she read. (See attached) She explained that if this passes the State Senate it will move to the House of Representatives. She stated the hearing will be February 8, 2011 at 9:15 if any Board member wished to attend. Mr. Storm offered to attend the hearing. She stated that she would not be able to attend this hearing due to other commitments and suggested the Board send a letter of support to Senator Bradley.

**Member Chuck Storm moved the Wolfeboro Board of Selectmen to send a letter of support to Senator Bradley on Senate Bill No. 94. Chuck Storm seconded. Members voted and being none opposed the motion passed.**

Chairman Murray stated she has discussed this bill with Senator Bradley and asked him if they should meet with their representatives as well and he agreed such would be a good idea. She suggested they set a date to do that at the next Board meeting when Mr. Senecal returns.

### ***E. Rental Property Filings***

Mr. Owen stated the Town Clerk has made him aware of a new state law passed (RSA 540:1-b) requiring out of town and out of state landlords to file their name and contact information with the Town Clerk in case of any legal

proceedings against the property and that most towns are implementing a fee for this filing. He stated the Town Clerk proposes a \$15 fee for this filing.

Ms. Silk questioned how they would know if those who should file have filed.

Mr. Owen replied he does not know, but would find out.

**Member Sarah Silk moved the Wolfeboro Board of Selectmen to establish a \$15 filing fee for landlord affidavits filed pursuant to RSA 540:1-b. Chuck Storm seconded. Members voted and being none opposed the motion passed.**

#### ***F. Preparations for the Deliberative Session***

Mr. Owen stated the previously recorded presentations by WCTV on the Warrant Articles are now live streaming on the Town website [www.wolfeboronh.us](http://www.wolfeboronh.us). He explained this is new technology to the town and they hope to stream meetings in the future as well. He explained this current feature is at no charge as they try out the technology provided by Easystream. He explained this company will be attending the next Information Systems TV Advisory Committee meeting to provide an overview of their service and the plan is to share the streaming cost with WCTV.

Ms. Silk noted that such is a great idea as many Wolfeboro residents do not get Metrocast cable. She also suggested getting some information out to WASR as there are a lot of residents who utilize that method for information.

Chairman Murray suggested they follow the same format as they did for the WCTV recording.

Mr. Owen provided the Board with a handout of the warrant including the tax impact for the Deliberative Session and provided an information chart on how Wolfeboro's tax rate compares to other communities.

The Board agreed to add both to the PowerPoint presentation and have it as a handout.

Chairman Murray stated House Bill 77 amends RSA 40:13 and read it. (See attached)

#### **Any Other Business**

Ms. Silk stated the following:

- She read a complimentary letter to Dave Ford from Mr. Deitzer on the work of the Department for the recent snowstorms.
- She stated Town Employee Adam Tasker would like to publicly thank the Water Department for clearing out the snow in front of Town Hall, their help is greatly appreciated.
- LRHHPF has received the contract renewal from Clean Harbors, the waste hauler for Hazardous Waste and the fee will go from \$825 to \$850. She suggested the Town Manager acknowledge this new contract.

**Member Linda Murray moved the Wolfeboro Board of Selectmen to have the Town Manager acknowledge the new contract with LRHHPF. Chuck Storm seconded. Members voted and being none opposed the motion passed.**

## Town Manager' Report

Mr. Owen stated the following:

- The Town's front end loader has been repaired and back in service, but the town will be keeping the rental loader longer to catch up on the snow removal downtown.
- The Library roof was shoveled due to sagging.
- The Fire Department ladder truck is back in service after repair.
- The Fire Department has hired a new Administrative Assistant, Sherri Moore.
- He provided the Board with information from the town's consultant recommending a "blend and extend" strategy for the Municipal Electric rates, which will reduce the rates for the next two years, but the rate will be higher in the later years due to the price of natural gas.

**Member Sarah Silk moved the Wolfeboro Board of Selectmen to authorize the Town Manager to purpose a "blend and extend" program for the Municipal Electric Department rates as requested. Chuck Storm seconded. Members voted and being none opposed the motion passed.**

Mr. Owen stated the Town Clerk has provided him with information regarding legislation authorizing new car dealerships to do car registrations. He explained the Town Clerk's Association is concerned about this legislation as it would take away from revenue of the towns.

Chairman Murray stated that it does not clarify if a mistake is made who would correct it and the revenue the town receives is used to off set the taxes.

Mr. Storm stated that in his past experience he could see where this would leave room for a lot of error.

Ms. Silk stated that this is a process used by many other states, but New Hampshire is unique and this method would not easy transition to this state.

**Member Sarah Silk moved the Wolfeboro Board of Selectmen to direct the Town Manager to draft a letter supporting the position of the Town Clerk's Association against this legislation. Chuck Storm seconded. Members voted and being none opposed the motion passed.**

### Committee Reports

None.

### 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 7:33 PM to discuss litigation. Chuck Storm seconded. Roll call vote: Sarah Silk-yes, Chuck Storm-yes, and Linda Murray-yes, the motion passed.**

The Board re-entered public session at 8:34 PM.

Chairman Murray announced that the Board sealed the minutes of the February 3, 2011 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 Chuck Storm moved the Wolfeboro Board of Selectmen to adjourn at 8:35 PM. Member Sarah Silk seconded. Being none opposed, the motion passed.**

Respectfully submitted,

**Amelia Capone-Muccio**

Recording Secretary