

**Wolfeboro Board of Selectmen
Meeting Minutes
Unapproved
October 16, 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, Planning and Development Director Rob Houseman 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

➤ **10/2/13**

Mrs. Murray amended page four, the second line strike “they are becoming” replace with “the Parks & Recreation should become” and in the same sentence strike “these” and replace with “businesses”. She amended page four the last paragraph, last sentence to strike “as how the revolving fund works with this” and replace it with “on guidelines for the brochure”.

Member Dave Bowers moved the Wolfeboro Board of Selectmen to approve the minutes of October 4, 2013 as amended. Brad Harriman seconded. Members voted, and being all in favor, the motion passed.

Public Input

None.

Bulk Vote

A. Weekly Manifests:

1. Manifest dated October 11, 2013
2. Manifest dated October 18, 2013

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

Public Hearing- Temporary Event Permit

A. Back Bay Hockey Association, Inc. to hold a 5k/ 10k Trail Run on October 19, 2013 from 7:00 AM-Noon at the Abenaki Trails.

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 where participants can run a 5k or 10k race on the Abenaki Trails with a free family event at the beginning. This is a fundraiser for Back Bay Hockey.

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 Dave Senecal to approve the issuance of a Temporary Event Permit to the Back Bay Hockey Association, Inc. to hold a 5k/10k Trail Run on October 19, 2013 from 7:00 AM-Noon at the Abenaki Trails. Members voted and being none opposed, the motion passed.

New Business

A. Monthly Budget Expenditures and Revenues Report.

Mr. Chamberlin addressed the Board to discuss his monthly report. He noted the overall budget is expended at 73.101% and as of September the budgets expended to date is as follows: General Fund 71.872%, Water Fund 85.354%, Electric Fund 72.168%, Sewer Fund 75.040% and Pop Whalen Fund 73.133%. He noted that the overtime in the Central Dispatch budget is due to the inability to find coverage for a weekly shift on Sunday. The Police Department overtime line will be offset once they received the grant funding to cover the extra shifts. The Welfare budget line for Direct Assist-rent is expected to be over at about \$13,000 and lastly he noted they received the reimbursement check from FEMA.

Mrs. Murray thanked Mr. Chamberlin for addressing her questions and that she appreciates the revenue report that was included.

B. Economic Development Webpage.

Mr. Owen stated that Vice-Chair Denise Roy-Palmer is present and staff to the Committee Rob Houseman will provide a brief overview of the webpage to the Board before it goes live. He stated that the EDC and Town staff have been working on developing information geared towards businesses looking to move to Wolfeboro or expand their business to Wolfeboro.

Mr. Houseman joined the Board and stated they hope to have the webpage live soon and it will be a button on the Town website for Economic Development. He reviewed the details of the webpage on the projector with the Board.

Mrs. Murray stated the EDC spent a lot of time discussing how best to present the webpage.

C. Capital Improvements Plan (CIP) for 2014-2023

Kathy Barnard, Chair of the Planning Board, joined the Board and stated that the Planning Board approved the 2014-2023 CIP Plan at their meeting last night and are forwarding it to the Board of Selectmen and Budget Committee to be used for budgetary purposes. She explained the Committee meets with the Department Heads to discuss their projects and expenditures and the Committee provides recommendations. She stated it is an advisory document and that the Committee is strongly recommending a Town facilities plan to address the future needs of the town and provided an example of the old Electric Power Plant that has sat idle for a number of years. She thanked the members of the Committee and the Department Heads for their participation in this process as a lot of thought went into the preparation of the plan.

Rob Houseman joined the Board and provided a PowerPoint presentation summarizing the process of the CIP Committee and provided their recommendations for 2014-2023. He explained the CIP Committee reviews the Town's capital needs and prioritizes capital expenditures over a 10-year period. He noted the following listed as the 2014 recommendations:

- Town Hall Repair/ Replacement at \$4,000,000 (The FTH will raise up to \$1,000,000)
- Municipal Electric Department ME-4 replacement of dig/derrick truck at \$200,000
- Fire and Rescue replace SCBA (breathing apparatus) at \$175,000
- Public Works Department Facilities Upgrade at \$160,000
- Public Works Department Road Upgrades at \$625,000
- Public Works Department Sidewalk upgrades at \$100,000
- Infrastructure Improvements Middleton Road reconstruction (Town's share \$450,000) at \$1,350,000 and Sewer Plant upgrade at \$250,000 for the Wastewater Treatment Facility and pumping stations.

Mr. Owen provided the full spreadsheet outlining the Capital Improvement Projects as requested by Selectmen Murray.

Mrs. Murray stated she felt the Board should have the spreadsheet because it shows the 10-year plan and provides more back up information.

Mr. Houseman stated he would provide it as an appendix to the report.

Mr. Senecal stated he read through the report and found it to be well done.

Chairman Silk agreed and noted the report is helpful to the Boards and Committees as well as the taxpayers.

D. Petition to Conditionally Lay Out Winnepesaukee Drive as a Town Road

Mr. Owen stated a petition has been received to conditionally lay out Winnepesaukee Drive as a Town road subject to compliance with betterment assessments and he provided a subsequent petition containing more signatures (only one signature was required by law to submit the petition) showing further support by the residents of Winnepesaukee Drive. He stated the next step in this process is to schedule a public hearing in which all the property owners will be notified to discuss the proposal.

Mr. Bowers questioned the participation of the developer.

Mr. Owen understands that B & H Development has agreed to pay for its portion of the test pits and it will also be notified of the public hearing.

Chairman Silk stated this is a prime reason the Planning Board should never approve developments with private roads as it becomes a burden to those who buy the lots and this will add a burden to the Tax Collector which will have to bill out supplemental bills. She stated roads should be built to the Town's standards and then accepted as a town road.

Mrs. Murray stated that the Town needs to be careful releasing bonds on the roads.

Mr. Ford stated that this road was done thirty years ago, with different staff, different Boards and different regulations. He stated he has obtained a cost estimate to redo the road to town standards and after the test pits had been dug, the road is in worse condition than anticipated. He stated the road is full of boulders and they will have to take out 18" of material and replace it with gravel and he recommends a 4" layer of pavement. He stated this is estimated to cost \$1.12 million dollars, but the project will be put out to bid for a firm price which is also a cost of roughly \$5,000 and all these costs will be included in the betterment assessments.

Mrs. Murray stated they need to be sure to have enough funds appropriated including a contingency to cover those costs, like the bid specs.

Mr. Senecal questioned if there would be ledge removal.

Mr. Ford replied none is needed, as the ledge was broken up and put back in and they will remove it.

Mrs. Murray questioned the need of drainage.

Mr. Ford replied nothing significant, just the cross culverts replacements.

Chairman Silk questioned if they are awaiting any additional information.

Mr. Ford replied no, they have already borrowed \$2,000 from the Town to cover the costs and the next step is the public hearing.

Tom Machachonis stated a 10% contingency is included in the estimate.

Mrs. Murray replied she is aware of such, but she meant to cover the administrative costs of the test pits as she does not want to fall short with funds for the project.

Tom Beeler questioned if the whole road will be removed.

Mr. Ford replied it would in phases to allow access.

Chairman Silk questioned the timeframe of the project.

Mr. Ford replied it depends on the company that is awarded the bid, but estimates it to be a two month project.

Chairman Silk questioned the next step.

Mr. Owen replied it would be the public hearing which he suggests for the November 20th meeting to allow enough time to notice the property owners.

Mr. Senecal questioned how many property owners are agreeing to this.

Chairman Silk replied they discussed it at a previous meeting that only some of them are part of a lawsuit, but according to the RSA they all will have to pay on the betterment assessment.

Mr. Senecal expressed his concern that some of them won't pay on it and the town will end up funding it and he has real concern with that as it will be a 10 year betterment assessment.

Mrs. Murray agreed, the developer has over 20 of the lots and it is crucial to know if he plans to participate, she would like to hear that from him.

Mr. Owen stated that is what the public hearing process is for, it will allow those to speak for and against the issue.

It was moved by Sarah Silk and seconded by Linda Murray to approve setting a public hearing on November 20, 2013 to consider the proposed conditional layout of Winnepesaukee Drive as a Town road, subject to betterment assessments. Members voted and being none opposed, the motion passed.

E. License Agreement with Governor Wentworth Regional School District RE: Town Hall Parking Lot Improvements

Mr. Owen stated he received the agreement at 4:00 this afternoon and has provided it for informational purposes to the Board and such has been forwarded to the Town Attorney for review.

Chairman Silk questioned when the work will be done.

Mr. Owen replied they work has started today. He noted the School Board would need to approve the agreement which they cannot do until their meeting on November 4, 2013, but he has been advised they are okay with the agreement and have agreed to it in principal.

Mrs. Murray would like to hold off on the work on the walkway until they get an approved agreement.

Mr. Owen replied that the work is being done to the front of the building first and noted they have already agreed to the agreement in principal.

Mrs. Murray replied she would be okay with it if Town Counsel is okay with it.

It was moved by Dave Bowers and seconded by Brad Harriman to authorize the Town Manager to sign the License Agreement with Governor Wentworth Regional School District for the extension of the Town Hall Parking Lot contingent upon review by Town Counsel. Members voted, Linda Murray-opposed and being all others in favor the motion passed.

F. Payment-in-Lieu-of-Taxes Agreement with Hearthstone Homes

Mr. Owen explained that pursuant to the RSA's it provides a mechanism for the elderly and low income housing facilities to defray the costs of municipal services and pay just the town portion of the tax rate. He stated the town has agreed to level funding the Hearthstone Homes payment since 2010 and he has been advised they have already set their budget for the year. He has provided a revised agreement that has removed the reference to the back land for which they have been provided options, such as lot merger or abatement process.

Chairman Silk stated she recalls when Jen Haskell presented this request a few years back the same issue came up about the budget cycle and suggests Hearthstone Homes be advised to submit this request earlier during their budget cycle as to be sure to pay their fair share. She stated she is not without sympathy to their funding shortfalls, but the Town has increased costs such as the ambulance services which this facility uses and just feels it should be based on their fair share.

Mrs. Murray stated she agrees this is a valuable asset to the community, but this is their fifth year with a break on the actual cost and if they don't put through the actual funds they need to the Federal Government, the Town will continue to supplement a Federal program.

Chairman Silk stated that Hearthstone Homes needs to be put on notice that they need to submit this request prior to setting their budget to have a realistic figure.

It was moved by Dave Senecal and seconded by Linda Murray to approve and sign the Extended Payment-in-Lieu-of-Taxes (PILOT) Agreement for Tax Year 2014 between Hearthstone Homes, Inc. and the Town of Wolfeboro.

DISCUSSION:

Chairman Silk suggested adding a renewal date to the documents as it lists the expiration date.

Mr. Harriman stated he shares the same thoughts and is willing to continue as they have this year, but they need to be compliant starting next year.

Members voted and being none opposed, the motion passed.

Old Business

Chairman Silk questioned the status of the boat parking ordinance.

Mr. Owen replied it was forwarded to the staff for review and comment.

Town Manager's Report

Mr. Owen reported the following:

- There was a lot of discussion regarding his previous notice that NH DRA would be late setting the tax rate which resulted in them working towards a resolution and have reported they will begin setting the tax rates on October 22nd, which is actually only a couple days later than normal.
- The Information Systems Advisory Committee is seeking an additional member.
- He reported \$187,937 worth of work with funds from the CDBG grant on Harriman Hill Phase II project.
- The basement window panels at Town Hall will be painted this week and the contractor will be back to paint the rest of the back windows.
- The NH Municipal Association annual conference is November 6th and 7th.
- The Town has received the unemployment and workers compensation rates from Primex which he provided the Board with a copy of such and noted a reduction.
- The Municipal Electric Department reports a malfunction in a switch at the substation and it will need to shut down the whole system for the repair. He stated once the switch is received the Department plans to make the repair from 1:00 AM to 4:00 AM to provide the least impact to the residents. He stated the MED will be issuing a public notice.

Committee Reports

Mr. Harriman stated he attended the Planning Board meeting last night which approved the CIP plan as reported earlier in the meeting and then held a work session.

Mr. Bowers reported the Library is doing well with an increase in patrons and recently presented their budget. He attended the EDC meeting which was discussing the website and he attended the rededication of the DAR plaque.

Mrs. Murray stated she attended the EDC meeting and the Chamber Executive Board meeting.

Chairman Silk stated she attended the Conservation Commission meeting and stated the last Household Hazardous Waste Collection is October 19, 2013 for the season. She reminded the public they do have one more chance to dispose of unwanted or expired medicine at the DEA Drug Take Back day on October 26, 2013 at the Public Safety Building and anyone can bring their medicines that day. She noted all Board members have been meeting to review the budget.

Chamber of Commerce

None.

Public Comment

Christine Aucion addressed the Board and stated she filed a request to use Cate Park for the Christening of her son on November 10, 2013 at 1:00 PM and apologized but she thought it would be discussed at this meeting.

Mr. Owen replied he believes it is scheduled for the Board's first November meeting.

It was moved by Linda Murray and seconded by Dave Bowers to approve the request of Christine Aucion to hold her son's Christening on November 10, 2013 at 1:00 PM in Cate Park (noting the park is not closed to the public for the event). Members voted and being none opposed, the motion passed.

Questions from the Press

Tom Beeler noted there was an article in the Granite State News in the past about Hearthstone Homes and the changes it has gone through which may explain why they haven't addressed the taxes.

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

Member Dave Bowers moved the Wolfeboro Board of Selectmen to enter non-public session at 8:04 PM to discuss litigation. Dave Senecal 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 8:47 PM.

Chairman Silk stated the non-public session minutes of October 16, 2013 were sealed by a 2/3rds 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 8:48 PM. Member Sarah Silk seconded. Being none opposed, the motion passed.

Respectfully submitted,
Amelia Capone-Muccio
Recording Secretary