

**Wolfeboro Board of Selectmen  
Meeting minutes  
Approved  
May 18, 2011**

**Members present:**

Chairman Sarah Silk, Vice-Chairman Linda Murray, Dave Senecal, Chuck Storm, and Q. David Bowers.

**Staff present:**

Town Manager David W. Owen, Director of Planning and Development Rob Houseman, Finance Director Pete Chamberlin, Fire Chief Phillip Morrill, Deputy Fire Chief Tom Zotti, Public Works Director Dave Ford 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 litigation and real estate.

**Consideration of Minutes**

➤ **May 4, 2011**

Mrs. Murray amended page two, the fifth paragraph to add the following to the end of the sentence, "the rain date is 9/18/11, and they understood the Water Ski tournament would be going on during this event". She amended page four, the fourth paragraph from the bottom to amend the sentence to note that "they will harvest in Back Bay the week of June 6<sup>th</sup> and June 13<sup>th</sup> in Wolfeboro Bay and that they may harvest again in the fall".

**Member Dave Senecal moved the Wolfeboro Board of Selectmen to approve the minutes of May 4, 2011 as amended. Linda Murray seconded. Members voted, Sarah Silk and Dave Bowers abstained, and being none opposed the motion passed.**

**Public Input**

None.

**Bulk Vote**

**A. Property Tax Refunds/ Abatements**

**Approvals**

- |                                  |                        |
|----------------------------------|------------------------|
| i. Abatement/refund #94          | Tax Map 236, Lot 2-40  |
| ii. Abatement/refund #105 Part 1 | Tax Map 250, Lots 2    |
| iii. Abatement/refund # 129      | Tax Map 236, Lot 2-41  |
| iv. Abatement/refund # 130       | Tax Map 236, Lots 2-43 |
| v. Abatement/refund # 171        | Tax Map 236, Lot 2-42  |

## Denials

- vi. Abatement/refund # 96                      Tax Map 241, Lot 13
- vii. Abatement/refund #131                   Tax Map 259, Lot 21
- viii. Abatement/refund #105                  Tax Map 250, Lot 3

## **B. Notices of Intent to Cut Wood or Timber**

- i. Stoddard Road                              Tax Map 46, Lot 1
- ii. Route 109A (Pine Hill Road)           Tax Map 96, Lot 1,2,4,5,6,7,9 & 12
- iii. Haines Hill Road                        Tax Map 33, Lot 35
- iv. College Road                              Tax Map 119, Lot 2

## **C. Gravel Tax Levy \$ 703. 20**

## **D. Voucher Transfer of \$100, 000 from Town Office Facility Capital Reserve Account**

## **E. Raffle Permit**

- i. VNA Hospice Annual Dine Around Raffle
- ii. Ladies of the Lakes Quilt Guild Quilt Raffle

## **F. Timber Tax Levy \$11,231,563**

Mrs. Murray requested to remove Property Tax Refund Abatement #94, #105 Part 1 and #105 Part 2.

Chairman Silk requested to remove Property Tax Refund Abatement #96 and the raffle permit.

**Member Linda Murray moved the Wolfeboro Board of Selectmen to remove Property Tax Refund/ Abatement # 94, #96, # 105 part 1 and # 105 part 2 and the second raffle permit from the Bulk Vote items. Dave Bowers seconded. Members voted and being none opposed the motion passed.**

**Member Chuck Storm moved the Wolfeboro Board of Selectmen to approve the Bulk Vote items in A-F above (excluding Property tax refund/abatement #94, #96, #105 Part 1 & 2 and the second raffle permit, which were removed). Dave Bowers seconded. Members voted and being none opposed the motion passed.**

**Member Dave Senecal moved the Wolfeboro Board of Selectmen to approve Property Tax Refund/ Abatement # 94, # 105 part 1 and # 105 part 2. Sarah Silk seconded. Members voted, Linda Murray- abstained and being none opposed the motion passed.**

**Member Dave Senecal moved the Wolfeboro Board of Selectmen to approve Property Tax Refund/ Abatement # 94, and the second raffle permit. Dave Bowers seconded. Members voted, Sarah Silk- abstained and being none opposed the motion passed.**

## **New Business**

### **A. Presentation of Executive Fire Officer Certificate**

Chief Morrill joined the Board for discussion and stated five years ago Deputy Chief Zotti came to him to be sponsored to attend the Executive Fire Officer Program at the National Fire Academy in Emmetsburg, Maryland and today he has the honor and privilege of announcing that Tom Zotti has successfully completed the program. The Executive Fire Officer Program (EFOP) is an initiative of the US Fire Administration and The National Fire Academy, designed to provide senior officers with a broad perspective on various facets of fire and emergency services administration. The EFOP curriculum and research framework examines how senior authority figures can exercise leadership when dealing with difficult, adaptive problems within their jurisdictions.

EFOP participants enhance their professional development through a unique series of four resident graduate and upper level college equivalent courses, and the completion of an Applied Research Project (ARP) for each course. The EFOP spans a 4-year period and consists of four "core" courses. Each course is 2 weeks in length.

Together, EFOP alumni and their research have resulted in significant changes to fire/emergency services organizations and their communities in the US and internationally.

A Certificate of Completion for the entire EFOP is awarded only after the successful completion of the final ARP. Deputy Chief Zotti is being presented with his Certificate of Completion at this meeting.

Chairman Silk presented Deputy Chief Zotti with his Certificate of Completion.

Deputy Chief Zotti thanked the Board, Town Manager, Chief Morrill, the members of the Department and his wife for their support in this five year process.

### ***B. Renewal of Lease Agreement with the Wolfeboro Cooperative Nursery School***

Krista Marschner, President of the WCNS, joined the Board for discussion.

Mr. Owen stated that they have proposed a three year lease with a modest increase in rent over those three years.

Ms. Marschner stated that the Nursery School has been located in the Railroad station for forty years and is grateful for the recent renovations allowing them to meet all the State's licensing requirements and respectfully request them to approve the three year lease.

**Member Dave Bowers moved the Wolfeboro Board of Selectmen to approve and sign the new 3-year lease agreement with the Wolfeboro Cooperative Nursery School, Inc. for the term beginning September, 2011 through June, 2014. Dave Senecal seconded. Members voted and being none opposed the motion passed.**

### ***C. Primex Contribution Assurance Program***

Pete Chamberlin joined the Board for discussion and explained that Primex provides the town's property and liability insurance and as a means to control these costs they have offered a multi-year assurance program and will also offer it for the town's workers compensation insurance.

Shelley Walts and Carl Webber of Primex joined the Board for discussion.

Mr. Webber provided the Board with a packet outlining such programs.

Ms. Walts explained that Primex would provide a multi-year agreement for the town's property and liability insurance and multi-year agreement for the town's workers compensation at a discounted rate.

Member Dave Bowers moved the Wolfeboro Board of Selectmen to hereby accept the offer of the New Hampshire Public Risk Management Exchange (Primex) to enter into its Property & Liability 5% Multi-year Discount program as of the date of the adoption of this motion, and to be contractually bound to all of the terms and conditions of Primex & Liability 5% Multi-Year Discount Program. The coverage provided by Primex in each year of membership shall be as then set forth in the Coverage Documents of Primex. Dave Senecal seconded. Members voted and being none opposed the motion passed.

Member Linda Murray moved the Wolfeboro Board of Selectmen to hereby accept the offer of the New Hampshire Public Risk Management Exchange (Primex) to enter into its Workers' Compensation Multi-Year Agreement with CAP for the CAP Period, as of the date of the adoption of this resolution, and to be contractually bound to all of the terms and conditions of Primex risk management pool membership during the term of the Workers' Compensation Multi-Year Agreement with CAP. The coverage provided by Primex in each year of the membership shall be as then set forth in the Coverage Documents of Primex. Dave Senecal seconded. Members voted and being none opposed the motion passed.

Member Sarah Silk moved the Wolfeboro Board of Selectmen to authorize the Town Manager to sign such agreements. Dave Senecal seconded. Members voted and being none opposed the motion passed.

#### ***D. Monthly Budget Expenditures and Revenues Report***

Pete Chamberlin joined the Board for discussion and stated he has been meeting with the Department Heads to discuss the increases in gas and oil and he noted that he would know by the end of the week what the new bids will be. He noted that the only concern is a cash flow problem.

Mrs. Murray questioned if they need to do some short term borrowing.

Mr. Chamberlin replied they may need to make adjustments in the budgeting for such in the future, but he noted the tax bills are going out this week.

Mrs. Murray replied budgeting for such is probably what they need to do for the future as this happens yearly due to the Sewer Fund transfer.

#### ***E. Capital Projects Update***

Mr. Ford joined the Board to review his Capital Projects Update report dated May 12, 2011. (See attached report)

#### ***F. Brummitt Court***

Dave Ford joined the Board for discussion and stated he had been contacted by the neighbors of Brummitt Court regarding the process for improving a section of the road and seeking the town's help in maintaining the road. He stated that since the case was decided there is a major drainage problem in that section of the road and they are looking for an agreement between the property owner, neighbors, and the town to maintain the road, but he noted such would be a costly upgrade that the town did not budget for.

Chairman Silk questioned if the Board wished to allow the neighbors to speak and the Board agreed.

Cathy Sykes, property owner of 116 South Main Street, joined the Board and stated that her concern is getting the water to drain away from the brick yard court and such has occurred when she tried to repair the damage done by the town over many years of making patch jobs to the area. She stated this is a significant cut through for kids and summer traffic and she would like to see the area repaired with a safe passage way for the pedestrians.

Denise Williams joined the Board for discussion and provided a copy for the record of her e-mails to the Public Works Department as well as two photos dated December 2010 and May 2011 (see attached). She explained that the drainage issues began since the Sykes made improvements to the area and she would like the town to be able to repair the damage by putting gravel back down and for the town to be allowed to plow the area.

Carole Pineo joined the Board for discussion and stated that this has been an ongoing problem, but they never had a drainage issue until the Sykes dug out the road and filled it with loam. She would like the town to dig out the loam and put gravel back in to repair the 12-foot right-of-way.

Bernard Pineo joined the Board for discussion and stated the loam is what is causing this problem and that it needs to be dug out and filled with gravel, which would not cost a lot of money. He feels making a sidewalk as Ms. Sykes suggested would invite the public to use it. He noted that it was also problem for plowing this past year as the town had to plow up Cropley Hill and turn around instead of going through as they had in the past.

Mr. Owen stated that he discussed the issue with Town Counsel and he did not recommend expending highway funds for improvements to private property and if the town did such it should establish Brummitt Court as a public way.

Chairman Murray stated that the Warrant Article for the layout of Brummitt Court lost in court and the only way to address the issue is to get an easement.

Cathy Sykes stated she did not put loam in, she only removed the pavement that was there, and she repaired the drainage to her basement which is now draining in the driveway. She stated Mr. Ford outlined what he recommended needs to be done to correct the drainage problem.

Mr. Owen replied in order to correct the drainage problem the town needs an easement.

Ms. Sykes stated the town has expended funds to maintain Brummitt Court in the past and now they are requesting it and you won't do it. She stated this issue has been to court three times and the court has always found in her favor and they stated the town can help maintain the property if it is suitable to her. She stated she doesn't want anymore patch jobs, she would agree to what Mr. Ford has recommended and she would agree to have the town plow Brummitt Court if such repairs were made properly.

Denise Williams questioned if the neighbors could assign their rights to the town as deemed by the court.

Mr. Owen replied he would verify such with the Town Attorney.

Mr. Ford stated they need an easement from the land owner to make any improvements and he would like to have the estimate reviewed and everyone to be satisfied with the resolution.

Mr. Senecal suggested Mr. Ford and Mr. Owen to work with the parties involved to come to a resolution.

Mr. Bowers stated the easement will need to be a permanent easement.

Mrs. Murray stated her only concern is the budget, and there may only be funds to make a temporary repair this year and address the correct solution in next year's budget.

### ***G. Town Assets Management Program***

Chairman Silk stated that Mr. Owen, Mr. Houseman, Kathy Barnard, Mr. Ford, Mrs. Murray, Stacie Pope and herself met to discuss implementing a plan and that they had a productive meeting.

Mr. Owen provided a spreadsheet that is a work in progress and explained there are many aspects to such a plan but the area the town is most deficient in is the town buildings. He stated the town has evaluated eight of its buildings and has recommendations and cost estimates of what needs to be done. He explained the biggest hole in the town's efforts at Asset Management is the Town Hall, the renovation of which was narrowly defeated by the voters several times, but noted they can not plan for Town Hall maintenance and repairs until it is properly renovated.

Chairman Silk said one of the items they discussed is that the town has a lot of information, but they need to collate to maximize its full use.

Mr. Ford stated that they can start the process with the Planning Board and Board of Selectmen via a subcommittee, but in the long term they may need a consultant and software program to keep up with the plan. By having such a plan they will be able to determine the town's future needs and make the best use of studies they already have had done.

Chairman Silk noted that for a small town, it is a complicated plan to manage because of the utilities and recreation department.

Mrs. Murray stated she feels it is important to maximize the use of the data they have already acquired which is using the taxpayers money wisely and she feels this is a positive step in that direction.

Mr. Houseman stated that they are taking steps in the right direction and it is important to keep the ball rolling and to get away from crisis management and plan for the future.

Mr. Bowers questioned if the Charrette was useful in anyway.

Mr. Houseman replied that portions of it are not going as outlined, and such is focused on the Bay Street/Mill Street area.

### ***H. Board of Selectmen's Goals & Objectives for 2011***

The Board reviewed and updated their Goals & Objectives for 2011 and added the following to their goals: Facilities plan, public parking in off-site locations, conservation areas for non-motorized activities, ensure public center for the town office building, participating in the Lakes Region Transportation Improvement program, purchase new compactors at the Solid Waste Facility, enhance pedestrian amenities downtown and construct new lodge at Abenaki Ski area.

### ***I. Capital Improvements Plan (CIP) Guidelines***

Chairman Silk stated in 2010 the Board adopted the following guidelines:

- To establish a priority this year for a warrant article for repairing and renovating the Town Hall.
- To have Parks & Recreation department re-evaluate their building projects.
- To maintain focus on achieving ADA compliance at all Town facilities.
- To maintain the increased funding level for the Town Roads upgrade article, so that the Town can begin to make some progress on the backlog of town roads needing attention.
- To continue to try to phase large projects into smaller more digestible pieces (e.g. breaking the Downtown Streets project into multi-year phases), providing consideration of natural division points in a project and cost differences between a consideration of natural division points in a project and cost differentials between a phased project and un-phased projects.

She noted she would like to see the Department Heads to minimize their priority lists this year in light of the economy and not focus so much on “wish list” items.

Mr. Bowers stated that the Town Hall project has failed twice and they need to make it more appealing to the taxpayers like making it a service area.

Mrs. Murray stated she would like to see the Department Heads communicate better with each other on what projects they will be proposing.

Mr. Senecal stated he would like to see some focus on the Power Plant and its future use as a Community Center as such idea seems to fit with that area being close to the Parks and Recreation fields.

Mr. Owen recommends a level of focusing on building maintenance and having a Warrant Article for such and Public Safety Communications.

The Board agreed to add those ideas to the Boards guidelines.

### **Old Business**

Mrs. Murray stated that Milfoil Committee is working on contract terms with the NH Lakes Association for milfoil removal, but have yet to come to an agreement. They are scheduled to harvest milfoil the week of June 6<sup>th</sup> and June 13<sup>th</sup>. She stated the Committee is proposing to contract with Cliff Cabral of New England Milfoil at \$1,200 per day in case the contract with NH Lakes Association is not ready in time for the June dates, but if the agreement with NH Lakes Association is in place this agreement will be null and void.

Mr. Owen stated that he has been provided the milfoil contract documents for signature and he will add the contingency language.

**Member Linda Murray moved the Wolfeboro Board of Selectmen to sign an agreement with New England Milfoil to hand pull or use a Suction Harvester to remove Milfoil in Wolfeboro Bay and Back Bay the weeks of June 6th and 13th at \$1,200 per day. This contract will be null and void if the NH Lake Association is able to provide the service. Chuck Storm seconded and being none opposed, the motion passed.**

### **Any Other Business**

Mr. Senecal stated that the town should do some air quality testing at Town Hall again, specific to the working areas and basement.

**Member Dave Senecal moved the Wolfeboro Board of Selectmen to have the Town Manager provide the Board with a cost estimate to do air quality testing of the Town Hall working areas and basement. Dave Bowers seconded and being none opposed, the motion passed.**

Chairman Silk stated this month's Town & City report has some areas specific to the library and tax rules that may interest those Departments. She also reminded the Board the Local Officials workshop will be held at the Library on June 2<sup>nd</sup>.

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

Mr. Owen stated the following:

- The Board has received a letter of resignation from the ZBA from Geordy Hutchinson and such provides an opening to be posted for that Board.
- The Cable TV advisory Committee met with Metrocast and is finalizing the Franchise Agreement and will be at the Board's June 1<sup>st</sup> meeting to discuss it.
- He noted the Board should add an additional meeting at the end of June to deal with the last of the abatements. The Board agreed to schedule the meeting for June 29<sup>th</sup>.

### **Committee Reports**

Mr. Bowers stated the Chamber of Commerce mingle was well attended.

Mr. Senecal stated the following:

- The Carroll County Coalition of Public Health is meeting June 24, 2011 at the Carroll County Administration Building.
- Carroll County Transit has all the buses and ridership on the on-demand buses increases monthly. The fixed route buses are schedule to start soon.

Mrs. Murray noted the following:

- The Milfoil Joint Board met and the Milfoil Committee has created a Plan B for harvesting Milfoil.
- The EDC is working on their Mission Statement.
- She attended the Bike & Walk to school or work event which was well attended.

Mr. Storm stated the following:

- The Police Commission addressed the Board's concern regarding a summer resident as a potential Presidential candidate and the Chief has reported he does not see a need for any budget increase if this resident should decide to run. The Chief pointed out it cost the Department less than \$200 when the President of France visited a few years ago.
- The Planning Board meeting was well attended to review the Natural Resource Chapter.

Chairman Silk stated the following:

- Household Hazardous Waste Collections start this weekend on Saturday from 8:30 AM to noon.



- The Police Department was successful in collaboration with the DEA in collecting two 40-gallon bags of prescription medication on April 30<sup>th</sup> and she noted that Lakes Region Hazardous waste will hold three medicine collections as follows: Wolfeboro in June, Wolfeboro in August, and Alton in September.
- Spring Clean up held May 7<sup>th</sup> collected 176 bags of trash and 19 gaylords of monitors.

### Chamber of Commerce

None.

### Questions from the Public

Suzanne Ryan asked for clarity on the lease for the Nursery School such as the amount of rent to be paid.

Mr. Owen replied over the three year period it will be \$250, \$260, and \$270 per month.

Chairman Silk noted they are also responsible to pay the utilities and the taxes.

Tom Bickford questioned if there is a trustee for the town cemeteries.

Mr. Owen replied the town abolished such by vote in the 1990's giving the Town Manager such duty.

Mr. Bickford suggested they try to get the Board of Selectmen meetings on the website in a timely manner to allow the public to view them in a reasonable amount of time.

Mr. Owen replied they are working on that and such is a new process they are working out the glitches.

Mr. Bickford questioned the status of the Firefighters litigation.

Mr. Owen replied the hearing was March 31, 2011 and they are awaiting the Judge's decision.

### Questions from the Press

Tom Beeler, Granite State News, stated this week's paper will feature the new pathways at Abenaki.

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

**Member Linda Murray moved the Wolfeboro Board of Selectmen to enter non-public session at 9:29 PM to discuss litigation and real estate. Dave Senecal seconded. Roll call vote: Sarah Silk-yes, Chuck Storm-yes, Dave Senecal –yes, Dave Bowers-yes and Linda Murray-yes, the motion passed.**

The Board re-entered public session at 10:34 PM.

Chairman Silk announced that the Board sealed the minutes of the May 18, 2011 non-public session with a 2/3<sup>rd</sup> vote as required by law.

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

**Member Dave Senecal moved the Wolfeboro Board of Selectmen to adjourn at 10:35 PM. Member Chuck Storm seconded. Being none opposed, the motion passed.**

Respectfully submitted,  
**Amelia Capone-Muccio**  
Recording Secretary