

**Wolfeboro Board of Selectmen
Meeting Minutes-Unapproved
June 3, 2015**

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

Staff present: Acting Town Manager Rob Houseman, Public Works Director Dave Ford, Finance Director Pete Chamberlin, and Recording Secretary Amelia Capone-Muccio.

Chairman Senecal opened the meeting at 6:30 PM.

Non-Public Session

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

Consideration of Minutes

➤ **5/20/15 Meeting**

Chairman Murray amended page 3, the fourth paragraph to change the second line to correct that Mr. Owen made that statement. She also amended page 6, the first paragraph under Any Other Business, to amend the sentence to read as follows: Mrs. Murray noted from the Town Treasurer's report that the Town has collected \$44,000 in impact fees for the Governor Wentworth School District.

Member Dave Bowers moved the Wolfeboro Board of Selectmen approve the minutes of the June 3, 2015 meeting as amended. Brad Harriman seconded. Members voted and being all others in favor, the motion passed.

Public Input

Josephine Amatucci addressed the Board and stated first she would like to tell the Board that an incident has occurred and this time it was the F.B.I came to my house. There isn't enough time for me to tell you what happened and I need to be on the Agenda because now we have an issue with public safety, the public is really in trouble here because of the conduct of the Police. If you don't do anything this is going to go on and on and on it's never going to end. Wait to you hear what they told me that they heard. Now before I get into that I like to have some kind of a meeting on an Agenda, we have to talk about this and we have to see what kind of an investigation Owen did and where is his report. When you do an investigation you have to write a report and that report has to into the personnel files of these three people and I want to know if that report is in the files and I want to see it. Now tonight you have to find me a way to talk to the public and to you on what happened with the F.B.I. Now this is about Mr. Beeler, I was very impressed with his article dated May 21st where, umm, where he was telling the people that he would never print anything unless he made sure it was true and he said here that he umm, he would get umm, he would have to verify it. Whatever he's told, he verifies. So in order to verify what your about me, Mr. Beeler, you have to get my version of

events but you never did and many times I came to your office and I said “before you write in the paper what the Police or the Town tell you I want you to have my version of events” and you pushed me out the door. So in order to prove you’re not lying to the people I want the right to put in your paper my version of events according to what I say not according to what you hear. Well do you agree?

Chairman Senecal called order and told Ms. Amatucci she is to be addressing the Board, not Mr. Beeler.

Ms. Amatucci said that he said he gets everyone’s version of events before he puts it in the paper so I want to know if he is going to get my version of the vents for the paper once for all.

Chairman Senecal replied that she needs to discuss that with him at a later time not here.

Ms. Amatucci stated okay, so now what are we going to do about me telling the people about their safety in this town, you know we got a lot of cuckoos here running this Town and a lot of corruption. Wait until you hear this latest one. So when are you going to give me time to talk? We have to discuss your procedure on how someone comes to you and asks you to do an investigation, what is your procedure? Now the Town of Moultonborough writes what their procedure is here and one important thing about their procedure is they get an outside agency to investigate and it says right here their Code of Conduct, they get an outside agency, and it’s a requirement. Now I want to know do you have that requirement.

Chairman Senecal stated Mr. Owen is on vacation this week and explained she would need to contact him to set up an appointment with the Board. He explained the Board does not schedule the appointments, Mr. Owen sets up the Agenda.

Ms. Amatucci questioned if the Board is going to give him the okay because he is going to say I have to get their....

Chairman Senecal replied she is going to have to discuss it with him.

Ms. Amatucci stated I am discussing it with you. If he says it’s up to the Board is the board going to say it is okay.

Mr. Senecal replied he is not going to say yes or no tonight because he doesn’t know what she is going to discuss with him yet.

Ms. Amatucci stated so I have to first discuss it with him, I want the people to hear my discussion. The people have to know about misconduct and corruption in this Town.

Chairman Senecal replied I think you have made that clear at many, many meetings that in your opinion there is corruption. If you want a meeting with us you need to discuss that with Mr. Owen.

Ms. Amatucci replied I am glad you said my opinion. You people never asked my evidence to show, how can you know my version of events? How can you know my version if you don’t sit down and ask me where’s your evidence.

Chairman Senecal replied he is not going to get into it all tonight but we have been to court with you many times.

Ms. Amatucci stated no, court is different that is a civil action and the Judges are corrupt, that is civil this is criminal.

Chairman Senecal called to order and stated her 3 minutes are up and advised her to contact Mr. Owen next week, thank you.

Public Hearings

Temporary Event Permits

A. Friends of the Libby Museum to hold a Family Day and New Moose Exhibit Showing on July 19, 2015 from 11:00 AM to 3:00 PM at the Libby Museum.

Chairman Senecal opened the public hearing.

Lauren Hammond and Sheryl Ross, co-directors, addressed the Board.

Ms. Hammond stated that the programs for the season have been announced and she reviewed a few of the offerings including a tea party on June 26th at the Museum with a princess theme, the Moose Day event and a Victorian Tea Party in August as well as the Lil Sprout program and the new Kid Adventures program.

Ms. Ross stated that the Kid Adventures program is sponsored by Lacy Mason and is a 6 week program that is history based and she reviewed the schedule of those programs.

Mr. Senecal questioned if the brochure is available around town.

Ms. Hammond replied it is and is listed on the Libby Museum website.

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 Friends of the Libby Museum to hold a Family Day and New Moose Exhibit Showing on July 19, 2015 from 11:00 AM to 3:00 PM at the Libby Museum. Members voted and being all in favor the motion passed.

B. Wolfeboro Area Children's Center Fairyland Festival to have a rain date.

Linda Murray stepped down from discussion and vote on the request.

Dave Senecal opened the public hearing.

Linda Murray addressed the Board and stated that the Wolfeboro Area Children's Center had been previously granted a permit, but did not have a rain date for the event and are seeking to request the date of July 12th for a rain date.

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

It was moved by Brad Harriman and seconded by Dave Bowers to approve July 12, 2015 as the rain date for the previously approved Fairyland Festival event on July 11, 2015. Members voted and being all in favor the motion passed.

Note: Linda Murray rejoined the Board.

Bulk Vote

A. Weekly Manifests:

1. Manifest dated May 29, 2015
2. Manifest dated June 5, 2015

B. Notice of Intent to Cut Wood or Timber

- i. Tax Map 25, Lot 1 Trask Mountain Road
- ii. Tax Map 115, Lot 1 Northline Road
- iii. Tax Map 115, Lot 2 Northline Road

C. Yield Tax Levy Warrants

- i. \$6,609.26
- ii. \$2,907.44
- iii. \$1,482.91

D. Property Tax Levy Warrant-\$13,128,803.50

It was moved by Dave Senecal and seconded by Brad Harriman to approve the Bulk vote items as listed approve A-D. Members voted and being all in favor, the motion passed.

Appointments

A. Trustee of Trust Funds

David Raser addressed the Board to state he wishes to continue as an alternate to the Trustee of Trust Funds. Although not in attendance Roger Hardy also wishes to serve as an alternate to the Trustee of Trust Funds.

It was moved by Dave Senecal and seconded by Linda Murray to approve the appointments of Roger Hardy and David Raser as Alternate Members of the Trustee of Trust Funds for terms of one year. Members voted and being none opposed, the motion passed.

B. Fisherville Committee

Mr. Houseman stated that some of the people requesting to be appointed to the committee are not in attendance this evening and Kathy Eaton indicated to him she would like more time to

seek more diversity on the Committee and postpone the appointments to the next meeting. He stated the Board could table the appointments, but could still set the frame of the committee.

Chairman Senecal noted they are an ad-hoc committee and can meet.

The Board agreed to table the appointments to the next meeting.

C. Agricultural Commission

Chairman Senecal stated that at a previous meeting the Board voted to add Blair Moody as an alternate to the Agricultural Commission, but have since been informed that by statute the Commission already has 5 alternates and cannot add anymore.

It was moved by Brad Harriman and seconded by Linda Murray to rescind the motion at the May 6th, 2015 Board of Selectmen's meeting (page 7, under Any Other Business). Members voted and being none opposed, the motion passed.

The Board encourages Mr. Moody to still attend the meetings as a member of public.

New Business

A. Update on Libby Museum construction

Mr. Ford stated as previously discussed the Libby Museum has a delayed opening this year due to structural problems and he brought an example of the deterioration from one of the turnbuckles at the museum. He explained that some of those turnbuckles have been replaced to provide support and in that work they discovered mold problems. The mold should be mitigated by Friday completing the work and allowing the museum to start the opening process.

Mrs. Murray stated with regards to the replaced turnbuckles she understands the building cannot go back to its original placement, but will the new ones hold it in place.

Mr. Ford replied that with proper maintenance and monitoring he believes it will.

B. Use of Wolfeboro Community Bandstand and Cate Park for a Baby Shower

Tiffany Decarolis addressed the Board to request the use of the Community Band Stand and Cate Park to host a baby shower with approximately 30 guests. She stated they only plan to put a table in the bandstand and will be out of the park by 4:00 PM.

Mrs. Murray pointed out that this is the same weekend as the Huggins Hospital Street Fair and parking downtown will be limited but they could use the municipal parking on Lehner Street. She also noted the Cate Park band will play that evening at 5:00 PM.

It was moved by Linda Murray and seconded by Brad Harriman to approve the use of the Wolfeboro Community Bandstand and Cate Park by Donna Noel for a baby shower on August 8, 2015 from 2:00 to 4:00 PM. Members voted and being none opposed, the motion passed.

C. Certificate of Vote Resolution RE: Loan Agreement with NH Municipal Bond Bank

Pete Chamberlin addressed the Board and stated this Certificate of Vote is in conjunction with the Loan Agreement as approved at the last meeting relative to the bond sale in June.

It was moved by Dave Senecal and seconded by Dave Bowers to approve the Certificate of Vote Resolution as follows:

RESOLVED: That under and pursuant to the Municipal Finance Act, Chapter 33, N.H.R.S.A., as amended, the New Hampshire Municipal Finance Act, and to votes of the Issuer duly adopted on March 12, 2013, March 11, 2014 and March 10, 2015 under Article 5 of the 2013 annual meeting, under Article 7 of the 2014 annual meeting and under Articles 5 and 6 of the 2015 annual meeting, there be and hereby is authorized the issuance of a \$4,120,629 Bond of the Issuer (the "Bond") which is being issued by the Issuer for the purposes of financing the costs of (1) renovations to the Town Hall; (2) repairs to the Libby Museum; (3) reconstruction of Stonehenge Road; and (4) reconstruction of Center Street.

The Bond shall be dated as of its date of issuance, shall be in such numbers and denominations as the purchaser shall request, shall mature in accordance with the schedule set forth in Exhibit A to a certain Loan Agreement hereinafter described (the "Loan Agreement"), shall bear a maximum interest cost rate (as defined in the Loan Agreement) of four percent (4.0%) per annum or such lesser amount as may be determined by a majority of the Board. The Bond shall be issued in such manner and form as the signatories shall be approved by their execution thereof.

RESOLVED: That the Bond shall be sold to the Bond Bank at the par value thereof plus any applicable premium.

RESOLVED: That in order to evidence the sale of the Bond, the Treasurer of Issuer and a member of the Board are authorized and directed to execute, attest and deliver, in the name and on behalf of the Issuer, a Loan Agreement in substantially the form submitted to this meeting, which is hereby approved, with such changes therein not inconsistent with this vote and approved by the officers executing the same on behalf of the Issuer. The approval of such changes by said officers shall be conclusively evidenced by the execution of the Loan Agreement by such officers.

RESOLVED: That all things heretofore done and all action heretofore taken by the Issuer and its officers and agents in its authorization of the project to be financed by the Bond are hereby ratified, approved and confirmed.

RESOLVED: That the Clerk and the signers of the Bond are each hereby authorized to take any and all action necessary and convenient to carry out the provisions of this vote, including delivering the Bond against payment therefor.

RESOLVED: That the useful life of the projects being financed is in excess of nineteen (19) years.

Members voted and being none opposed, the motion passed.

D. Application for State Bridge Aid Construction-Pleasant Valley Road Bridge over Heath Brook

Dave Ford addressed the Board and stated at the last meeting he started the discussion regarding the disrepair of the Heath Brook Bridge on Pleasant Valley Road and such is listed on the State's Red List. He stated that in 2011 the Town hired an engineer to review the bridge but other projects took precedence and now this project needs to be addressed and it is also eligible for funds from the State for engineering. He provided a summary of the cost estimate with the construction to cost \$872,000 and the engineering to cost \$115,000 with \$ 11,500 of that to be paid by the Town. He also provided information of how he plans to cover that cost within his budget.

Mrs. Murray stated she does not have a problem with doing the engineering but has a concern about the construction phase and temporary culverts and the concern of the Lake Wentworth watershed.

Mr. Ford replied that what is proposed is the worst case scenario.

Mr. Freudenberg questioned if any of the work would be done by the Town on this project.

Mr. Ford replied that a lot of the preliminary work will be, but the actual construction is beyond what the Town can take on.

It was moved by Linda Murray and seconded by Brad Harriman to approve and sign the application for State Bridge Aid Construction for the Pleasant Valley Road Bridge over Heath Brook as recommended by the Town Manager. Members voted and being none opposed, the motion passed.

E. Wolfeboro Bible Fellowship Tax Exemption

Mr. Houseman stated the Board has been provided via e-mail additional information from Mr. Haywood including the tax card.

Todd Haywood, Contract Assessor, addressed the Board to explain that the Town is currently under an assessment review and in this process the State will be reviewing the credits and exemptions, etc. He stated in a detailed review of the church parcels it was discovered the Wolfeboro Bible Fellowship is receiving an exemption on a parcel that is not used primarily for religious purposes as required by the RSA. He stated this has also been reviewed by Town

Counsel and he agreed that the church should be put on notice that its tax status for this parcel will need to change based on the RSA and suggested giving them ample time and options to prepare for the change including the option of current use.

Chairman Senecal agreed that they should allow them time to prepare for the change and put them on notice as well as an option to apply for current use.

Mr. Haywood noted he did meet with representatives of the Fellowship to make them aware and they are not prepared for this change.

Mr. Houseman stated they should be encouraged to apply for current use.

It was moved by Linda Murray and seconded by Dave Senecal to reclassify the back 9 acres of land owned by the Wolfeboro Bible Fellowship from tax exempt to taxable backland and to encourage them to apply for current use by 4/1/2016. Members voted and being none opposed, the motion passed.

F. Guidelines for Capital Improvement Planning Process for 2016-2015

Mr. Houseman stated that it is that time of year again to start the Capital Improvement Planning Process and the Town Manager has provided his suggestions for items to note in the CIP Guidelines.

Mrs. Murray suggested a couple amendments to the June 2014 copy of the notice to Departments and suggested deleting the first sentence in the fifth bullet. She suggested adding to look at the use of the Great Room at the Town Hall and Abenaki for bullet number six and to add a bullet to address the design for the Foss Field restroom/pavilion and evaluate the site.

G. Establish Minimum Bid Price for Sale of Tax-Deeded Property

Chairman Senecal suggested based on the proposals provided to establish the minimum bid at \$25,000 for the 757 South Main Street parcel.

Mrs. Murray stated that in her review of the detailed proposals; Bob Hughes of Prudential Spencer Hughes values the parcel at \$37,000, Chip Maxfield values it at \$20,000 to \$40,000 and Cindy Melanson of Melanson's Real Estate values it at \$35,000 to \$45,000, so she questioned why they would not set the minimum bid at \$30,000 based on those proposals.

Chairman Senecal stated that the recommended minimum bid is \$25,000 and they do reserve the right to accept or reject any bid.

It was moved by Dave Senecal and seconded by Dave Bowers to establish \$25,000 as the minimum acceptable bid price for the tax-deeded parcel of land at 757 South Main Street. Members voted, Linda Murray-opposed, and being others in favor, the motion passed.

Town Manager's Report

Mr. Houseman reported the following:

- The Town Hall project financial report has been provided (see attached) and provided a brief update on the project as follows: the spray foam installation is currently going on, the elevator is scheduled to arrive in July, the generator will be shipped July 29th and noted that they plan to discuss use of the generator with the school district as it has capacity to handle Carpenter School as well.
- He noted the other item he has was the information on the Libby Museum and the notice of the Tea Party.

Committee Reports

Mrs. Murray stated that she rode out on Back Bay with members of the Milfoil Committee and they were surprised at the response of last year's treatment and did not find any returning plants. She stated based on this information they have pushed out the DASH treatment to July 29th. She also attended a Friends of Town Hall meeting on discussion of the balcony seating.

Mr. Harriman stated he attended Friends of the Libby Museum meeting.

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 7:28 PM to discuss litigation. 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 7:53 PM.

Chairman Senecal stated the non-public session minutes of June 3rd, 2015 were sealed by a 2/3rds vote as required by law.

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

Member Dave Bowers moved the Wolfeboro Board of Selectmen to adjourn at 7:54 PM. Member Brad Harriman seconded. Being none opposed, the motion passed.

Respectfully submitted,
Amelia Capone-Muccio
Recording Secretary