

**Wolfeboro Board of Selectmen
Meeting Minutes
Unapproved
March 21, 2012**

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

Members absent: Dave Senecal and Dave Bowers

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

Chairman Silk opened the meeting at 6:30 PM.

Non-Public Session RSA 91-A: 3II

Mr. Owen stated a non-public session is needed to discuss real estate and reputation of a person due to the inability to pay or poverty.

Consideration of Minutes

➤ ***March 7, 2012***

Member Chuck Storm moved the Wolfeboro Board of Selectmen to table the minutes of March 7, 2012 as amended. Linda Murray seconded. Members voted and being none opposed, the motion passed.

Public Comment

None.

**Public Hearings
Temporary Event permits**

- A. Cystic Fibrosis Foundation to hold a Charity Walk event May 19, 2012 from 10:00 AM to 2:00 PM at Foss Field.**

Chairman Silk opened the public hearing.

Sarah Foynes joined the Board and stated that this is a new event to benefit Cystic Fibrosis.

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

Mrs. Murray noted this event is on the same day as the Smith River Canoe race and there may be an issue with parking.

Mrs. Foynes replied that this will be a small event.

Member Chuck Storm moved the Wolfeboro Board of Selectmen approve the issuance of a temporary event permit to Cystic Fibrosis Foundation to hold a Charity Walk event May 19, 2012 from 10:00 AM to 2:00 PM at Foss Field. Linda Murray seconded. Members voted, all in favor, the motion passed.

- B. Kingswood Regional High School to hold the Prom Promenade on May 12, 2012 from 4:30 PM -7:00 PM at Cate Park.

Chairman Silk opened the Public Hearing.

Maureen Wheeler joined the Board and stated they are requesting to have the Prom Promenade as in years past.

Being no others to speak for or against the permit, Chairman Silk closed the Public Hearing.

Member Chuck Storm moved the Wolfeboro Board of Selectmen to approve the issuance of a temporary event permit to the Kingswood Regional High School to hold the Prom Promenade on May 12, 2012 from 4:30 PM -7:00 PM at Cate Park. Linda Murray seconded. Members voted, all in favor, the motion passed.

- C. Kingswood Cross Country Team to hold the 13th Annual Muddy Moose Trail Races on April 29, 2012 (set up April 28th) from 7:00 AM to 3:00 PM with the start and finish at Kingswood Regional High School.

Chairman Silk opened the Public Hearing.

Katie Petternel joined the Board and stated they plan to run the event the same as years past.

Being no others to speak for or against the permit, Chairman Silk closed the Public Hearing.

Member Chuck Storm moved the Wolfeboro Board of Selectmen to approve the issuance of a temporary event permit to the Kingswood Cross Country Team to hold the 13th Annual Muddy Moose Trail Races on April 29, 2012 (set up April 28th) from 7:00 AM to 3:00 PM with the start and finish at Kingswood Regional High School. Linda Murray seconded. Members voted, all in favor, the motion passed.

- D. Wolfeboro Lions Club to hold the 38th Annual Great Smith River Canoe and Kayak Race on May 19, 2012 from 9:00 AM to 4:00 PM starting at Albee Beach and ending at Dockside.

Chairman Silk opened the public hearing.

Roger Murray joined the Board and stated this is the 38th annual event with no changes.

Being no others to speak for or against the permit, Chairman Silk closed the Public Hearing.

Member Chuck Storm moved the Wolfeboro Board of Selectmen to approve the issuance of a temporary event permit to the Wolfeboro Lions Club to hold the 38th Annual Great Smith River Canoe and Kayak Race on May 19, 2012 from 9:00 AM to 4:00 PM starting at Albee Beach and ending at Dockside. Sarah Silk seconded. Members voted. Linda Murray-abstained, all in favor, the motion passed.

Bulk Vote

A. Property Tax Refunds/Abatements

Denial

- i. 22 N. Keewaydin Shore Tax Map 157 Lot 4

B. Property Tax Credits/Exemptions

Approvals

- i. 3 Sunny Oaks Terrace Tax Map 177, Lot 10-17
- ii. 16 King Street Tax Map 203, Lot 36
(Disability exemption only)

Denials

- iii. 16 King Street Tax Map 203, Lot 36
(Regular Veteran's exemption)

C. Notice of Intent to Cut Wood or Timber

- i. Route 109A Tax Map 127, Lot 1

D. Raffle Permits

- i. The Village Player's
- ii. Cystic Fibrosis Foundation

E. Voucher for Transfer from Capital Reserve Funds

- i. \$142,930 from Public Safety Parking Lot Capital Reserve Fund

It was moved by Chuck Storm for the Wolfeboro Board of Selectmen to approve the Bulk Vote items listed above A-E. Linda Murray seconded. Members voted and being none opposed, the motion passed.

New Business

A. Request to use Clark Park for a Wedding

Valerie Spencer and Frank Custeau joined the Board and requested to use Clark Park for their wedding on July 28, 2012 from 10:00 AM to 1:00 PM. She stated that she understands it is a public park and will respect the abutters' driveways.

Chairman Silk questioned if she has discussed it with Parks and Recreation.

Ms. Spencer replied she has.

Chairman Silk noted they have received notice from the Historical Society stating they do not have a problem with such event.

Mrs. Murray suggested she contact All Saint's Church and Huggins Hospital and request use of their lots for the duration of the event to reduce the impact of parking around the park.

Ms. Spencer agreed she would do that.

Member Chuck Storm moved the Wolfeboro Board of Selectmen to approve the request of Valerie Spencer and Franck Custeau for the purposes of their wedding on July 28, 2012 from 10:00 AM to 1:00 PM. Linda Murray seconded. Members voted, all in favor, the motion passed.

B. Commercial Vessel Landing Permits

➤ *Winnepesaukee Belle*

Lucy Van Cleve joined the Board for discussion and stated they are requesting their annual permit for daily cruises and private charters.

Mr. Storm questioned if the schedule conflicts with the Mount.

Ms. Van Cleve replied it does not; they come in at 2:15 PM.

Mrs. Murray reminded them to provide the updated insurance in July.

Member Linda Murray moved the Wolfeboro Board of Selectmen to approve the issuance of a Commercial Vessel Landing Permit for the Winnepesaukee Belle to use the Town Docks in 2012. Chuck Storm seconded. Members voted, all in favor, the motion passed.

➤ *Millie B*

Allan Bailey and Robert Flanery joined the Board for discussion.

Mr. Bailey stated they are requesting to run the boat the same as in the past starting at the end of April.

Mrs. Murray reminded them to provide the updated insurance.

Member Chuck Storm moved the Wolfeboro Board of Selectmen to approve the issuance of a Commercial Vessel Landing Permit for the Mille B to use the Town Docks in 2012. Linda Murray seconded. Members voted, all in favor, the motion passed.

C. Monthly Budget Expenditures and Revenue Report

Pete Chamberlin joined the Board for discussion.

Chairman Silk stated she had several questions she sent to Mr. Chamberlin and he replied to them.

Mr. Chamberlin stated they have some overages in the Ski and Skate budget due to unexpected cost for padding the snowmaking guns and the Assessing expenditure of \$3,000 was from the prior year for fire proof file cabinets. He stated the overall budget is in good shape.

Mrs. Murray questioned the status of the mold removal for the Community Center.

Mr. Chamberlin replied he would need to check with the Parks and Recreation Director.

Mrs. Murray questioned the status of the way finding signs.

Mr. Owen replied those are in process.

D. Town Election results

Chairman Silk thanked the voters for their support as well as the Department Heads and fellow Board members. She noted the only Warrant Article that didn't pass was the Asset Management article.

Mr. Owen was pleased that the Operating Budget passed with 73.6% approval and was pleased that \$3.5 Million dollars in Capital Improvement projects passed for town roads, repairs to town hall and other projects.

Mrs. Murray stated she looked at how the voters responded to the citizen's questionnaire as follows:

- 56.1% of the voters supported the \$200,000 to repair Brewster Memorial Hall (BMH)
- 33.8% supported leasing space for town offices
- Future support: Restore BMH received 47.9% yes, Build new space received 40.6% yes and Lease space received 34.2% yes
- It was clear that the voters do not want to use only taxpayer's funds to restore BMH: 19.1% support only taxpayer funds, 45.1% support private funds and 50.9% support public/private funds.
- 53.9% of the voters did not support selling BMH and 46.1% did support selling BMH.
- The long-term plan for a multifunctional facility did not pass.

She continued to state that she also reviewed the letters to the Editor in the Granite State News since August and summarized those as follows:

- 17 letters to sell BMH
- 2 letters to establish new ownership with a trust
- 4 letters to vote no on the \$200,000 repairs
- 10 letters to correct the other sides errors
- 2 letters to be polite to each other
- 10 supporting BMH
- 2 letters to lease one for it and one against
- 13 Editorials

She stated that overall that is 60 letters discussing the topic and she feels they had an open discussion on the issue and such was debated. The results show the voters do not want to restore BMH, they don't want a new facility and they don't want to lease space, but they did agree to fund the \$200,000 repairs. It is clear that BMH gets constituently higher support than the other options and that gives the Board approval to be proactive in a public/private venture to repair BMH.

Chairman Silk pointed out that 29% of the voters turned out for the election, out of 4,756 voters on the checklist, 1,390 voted.

E. Capital Project Updates

Mr. Ford provided an update on the Glendon Street project and that such project is moving forward due to the great weather. Several invasive species trees were removed and will be replaced with trees. He discussed the power line issues in that area with the Parks and Recreation Director and the Director of the Electrical Department. He stated the residents have been notified of the project and this project will continue through the summer.

Mrs. Murray questioned the trail area.

Mr. Ford replied they will be in that area over the next few weeks.

Chairman Silk questioned the area of the Community Center.

Mr. Ford replied they hope to have that are complete by the end of construction. He noted some concerns regarding ADA complaints regarding the US Department of Justice. He has been working on making upgrades to the area of Railroad Ave and needs to provide a plan for the Trolley and once that is done he will forward such to the US Department of Justice for review and approval.

Mrs. Murray questioned the area in front of Town Hall for the ADA spaces.

Mr. Ford replied that upgrade was part of the big town hall project, but they will have to figure something else out for that now. He noted the Public Safety Building will be moving forward over the next couple of weeks thanks to the voters.

Town Manager's Report

Mr. Owen stated the following:

- The Hawkers and Peddlers licenses were renewed to all incumbents, they received no new applicants.
- He announced the town has changed Contract Assessing Firms to Murdough Assessing Services.
- He will be participating in training at Primex on Friday for Town Manager's in Concord.

Committee Reports

Chairman Silk reported the following:

- She attended Hazard Mitigation Plan Update with LRPC.
- She attended the Hazardous Waste meeting to review 2011.
- March 23rd is the closing for applications for Boards and Committees.

Public Comment

Suzanne Ryan joined the Board and stated the survey gave two very clear answers regarding paying for Brewster Hall with a combination of funds and that the voters do not want to lease. The others did not provide a clear perspective. She stated at the last meeting she asked the Board to elaborate on the direction of Brewster Hall being postponed indefinitely and she would like them to address that comment (from the Granite State News).

Chairman Silk replied that they do not have control over what is reported in the paper.

Mrs. Ryan stated it was quoted as a comment made by the Board.

Tom Bickford joined the Board and read his statement regarding his resignation from the Fire Department as an On Call Firefighter on March 18, 2012. (See attached statement)

Questions from the Press

Tom Beeler, Granite State News stated he is surprised at the interpretation of his article (from the comments made in public comments).

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

Member Chuck Storm moved the Wolfeboro Board of Selectmen to enter non-public session at 7:28 PM to discuss litigation and the reputation of a person due to inability to pay or poverty. Linda Murray seconded. Roll call vote: Sarah Silk-yes, Chuck Storm-yes and Linda Murray-yes, the motion passed.

The Board re-entered public session at 8:31 PM.

Chairman Silk stated the non-public session minutes of March 21, 2012 were sealed by a 2/3rd's vote as required by law.

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

Member Chuck Storm moved the Wolfeboro Board of Selectmen to adjourn at 8:32 PM. Member Linda Murray seconded. Being none opposed, the motion passed.

Respectfully submitted,

Amelia Capone-Muccio

Recording Secretary

G. Thomas Bickford, Esq.
22 Percy Drive
Wolfeboro, NH 03894
(603) 569-6792

March 22, 2012

David Owen, Town Manager
Town of Wolfeboro
PO Box 629
Wolfeboro, NH 03894-0629

Dear Town Manager Owen:

I have resigned from the Wolfeboro Fire-Rescue Department, Sunday, March 18, 2012, because I no longer respect nor do I have confidence in the ability of Fire Chief Philip H. Morrill Jr. to efficiently administer the fire department, to command firefighters and to hold their respect and confidence.

My lack of confidence is based upon my experience and education in municipal fire protection. This background includes a total of 25 years as a member of four different fire departments protecting populations from 1,000 to 40,000 residents, three of those four departments were combination full-time and on-call/volunteer departments. I attained college degrees in Fire Protection and Arson Investigation and worked nearly seven years as a full-time fire-rescue lieutenant. During my career the State of New Hampshire certified me as a Company Officer II, Firefighter III, Emergency Apparatus Driver, Motor Pump Operator and, with the National Registry of Emergency Medical Technicians, as an EMT- Basic and then EMT-Intermediate. Least of all, it is based on over twelve years of service as a volunteer/on-call firefighter with the Wolfeboro Fire-Rescue Department watching the ranks of the on-call "volunteers" being decimated to the point of practical non-existence. And, finally, based upon the fire chief's own report in which he admits to having only two full-time firefighters available to respond to a major emergency at any particular time (Chief's Report to Town Manager and Selectman Webster, June 2, 2010 attached) and given Deputy Chief Zotti's study of the department's capabilities ("Are We Ready" at <http://www.usfa.fema.gov/pdf/efop/efo44645.pdf>) that reveals the probability that the department was able to meet the National Fire Protection Association's standard for a *volunteer* fire department in a rural area for only three out of the nine the fires that he studied, only thirty three percent (33%) of the time. The NFPA

standard calls for a volunteer fire department to be able to gather six firefighters at a first alarm fire within 14 minutes of being dispatched to the fire, eighty percent (80%) of the time.

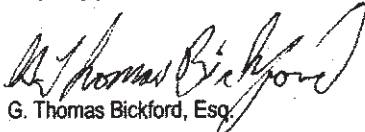
Rather than rely on my opinion, I urge the Town Manager and the Board of Selectmen -- whom I made aware of my concerns about the dangerously low number of volunteer firefighters nearly two years ago -- to hire an independent company, like Municipal Resources Inc. (MRI), to evaluate:

- 1) The department's ability to manage foreseeable major emergencies and to protect the people and property in the town of Wolfeboro during those major emergencies;
- 2) The chances of a Wolfeboro employee, volunteer, resident or visitor suing the Town because of the department's administration, management, supervision and training practices.

I hope that the Town Manager and the Board of Selectmen will take this second notice of my concerns seriously and act immediately in addressing the issues that have left the fire department unable to maintain a volunteer force large enough to meet the NFPA's standards for volunteer fire departments. Failure to address this lack of volunteers, and more importantly, the underlying issues that created it, needlessly leaves the Town of Wolfeboro reliant on outside towns for manpower that may come too late for the unlucky child or elder trapped in a fire.

It has been a privilege assisting the people of Wolfeboro in their times of need and I don't regret a minute that I spent away from my family and law firm for training and responding to emergencies. I only regret that the treatment of Wolfeboro's volunteer firefighters has resulted in my resignation, instead of continued service to citizens of Wolfeboro.

Very truly yours,



G. Thomas Bickford, Esq.

cc: Chief Philip H. Morris, Jr.
Sarah Silk, Chair Person on behalf of the Board of Selectmen

From: Dave Owen [wolftwnmgr@metrocast.net]
Sent: Monday, June 21, 2010 4:36 PM
To: bickfords@metrocast.net
Cc: Marge Webster
Subject: FW: email reply

Follow Up Flag: Follow up
Flag Status: Red

Mr. Bickford: Pursuant to your Right-to-Know law request, I am forwarding to you Chief Morrill's response to Selectman Webster's questions about call firefighters (see below). I do not believe that the Chief's answers to these questions were discussed in non-public session, as the Chief's answers are dated June 1st, and there was no non-public session at the June 2nd, and I know as a matter of fact that it was not discussed at last Wednesday's (June 16th) meeting, where we went into non-public session to discuss other issues. Dave Owen

From: Butch & Roxana Morrill [mailto:firedog@metrocast.net]
Sent: Tuesday, June 01, 2010 9:41 AM
To: David Owen
Cc: Deputy Chief Thomas J. Zotti
Subject: email reply

From: Dave Owen [wolftwnmgr@metrocast.net]
Sent: Thursday, May 20, 2010 10:19 AM
To: Philip Morrill
Subject: Call Firefighters

Chief: Selectman Marge Webster has the following questions about our call firefighters: How many do we have? How many do our comparable communities around the lake have? When is the last time that we recruited for call firefighters? How often do we recruit? If you will respond to these questions for me, I will forward your answers on to Marge. Dave O.

Dave,

Sorry for the delay. I have been away at training during the last week. The answer to your question is not as simple as it seems and I believe we have discussed this in the past. We currently have nine call members. Very few are actually active with incident response in the area of five percent or less of our incidents.

We had four or five people inquire during 2009, and each was given information containing the training and attendance requirements along with the requirements of a background check and NFPA physical. None returned the application.

We had approximately the same number during 2008 with the same result. I believe it was during 2007 that we spent considerable money and resources to advertise in the local papers and have a membership recruitment night at the station. Approximately twelve to fifteen candidates and their families showed up for the event, we also got no new members following this recruitment attempt.

The previous time we were fortunate enough to obtain three new members out of a dozen or so that attended our recruitment open house.

How we compare with area departments is a difficult question to answer. Some area departments have a few more, some less. My peers at the Chiefs level that have call personnel have shared the same concerns of lack of interest with call members. The smaller departments with less full time staff may have a few more members but may not be required to meet the same level of training or the standards that we require. The town of Wolfeboro is fortunate that we have a full time membership that can respond with the initial alarm for service. It is evident that the on duty personnel, (along with the contract ambulance service) will give us at least four personnel day or night for medical responses and can handle most of the incidents without assistance.

Because we belong to Ossipee Valley Mutual Aid Association I feel that we do not suffer a lack of personnel to accomplish our task and that our outlook should remain quality not quantity as far as call members go.

On a side note as I sit here replying to your request a neighboring community has been alerted three times with no response and the next mutual aid department has been toned twice.

Volunteerism (call membership) appears to be a thing of the past across the county due to family commitments and society in general along with mandated training certifications and requirements.

I hope that this answers the question that was posed.

Philip H. Morrill, Jr.

Chief of Department

Volunteerism (call membership) appears to be a thing of the past across the county due to family commitments and society in general along with mandated training certifications and requirements.

I hope that this answers the question that was posed.

Philip H. Morrill, Jr.

Chief of Department

Number of On-Call Members on Fire Departments around Lake Winnepesaukee 7-2010

Wolfeboro: **On Call: 9,**
Full-Time 9 On-Duty 24/7: 2-3 Officer & Firefighters
Staff: Full-Time 1 Chief, 1 Dep. Chief
Private Ambulance, http://wolfeboronh.us/Pages/WolfeboroNH_Fire/staff

New Durham: **On-Call 20, Explorer 1, Auxiliary 7**
Fire Dept. runs Ambulance, <http://ndfd.org/>

Alton: **On-Call: 36, Fire Science College Live-In Interns 6,* Explorers #?**
Staff: Part-Time: Chief, Assist. Chief/Fire Inspector,
Fire Dept. runs Ambulance, <http://www.altonfire.org/Personel.html>

Gilford: **On-Call 30, Fire Science College Live-In Interns 1***
Full-Time 12, On-Duty 24/7: 3 Officer & Firefighters
Staff: Full-Time 1 Chief, 1 Dep. Chief, 1 Fire Insp.
Fire Dept. runs Ambulance, www.gilfordnh.org/Public_Documents/GilfordNH_Fire/staff

Laconia: **On-Call 12 includes 4 Fire Science College Live-In Interns***
Full-Time 32, 24/7 On-Duty 8 Officer & Firefighters
Staff: Full-Time Chief and 3 Dep. Chiefs,
Fire Dept. and Hospital run Ambulance, <http://www.city.laconia.nh.us/>

Meredith: **On-Call 41, Explorers 5, Reserve 2**
Full-Time 1,
Staff: 1 Full-Time,
Private Ambulance, www.meredithfire.org/personne.asp

Center Harbor: **On-Call 24, Explorers 1**
Private Ambulance, <http://centerharborfiredepartment.com/#>

Moultonboro: **On-Call 35,**
Full-Time 3, 7 a.m. to 5 p.m. Mon – Fri
Private Ambulance, www.moultonboroughfirerescue.com

Tuftonboro: **On-Call 22,**
Full-Time 2 On-Duty 40 hours per week
Private Ambulance, www.tuftonboro.org/Pages/TuftonboroNH_Fire/roster

Ossipee, Corner: **On-Call 16, Trainees 2**
Ossipee, West: **On-Call 16, Explorers 7**
Ossipee, Center: **Not available on line**
Private Ambulance, www.ossipee.org

Wakefield: **On-Call 28,**
Full-Time 4, On-Duty 4 12 hrs / 7 days/week
www.wakefieldfirerescue.com

Effingham: **Information not on-line Middleton: Information not on-line**

***Live-In Interns: Lakes Reg. Comm. College, Fire-Tech. students, who live in fire stations.**

Information gathered from fire department websites courtesy G. Thomas Bickford, Esq.