

**Wolfeboro Board of Selectmen  
Meeting Minutes  
Unapproved  
November 6, 2013**

**Members present:** Chairman Sarah Silk, Vice-Chairman Linda Murray, Dave Senecal, Dave Bowers and Brad Harriman.

**Members absent:** None.

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

Chairman Silk opened the meeting at 6:30 PM.

**Non-Public Session**

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

**Consideration of Minutes**

➤ **10/8/13**

**Member Linda Murray moved the Wolfeboro Board of Selectmen to approve the minutes of October 8, 2013 as written. Dave Senecal seconded. Members voted, and being all in favor, the motion passed.**

➤ **10/10/13**

**Member Linda Murray moved the Wolfeboro Board of Selectmen to approve the minutes of October 10, 2013 as written. Dave Senecal seconded. Members voted, and being all in favor, the motion passed.**

➤ **10/16/13**

Chairman Silk amended page six, the third paragraph to add the following after the word "cycle"; "prior to submitting the budget to the Federal Government".

**Member Sarah Silk moved the Wolfeboro Board of Selectmen to approve the minutes of October 16, 2013 as amended. Dave Bowers seconded. Members voted, and being all in favor, the motion passed.**

➤ **10/17/13**

**Member Dave Bowers moved the Wolfeboro Board of Selectmen to approve the minutes of October 17, 2013 as written. Dave Senecal seconded. Members voted, and being all in favor, the motion passed.**

➤ 10/23/13

**Member Linda Murray moved the Wolfeboro Board of Selectmen to approve the minutes of October 23, 2013 as written. Dave Senecal seconded. Members voted, and being all in favor, the motion passed.**

➤ 10/24/13

Mrs. Murray amended page seven, the fourth paragraph from the bottom to correct "Brad Harriman" to "Mr. Owen".

**Member Linda Murray moved the Wolfeboro Board of Selectmen to approve the minutes of October 24, 2013 as written. Dave Senecal seconded. Members voted, and being all in favor, the motion passed.**

### **Announcements**

Chairman Silk reminded the public that the Solid Waste Facility has changed to the winter hours and is closed on Wednesday and Thursday until the spring.

### **Public Input**

Bob Lemaire questioned in regards to the RIB lawsuit, from his review of documents filed with the court, that it appears the Town of Wolfeboro has not agreed to arbitration. He noted it does not state that the Town has declined arbitration, but also does not state the Town has agreed to it either. He questioned who makes the decision to agree to arbitration.

Chairman Silk replied the Board does with their Special Counsel.

Mrs. Murray stated that all legal matters are discussed in non-public session.

Mr. Bowers stated the Town has hired an attorney to address the matter, they cannot control any statements made by Wright Pierce.

Mr. Lemaire expressed his concern that the Town would not agree to arbitration to seek a third party opinion on the matter as they have already spent a half a million dollars in legal fees and have budgeted for another half million in the next budget and he feels it would be in the best interest of the Town to resolve the matter and not drag out the legal costs.

Chairman Silk replied the decision is made by the Board with their attorney.

### **Public Hearing**

#### **Temporary Event Permit**

- A. Wolfeboro Area Chamber of Commerce to hold First Night Wolfeboro on December 31, 2013 from 10:00 AM to Midnight at various locations throughout town.***

Chairman Silk opened the public hearing.

Being no one present to speak to the event Mrs. Murray explained it is an event that has run in the past but instead of being run by the Arts Council, the Chamber will be running the event. She believes most of the events will be the same except there will only be one fireworks display.

Being no one to speak for or against the permit, Chairman Silk closed the public hearing.

**It was moved by Dave Bowers and seconded by Brad Harriman to approve the issuance of a Temporary Event Permit to the Wolfeboro Area Chamber of Commerce to hold First Night Wolfeboro on December 31, 2013 from 10:00 AM to Midnight at various locations throughout town. Members voted and being none opposed, the motion passed.**

### **Acceptance of a Grant**

#### ***B. Grant in the amount of \$35,281.55 from the NH Department of Safety, Homeland Security and Emergency Management.***

Chairman Silk opened the public hearing.

Dave Ford addressed the Board and explained the funds reimburse the Town for costs incurred during the three day snow storm last March.

Being no one to speak for or against the permit, Chairman Silk closed the public hearing.

**It was moved by Dave Bowers and seconded by Brad Harriman to accept the grant in the amount of \$35,281.55 from the NH Department of Safety, Homeland Security and Emergency Management, which represents the Federal share of approved eligible costs under Disaster FEMA-4105-DR-NH, which was declared on March 18, 2013. Members voted and being none opposed, the motion passed.**

### **Amendment to Town Code**

#### ***C. Chapter 36, Section 7-Commercial Vessel Landing Permit Regulation and Fees.***

Chairman Silk opened the public hearing.

Mr. Owen explained that this amendment is a result of an issue that arose last summer when after some of the Commercial Vessels put up their signage there was no room left for the Mt. Washington's signage. He stated that amendment was drafted to correct that issue.

Being no one to speak for or against the permit, Chairman Silk closed the public hearing.

**It was moved by Linda Murray and seconded by Brad Harriman to approve amending the Wolfeboro Town Code, Chapter 36-7. Commercial Vessel Landing Permit Regulations and Fees as follows:**

To add a new H:

H. Each CVLP shall be permitted one sign. Said sign shall comply with the following requirements:

1. Sign location: Sign placement shall be limited to the mounting between the white railings in front of the smaller commercial dock.
2. Sign size: not to exceed 20" x 40".
3. Sign content: the information on the sign shall be limited to only vessel noted on the permit. All packet/ handout items shall be contained on the sign or mounted directly below the sign.
4. Sign placement: Placement shall be between the top and middle rail. No sign or brackets shall interfere with the installation of any other approved CVLP sign.

Also to change the present H to I, the present I to J and the present J to K.

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

### **Bulk Vote**

#### **A. Weekly Manifests:**

1. Manifest dated October 25, 2013
2. Manifest dated November 1, 2013
3. Manifest dated November 8, 2013

#### **B. Property Tax Abatements/ Refund**

##### Approvals

- |     |                         |                     |
|-----|-------------------------|---------------------|
| i.  | 65 Millwood Road (2011) | Tax Map 218, Lot 44 |
| ii. | 65 Millwood Road (2012) | Tax Map 218, Lot 44 |

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

##### Approvals

- |      |                            |                        |
|------|----------------------------|------------------------|
| i.   | 7 Bay Berry Lane           | Tax Map 177, Lot 10-4  |
| ii.  | 12 Birch Hill Estates Road | Tax Map 177, Lot 10-15 |
| iii. | 542 North Main Street      | Tax Map 172, Lot 23    |

#### **D. Voucher to Trustee of the Trust Fund-Transfer from DPW Vehicles and Equipment Capital Reserve Fund-\$123,625**

#### **E. Raffle Permit-Wolfeboro Lions Club Annual Turkey Trot Raffle**

Mrs. Murray noted that property tax credit/exemption above on 12 Birch Road is not applying for an elderly exemption although they have it checked off.

Chairman Silk stated the tax cards need to be provided in the packet.

**It was moved by Brad Harriman for the Wolfeboro Board of Selectmen to approve the Bulk Vote items as submitted. Dave Senecal seconded. Members voted and being none opposed, the motion passed.**

## **New Business**

### **A. Conditional Acceptance of Gift-Electrical Upgrades at the Community Center.**

Chairman Silk noted this is another example of a public/private partnership. She also noted that curtain rods and hardware were donated by the Huggins Hospital Street Fair barn and she also thanked Parks & Recreation staff member Rick LaPointe for addressing the window. She stepped down from the discussion on the donation.

Susan Bunting, President of the Ladies of the Lake Quilters Guild, addressed the Board and stated they would like to donate the \$2,962 to make electrical upgrades to the Community Center. She stated that they are a non-profit organization that makes quilts for charity, mostly the David's House at Dartmouth Hitchcock Medical Center. She explained that the electrical service at the Community Center needs upgrading in order to support the sewing equipment used and they would be happy to make this generous donation in return they would not be charged the rental fee.

Sarah Silk noted they also make quilts for the Child Advocacy Center and the Police cruiser quilts.

Vice-Chairman Murray noted that \$ 717.59 of the costs will be covered by the town.

**It was moved by Linda Murray for the Wolfeboro Board of Selectmen to approve the acceptance of a gift of a donation in the amount of \$2,962 from the Ladies of the Lakes Quilters Guild, Inc. for certain desired electrical upgrades at the Community Center, in consideration for which the Town agrees to fund a portion of needed electrical upgrades at the Community Center at an estimated cost of \$717.59, and to waive in perpetuity the annual use fee for use of the Community Center for the Ladies of the Lakes Quilters Guild. Dave Bowers seconded. Members voted, Sarah Silk-abstained and being none opposed, the motion passed.**

### **B. 2013 Bond Issue Term.**

Mr. Chamberlin stated they have been notified by the bond bank that it will not be having a bond sale in January because it would only be for the Town of Wolfeboro and Town of Hinsdale. He stated they have the option to extend the BAN and wait until the spring bond sale. He stated they should decide whether they want to do 10 or 20 year bonds.

Mrs. Murray stated the issue is paying more in interest and the time value of the money. She stated that Center Street could be spread out over 20 years as that project is expected to last more than 20 years.

Mr. Owen agreed that 20 years seems to make the most sense for the Center Street project.

**It was moved by Sarah Silk for the Wolfeboro Board of Selectmen to amend the application for a 20-year term for the \$700,000 bond issue for the Center Street Reconstruction project, and 10-year terms for the \$400,000 Sewer Collection System Upgrades, \$299,400 Public Works Garage Upgrades, and the \$200,000 Parks**

**Maintenance Building bond issues. Dave Senecal seconded. Members voted and being none opposed, the motion passed.**

### **C. Tax Anticipation Notes**

Mr. Chamberlin stated that he has had discussion with the Town Treasurer about taking out a Tax Anticipation note as they will be short on cash by the end of November. He stated they felt while they were awaiting the tax rate it would be prudent to be proactive.

**It was moved by Sarah Silk for the Wolfeboro Board of Selectmen to approve the request to take a Tax Anticipation Note as recommended by the Finance Director and Town Treasurer. Dave Bowers seconded. Members voted and being none opposed, the motion passed.**

### **D. Adoption of 2014 Operating Budget**

Mr. Owen stated the Board has been provided with the revised proposed budget which is ready to be forwarded to the Budget Committee with a 2.93% increase.

**It was moved by Sarah Silk and seconded by Dave Senecal to approve a 2014 Town Operating Budget in the amount of \$24,526,600, and to submit such to the Budget Committee for their consideration. Members voted and being none opposed, the motion passed.**

### **E. Initial Review of 2014 Warrant Articles**

Chairman Silk stated that at this point they have been provided with a list of potential Warrant Articles to be considered. She read them as follows:

- Election of Town Officers
- Middleton Road Construction \$1,350,000
- Town Hall Reduced-scope renovation \$4,000,000
- Winnepesaukee Drive Reconstruction \$1,122,000
- Wastewater Treatment Plant Improvements \$ 250,000
- Operating Budget \$24,526,600
- Annual Road Upgrades \$ 625,000
- Annual Sidewalk Upgrades \$ 100,000
- DPW Facilities Upgrades \$ 160,000
- Temporary Relocation of Town Offices \$ TBA
- Library Expansion Study \$ 30,000
- Replace Electric Department Digger/Derrick Truck \$200,000
- Fire Trucks and Apparatus Replacement Capital Res \$176,000
- Public Works Vehicle and Equip. Capital Reserve \$165,000
- Abenaki Ski Area Capital Reserve account \$ 15,000
  
- Town Office Facility Capital Reserve account \$100,000

Mr. Owen stated the Department Heads will present the Board's next meeting to present their Warrant Articles and provide the backup documentation.

### **Old Business**

Mrs. Murray questioned if they have received any of the information back on the Winnepesaukee Drive project.

Mr. Owen replied that he has received the results of the title search and there are no liens or other encumbrances on the properties and the taxes are current except for the first half this year (the July payment).

Chairman Silk stated with regards to the replacement radios for the Fire Department, she checked with the Police Department on the age of their equipment and was advised some of the radios are 13 years old. She did the research to provide a perspective on the age of the Fire Department radios vs. other Departments.

Mrs. Murray questioned if there is a date scheduled for the review of the Wolfeboro Nursery School Lease.

Mr. Owen replied he is awaiting a date.

### **Any Other Business**

Chairman Silk stated there is a workshop on Forest Law on 11/19 and 11/20 and questioned if anyone would be attending that meeting.

Mr. Owen replied such was forwarded to the Departments and Town Boards and he has not heard if anyone is attending it.

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

Mr. Owen reported the following:

- The Town is seeking members for the Information System Advisory Committee, 2 members are needed.
- A notice has been put in the paper as well as notification to existing recipients for the next round of Josiah Brown Scholarship funds and applications must be received by the end of the year.
- The Police Department has received noise complaints in the area of the Inn on Main as well as an incident that resulted in an arrest.
- The Trustees of Trust Funds have transferred \$422,355 to the General Fund for the purchase a DPW vehicle and equipment and Fire Department apparatus.
- He noted that the Town of Wolfeboro received a certificate from School Care for the most participation in the get healthy program.
- The Town employees Holiday party is December 13<sup>th</sup> and the party has been funded by a generous donor.
- Parks & Recreation reports they sold the old Zamboni on eBay for \$4,600.

- The Town wide power outage to repair the substation went smoothly from 1:00 AM to about 3:40 AM. Chairman Silk commended the Department for their efforts in notifying all the businesses.
- He will be attending the NH Municipal Association conference tomorrow.
- The license agreement has been received from the School District for the Town Hall Parking Lot project including the pathway between Town Hall and the School.
- The parking lot upgrade is nearing completion with final paving scheduled for Friday.

Chairman Silk stated with regards to the letter from Metrocast Cablevision about the digital boxes and her concern this will result in more televisions being left beside the road. She reminded the public that the Solid Waste Facility has reasonable rates and leaving them beside the road or even at the Huggins Hospital Street Barn (which does not accept electronics) is illegal dumping.

Jane Thurston, member of the public, noted that Best Buy will take your old television for free.

### **Committee Reports**

Mr. Harriman stated he attended the Planning Board meeting who discussed storm water treatment ordinances, a lot merger, a subdivision and Brewster Anderson Hall renovations.

Mr. Bowers reported the Library is doing well but has discontinued the Friday film program as another program has been started in the area at the same time.

Mrs. Murray stated she attended the Chamber Social.

Chairman Silk stated she attended the Conservation Commission who discussed a dredge and fill permit.

### **Chamber of Commerce**

None.

### **Public Comment**

None.

### **Questions from the Press**

None.

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

**Member Dave Senecal moved the Wolfeboro Board of Selectmen to enter non-public session at 7:27 PM to discuss litigation. Dave Bowers seconded. Roll call vote: Dave Senecal-yes, Brad Harriman-yes, Sarah Silk-yes, Dave Bowers-yes and Linda Murray-yes, the motion passed.**



The Board re-entered public session at 8:29 PM.

Chairman Silk stated the non-public session minutes of October 16, 2013 were sealed by a 2/3rds vote as required by law.

Mr. Bowers stated that he forgot to mention in his committee reports that the Granite State News archives have been digitized.

*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 8:33 PM.**  
**Member Sarah Silk seconded. Being none opposed, the motion passed.**

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