

**Wolfeboro Board of Selectmen
Meeting Minutes-Unapproved
November 4, 2015**

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

Members absent: Dave Bowers

Staff present: Town Manager David W. Owen, Director of Planning and Development Rob Houseman, Police Chief Stu Chase and Recording Secretary Amelia Capone-Muccio.

Chairman Senecal opened the meeting at 6:30 PM.

Non-Public Session RSA 91-A:3

Mr. Owen stated a non-public session is needed under RSA 91-A: 3 II (c) personnel.

Consideration of Minutes

➤ ***October 14, 2015***

Mrs. Murray added "Dave Senecal read the following" on page four, B.

It was moved by Linda Murray and seconded by Brad Harriman to accept the minutes of October 14th, 2015 with amendments. Members voted and being none opposed, the motion passed.

➤ ***October 21, 2015***

It was moved by Brad Harriman and seconded by Linda Murray to accept the minutes of October 21, 2015 as submitted. Members voted and being none opposed, the motion passed.

Public Input

Josephine Amatucci addressed the Board and stated I am here to find out...I have a right to know what government is doing in this Town. So what I want to know is if there is a standard policy for employees on what you do when they violate the constitution. Do you have a policy in place to deal with that?

Chairman Senecal referred to Mr. Owen to answer that question.

Ms. Amatucci replied no, I don't want to talk to him. I want to talk to you.

Chairman Senecal replied he is talking to him.

Mr. Owen replied no, the Town does not have a policy that covers violations of the constitution. To his knowledge those kind of issues are addressed in the courts.

Ms. Amatucci stated if an employee violates the constitution it is dealt with the courts, which it really isn't if it's a cop and it's dealt with locally both at the same time. So now we need a standard policy where victims of police misconduct can be dealt with locally. Locally, because what happens in the courts, I don't care, the courts don't terminate a Police Officer. We have to do it here locally. We have to have our own jury, the victims, we control this Town not you people, and we control it. And I am telling you, I am ordering you to have a policy where we can deal with this violation of the constitution because it's done in the courts and locally. You can see it in the paper all the time, you can see it in the paper all the time and the problem is the judges really don't deal with like I said termination and I am talking about termination. So in your policy you have termination for employees so it should be under a constitutional violation. What does it matter if it is constitutional or not. It's a violation of the laws, the laws of state. Does your policy involve the laws of the state or just the local law? What's the implication here?

Chairman Senecal replied lets back up, if you are talking about something with the Police Department we don't deal with that.

Ms. Amatucci stated I am talking about employees. I started by conversation...no I am wrong okay. I'm wrong. An employee okay? I want to see how you deal with an employee.

Chairman Senecal replied the Town has an employee policy that deals with employees.

Ms. Amatucci replied yes, an employee, everybody's and employee.

Chairman Senecal stated except for the Police Department.

Ms. Amatucci interrupted not the Police Chief. The Police Chief is an employee. The Police Chief is not in the Union. The Police Chief is treated separately and in this Town the Police Commissioners are Mobsters. So we can't go to the Mobsters. I can say anything I want.

Chairman Senecal called the meeting to order and stated her three minutes are up. The Police Department has their own Commissioners and you know that.

Ms. Amatucci stated I am talking about employees. How do you deal with employees?

Chairman Senecal replied we have an employee policy for employees, the Police Commissioners deal with the Police Department.

Ms. Amatucci questioned what if an employee commits a violation against the law of the State, how do you deal with it?

Chairman Senecal replied it would depend on what it is.

Ms. Amatucci stated any law? A constitutional law?

Chairman Senecal replied like Mr. Owen stated they do not address constitutional issues. He stated other issue such as if an employee steals from the Town, and then it would be addressed internally.

Ms. Amatucci questioned what if an employee retaliates against another employee. That's a constitutional law.

Chairman Senecal replied no, we are not dealing with that.

Ms. Amatucci stated we are dealing with that, we are dealing with employees. What if they retaliate against? YOU ARE GOING TO ANSWER ME! WHAT IF THEY RETALIATE AGAINST EACH OTHER?

Chairman Senecal called to order.

It was moved by Dave Senecal and seconded by Linda Murray to recess the meeting. Members voted and being none opposed, the motion passed.

Ms. Amatucci continued to state the Board is going to tell her how they deal with retaliation.

The Board left the meeting room. The Board reconvened the meeting and Chairman Senecal stated they would be moving on to Public Hearings.

Ms. Amatucci stated she wants to know how they will deal with employees that retaliate against each other. What is your standard policy on how you deal with that?

Chairman Senecal stated that she is disrupting the meeting and that they gave her the 3 minutes allotted and asked her to sit down.

Ms. Amatucci continued to disrupt the meeting and state she wants to know if an employee retaliates against someone how do they deal with.

Chairman Senecal called to order and stated she is disrupting the meeting, he explained the Board does not deal with those matters it is a Town Manager form of Government.

Ms. Amatucci stated he is going to answer her question.

Chairman Senecal replied he is not going to continue and asked her to please sit down as she is disturbing the meeting.

Ms. Amatucci continued to disrupt the meeting and point to the Police Chief calling him a criminal.

Chairman Senecal asked her to leave the meeting, they do not have anything to do with the Police Department, the Police Commission does. He explained the budget process of the Police Department and all that is governed by Police Commission.

Ms. Amatucci questioned if the Police Commission can terminate a Police Officer and Mr. Senecal replied yes. She stated she would be going to the next Police Commission meeting.

Bulk Vote

A. Weekly Manifests November 6, 2015

B. Accept Grants and Donations less than \$10,000

- i. Donation of \$2,300 to Upgrade Collections at Libby Museum
- ii. Donation of \$8,806 from the Friends of Town Hall for balcony repairs, seating and restoring the front doors of the Town Hall tower.
- iii. Donation of \$9,348 from the Friends of Town Hall for audio-visual equipment for the Great Hall.

It was moved by Linda Murray and seconded by Brad Harriman to approve the Bulk Vote items A-B as listed above. Members voted and being none opposed, the motion passed.

Appointments

Conservation Commission Alternate Member

Sarah Silk addressed the Board and apologized that her membership has lapsed and should have been renewed in March, but is requesting re-appointment.

It was moved by Linda Murray and seconded by Brad Harriman to approve the appointment of Sarah Silk as an Alternate Member of the Conservation Commission for a term through April 2017. Members voted and being none opposed, the motion passed.

New Business

A. Capital Improvements Program for 2016-2025

Kathy Barnard, Chairman of the Planning Board, addressed the Board and stated that the Planning Board adopted the CIP for 2016-2025 at their meeting last evening and are forwarding it to the Board of Selectmen and Budget Committee as an advisory document for the budget process. She thanked the CIP Committee and Department Heads for their cooperation in the process and job well done presenting their plans to the Committee.

Rob Houseman addressed the Board and reviewed a summary PowerPoint presentation on the CIP, a 10 year planning guide for the future needs of Wolfeboro.

Chairman Senecal stated a lot of time and effort is put into this document and thanked Mr. Houseman, the Planning Board and the Department Heads for their work on this plan.

Mrs. Murray agreed it is a great process and important to the future planning.

Mr. Harriman agreed it is great planning tool that helps keeps from having years of large increases in the tax rate.

Two members of the audience wished to speak to the Whitten Neck Road water line replacement.

Lyn Johnson of 43 Crystal Shore Road stated that he is in support of this project as because of the condition of the road, residents are using Crystal Shore Road (which is a privately maintained road) to avoid Whitten Neck Road. He noted the constant discoloration of water as well.

Richard Lampertti of 86 Whitten Neck Road stated there are 130 homes on that road and some of those are year-round homes. He spoke in support of this project.

B. Town Energy Committee's Solarize Wolfeboro Initiative

Susan Fuller, Chairman of the Town's Energy Committee, spoke with regards to a new initiative to solarize Wolfeboro. She stated the Committee now has 11 members and meets regularly and has also broken out into smaller groups to work on this project. She stated they currently are planning a launch event in February 2016, and they are creating a website and do have a Facebook page.

C. Proposed Revisions to Discretionary Preservation Easement Deed

Mr. Owen stated that the Board has been provided with changes that were submitted recently by Mr. Marchese. He noted that basically the revisions are relative to the time frame.

James Marchese addressed the Board to state that overall he has no problem with what has been proposed except for the time frame. He is requesting more time to get some of the projects done based on the cost as a lot needs to be changed. He stated that essentially he is proposing to do one side per year, starting with the side facing the road. He noted that the building does not have vinyl siding. It is cement siding, which is allowed, but he intends to change it back to wood siding eventually.

Mrs. Murray suggesting including dates in the document for clarity such as it would start 4/1/2016.

The Board agreed to amend the document and allow the relaxed time frame.

Chairman Senecal suggested the revisions be submitted for review by the Town Attorney.

D. Professional Service Agreements with MRI for Town Manager Recruitment process and Fire Chief Recruitment process

Alan Gould, President of MRI, and Carol Granfield, HR Consultant addressed the Board.

Mr. Gould questioned clarity on the retirement dates of the Town Manager and the Fire Chief.

Mr. Owen replied he is retiring in March of 2016 and the Fire Chief is officially retiring November 30th, 2015, but will remain as Fire Chief in a part-time status until a replacement is hired.

Mr. Gould stated with regards to the hiring of the Fire Chief that they proposal advertising the position for 30 days and expect the process to take 90-100 days and candidates would need to participate in an assessment center process before moving to interview process. He stated that Ms. Granfield would be taking on the recruitment of the new Town Manager starting with interviewing the Board. He explained the process would include developing an ideal candidates profile and prescreen the applicants and there are a couple ways to select the top five candidates to be presented to the Board, such as a community panel or MRI screening panel. He noted that any of these processes can be modified to suit the Town's needs.

Mrs. Murray questioned if the Board would see the resumes of the final candidates.

Mr. Gould replied yes, they would receive the resumes, cover letters and essays a week before the interviews.

Mr. Senecal questioned the next step.

Mr. Gould replied that implementing the contracts and starting the advertisement process.

Ms. Granfield noted they would need to be mindful of the holidays when scheduling interviews.

Mr. Senecal replied the Board would discuss the proposals and Mr. Owen would update them.

E. Brummitt Court Snow Plowing Request

Mr. Owen stated the residents of Brummitt Court wish the Town to resume snowplowing as done in the past previous to the Sykes owning the property. The Department of Public Works has no objection to this request as it makes plowing the Town's portion of the road easier.

Mrs. Murray stated she is in support of this request since it was approved by the voters in the past, but was lost in court to the previous owner's litigation.

It was moved by Linda Murray and seconded by Luke Freudenberg to approve having the Department of Public Works plow snow on Brummitt Court to provide access for emergency vehicles if needed.

F. Proposed Revisions to Town Code Chapter 5-Alcoholic Beverages

Mr. Owen stated that he has provided the revisions since the last meeting and noted that number #4 needs to revise the word "license" to "permit".

Chairman Senecal stated the next step is to set the public hearing.

Mrs. Murray noted the use would be to bring your own beer or wine as an additional permit, with a state license needed to serve alcoholic beverages at events.

G. 2016 Town Operating Budget

Pete Chamberlin addressed the Board and provided the revisited changes since last night's budget hearing meeting. He noted the budget reflects a 5% increase, but 2% of that increase is due to debt service.

It was moved by Linda Murray and seconded by Brad Harriman to approve the 2016 Town Operating Budget in the amount of \$25,830,425 and to refer it to the Budget Committee for their consideration. Members voted and being none opposed, the motion passed.

Any Other Business

Mrs. Murray read for the public's information the separation agreement between the Town of Wolfeboro and David W. Owen. (See attached)

It was moved by Linda Murray and seconded by Dave Senecal for the Board of Selectmen to sign the separation agreement with David W. Owen, Town Manager as read above. Members voted and being none opposed, the motion passed.

Town Manager's Report

Mr. Owen stated the following:

- Due to the upcoming Veteran's Day Holiday, the manifest will be available Tuesday and the same will happen the week of Thanksgiving.
- He provided the latest Financial Update report for the Town Hall Renovation project. He noted the project is within budget and they anticipate getting \$6,995 back in grant funds.
- The next regular Board meeting will include the topic of the Snowmobile path and access from the ice via the Town Docks.
- He stated the public may have noticed the public works Department digging up Hunter's IGA parking lot and he explained this is due to a discovery of a major sewer leak which required repair. They also discovered during this repair that the old storm water drainage line from the Town Hall is connected here as well and will need to be disconnected and diverted.
- He provided an update on the Abenaki Lodge project and that the project is on target and they plan to open on schedule for the ski season. He stated the paving scheduled for this week has been moved to next week and he noted that Evans Brothers construction took it upon themselves to provide some additional drainage work at no cost because they felt it needed to be done. He thanked them for that.

- He noted one application has been received for the Board of Selectmen's Recording Secretary Position from Melissa Ferland. She current takes minutes for the County Delegation.
- He stated the Great Hall at Town has been receiving reservations for uses such as a contra dance for GALA and Great Waters Music Festival event.

Chairman Senecal reminded the public the open house for the Town Hall is this Saturday, November 7th at 1:00 PM.

Committee Reports

Mr. Harriman stated he has attended Budget Hearing meetings and attended a WCTV meeting.

Chairman Senecal stated he has attended Budget Hearing meetings.

Mrs. Murray attended a Town Hall construction meeting, Business Retention and Expansion meeting, Fisherville meeting and Budget Hearing meetings.

Mr. Freudenberg stated he has been attending Budget Hearing meetings.

Questions from the Press

Tom Beeler of the Granite State News questioned if the bank for the house at Brummit Court has granted an easement.

Mrs. Murray explained that they have inquired into such but there are several banks involved.

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

Member Linda Murray moved the Wolfeboro Board of Selectmen to enter non-public session at 8:03 PM to under RSA 91-A: 3 II (c) to discuss personnel. Brad Harriman seconded. Roll call vote: Luke Freudenberg-yes, Dave Senecal-yes, Brad Harriman-yes, and Linda Murray-yes, the motion passed.

The Board re-entered public session at 8:24 PM.

Chairman Senecal stated the non-public session minutes of November 4th, 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 Linda Murray moved the Wolfeboro Board of Selectmen to adjourn at 8:25 PM. Member Brad Harriman seconded. Being none opposed, the motion passed.

Respectfully submitted,
Amelia Capone-Muccio

Recording Secretary