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Wolfeboro Board of Selectmen
Meeting Minutes - Unapproved Draft.3
October 14, 2015

Members present:

Chairman Dave Senecal, Vice Chair Brad Harriman, Dave Bowers, Linda Murray and Luke Freudenberg

Staff present:

Town Manager Dave Owen, Finance Director Pete Chamberlin, Director of Operations Municipal Electric Department Barry Muccio, Public Works Director David Ford, Libby Museum Director Lauren Hammond, Welfare Director Amelia Capone Muccio, and Recording Secretary Larissa Mulkern

Chairman Senecal opened the meeting at 6:30 p.m.

Non-Public Session RSA 91-A:3

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

Consideration of Minutes

◆ September 16 meeting minutes – Mr. Harriman made a motion seconded by Mr. Senecal to approve the minutes as submitted. Mrs. Murray and Mr. Freudenberg abstained from the vote as they were not present at the meeting and the motion passed.

◆ October 5 non-public minutes – Mrs. Murray made a motion, seconded by Mr. Harriman to accept the minutes as submitted. Members voted and being all others in favor, the motion passed.

Public Input

Limited to 3 minutes per resident, not to exceed 15 minutes total.

None.

Public Hearings

A. Temporary Event Permit

Chair Senecal opened the public hearing.

i. Hospital and Community Aid Association, Inc.

Jane Wass of the association spoke on behalf of this application. Donated items will be sold to raise funds to purchase equipment for patient care at Huggins

Hospital. The location is 65 Pine Hill Road. The sales will be held indoors and outdoors. Chair Senecal closed the public hearing.

Mrs. Murray moved a motion, seconded by Mr. Bowers, that the Board approve the Temporary Event Permit to hold the Hospital and Community Aid Association, Inc., to hold the Fall Fundraiser on October 16 and 17, 23 and 24, 30 and 31, November 6 and 7, 13 and 14, 20 and 21, and December 4 and 5, 11 and 12, 18 and 19, 2015 at 65 Pine Hill Road. A vote was taken and there being none opposed the motion passed.

B. Town Code Amendment, Chapter 5, Alcoholic Beverages

Chair Senecal opened the public hearing.

Cindy Patten of Black's Paper Shop, Kathy Barnard of the Friends of Town Hall and Lauren Hammond of the Libby Museum spoke in favor of the Town Code Amendment, which would allow consumption of alcohol (beer and wine) on certain property over which the Town has supervision and control. Permitted locations include Town Hall Great Room, Abenaki Lodge, Libby Museum, Cate Park, Town Park and Dockside, permitted between January 1 and April 1 subject to a Temporary Event Permit, and license from the New Hampshire Liquor Commission.

Chair Senecal closed the public hearing.

The amendment reads as follows:

Chapter 5. Alcoholic Beverages

5-1. Consumption on Town property; violations and penalties.

Except as provided below, the consumption of alcoholic beverages is prohibited on all property over which the Town has supervision and control. The maximum penalty for the first offense shall be a fine of up to \$100, any portion of which may be suspended. Conviction of a second or subsequent offense shall be a fine of \$150, and no portion of the fine may be suspended.

Licensing of Beer and Wine Use on Town Property

1. In accordance with the provisions of sections 2 through 9 below, and RSA 178:22-V(I), Licensing shall be limited to events sponsored or organized by a not-for-profit organization seeking to serve and offer for sale beer and wine for consumption in Town buildings and on Town premises as permitted in section 5. The not-for-profit organization shall first apply for the applicable license with the Town Manager's office.
2. To qualify for a license under this Chapter, events sponsored or organized by a not-for-profit group shall obtain a license from the New Hampshire Liquor Commission under RSA 178:22 V(I).
3. The Town shall require a license application, which shall include standards for issuance of the license to serve and offer for sale beer and wines for consumption on Town property.

4. No license to serve and offer for sale beer and wine for consumption on Town property shall be granted for the hours between 10 p.m. and 10 a.m.
5. Permitted locations to serve and offer for sale beer and wines for consumption, subject to the applicable license:
 - Town Hall-Great Room, in accordance with the Town's Great Hall use policy
 - Abenaki Lodge, in accordance with the Town's Abenaki Lodge use policy.
 - Libby Museum, in accordance with the Museum's use policy.
 - Cate Park, Town Park and Dockside, permitted between January 1 and April 1 and subject to a temporary event permit.
6. Application for a license under this section may be made at the Office of the Town Manager.
7. The Police Chief, Director of Public Works, Fire Chief and Parks/Recreation Director (where applicable for Town Parks) shall review the application for completion and transfer it to the appropriate authority with any comments, or concerns, or conditions for review to the Town Manager for review. The issuance of a license shall also require a public hearing and approval by the Board of Selectmen. Notice of a public hearing shall consist of certified mail notice to the applicant and the posting of notice in at least two prominent locations in Town at least fourteen (14) days prior to the hearing.
8. To the extent the applicant meets all of the standards for issuance of a license, the Board of Selectmen may conditionally issue the license, which shall not become valid until the applicant provides the Town Manager with an RSA 178:22-V(I) license from the New Hampshire Liquor Commission for the applicable license issuance time period.
9. The fee for said license shall be two-hundred dollars (\$200.00).

Chair Senecal closed the public hearing.

Mrs. Murray made a motion, seconded by Mr. Bowers to amend the Town Code deleting the entire existing Chapter 5 – Alcoholic Beverages and substituting the new Chapter 5. The board voted and there being none opposed the motion passed.

Bulk Vote

A. Weekly Manifests

- i. Manifest dated September 25, 2015
- ii. Manifest dated October 1, 2015
- iii. Manifest dated October 16, 2015

B. Property Tax Refund/Abatement - Denial

- I. Map 217, Lot 45-2, tax year 2014

C. Notices of Intent to Cut Wood or Timber - Approval

- II. Map 154, Lot 18, 50 acres, Cotton Mountain Road
- III. Map 138, Lot 7, 6 acres, Stoneham Road

D. MS-1 Form – Summary Inventory of Valuation

E. Accept gift of \$2,838 from the Friends of Town Hall, Inc. for Town Hall Plaque

F. Raffle permits: Brewster Academy, Fall Family Weekend Raffle I and II; Wolfeboro Lion's Club Annual Turkey Trot Raffle

Mr. Harriman made a motion, seconded by Mrs. Murray to pass the Bulk Vote items A-F. The board voted and there being none opposed the motion passed.

Appointments

A. Pathways Committee

Kathy Barnard of the Pathways Committee said member Art Slocum has resigned and asked the board to approve one of the two alternate Pathways Committee members (Mal Blodgett or Karja Fox) as a regular member. Mrs. Murray said Mr. Blodgett had served on the committee in the past and members agreed it would be appropriate to approve his appointment as a full member.

Mrs. Murray made a motion seconded by Mr. Bowers to appoint Mal Blodgett to the Pathways Committee for the balance of a term through April 2016. The board voted and there being none opposed the motion passed.

New Business

Chair Senecal read the following resolutions:

A. Conference: Trustee of Trust Funds, Cy Pres Petition re: Cate General Trust

Robert Stewart, Treasurer of the Town of Wolfeboro Trustees of the Trust Funds, plans to initiate a Cy Pres Petition to the State of New Hampshire to change the Cate General Trust. When Edward Cate of Wolfeboro died on March 5, 1917, his Last Will and Testament provided \$100 to the Lakeview Cemetery, \$200 to the Congregational Church, \$200 to Huggins Hospital, \$200 to the Wolfeboro Town Library, and \$300 to a town committee headed by the pastor of the Congregational Church for lectures, concerts or entertainment. After payment of the five specific payment, the residual of the income was to be expended upon highways of the town. As of August 2015, the Cate General Trust has a principal balance of \$135,542.64. The trustees propose in the petition to the probate court that \$100,000 be paid to the five organization above in proportion to the amounts stated in the Will; reference to residual funds for highways has been removed. The trustees recommend a committee be established after the petition goes through the courts, to authorize payments to independent, nonprofit groups for lectures, concerts or entertainment.

B. HealthTrust application and membership agreement

Dave Senecal read the following.
Resolved: That the Town of Wolfeboro shall participate as a member in the HealthTrust pooled risk management program for the provision of group medical and/or other benefit plans in accordance with the "Application and Membership Agreement" and RSA 5-B, and Resolved: that Town Manager David Owen is hereby authorized and directed to execute and deliver to HealthTrust, on behalf of the Town of Wolfeboro, the "Application and Membership Agreement" in substantially the form presented to this meeting.

Mrs. Murray moved and Mr. Bowers seconded to approve the following resolutions. All members voted to approve the above resolutions.

C. Dockside Parking Lot Project

Dave Ford talked about the project and requested the Board's feedback and views on how to proceed with the project. He noted that the need to correct infrastructure problems [inflow and infiltration into the lake] presented an opportunity to solicit stakeholders and the public's input on improving amenities at Dockside, including the need for public restrooms. Based on the input, three conceptual plans/drawings were created, but in a follow up meeting the consensus was that the plans infringed on parking spaces. Mrs. Murray added the Capital Improvements Program Committee recommended establishing a capital reserve account of \$200,000 this year until the town gets a clearer picture of what it wants to do at Dockside. Mr. Ford said there was much discussion about restroom facilities and the consensus was not to settle for portable toilets. Mr. Senecal agreed the conceptual plans lack adequate parking and an adequate boat ramp large enough to accommodate larger trucks and boats when the vehicles are backing boats into the lake. He added it was too early for the board to make decision. Mr. Freudenberg suggested phasing in improvements. The consensus of the board was to hold off on a plan but to move forward with a capital reserve account for Dockside improvements and continue studying the options in 2016.

D. Status of Rapid Infiltration Basins (RIB) Study

Mr. Ford said this was a critical project for the Town to find a sustainable solution for dealing with effluent wastewater. Water quality is being measured in several locations on a regular basis. Wastewater is not being dried up fast enough in the RIBs creating a discreet discharge. He has been meeting with state NH DES officials regularly to discuss options. Stormwater runoff is still problematic, with water coming in from residents' home sump pumps. The town needs to enforce current regulations and get the sump pumps off the sewer system.

Mr. Ford provided the Board with a report labeled Effluent Disposal Study, Summary of Expenses and Future Cost. See attached. He reviewed the amount spent to date from the 2015 Warrant Article 12. The total amount spent and or committed is \$506,385.

Mr. Ford outlined potential work through March of 2017. He explained to the Board which expenses were required by DES AO and which were not. Dave was requesting that the Board of Selectmen have a 2016 warrant article for \$400,000 and the funds would be taken from the RIB lawsuit settlement.

Mrs. Murray stated that she felt that the sewer system asset management plan request of \$27,400 should be funded from the 2015 asset management plan appropriation of \$50,000 approved by the voters since none of that money has been used to date. She commented that she was very protective of the funds from lawsuit settlement. The settlement funds should be saved for the Effluent Disposal System solution.

Dave Ford noted that the \$193,615 left in the 2015 appropriation was enough for the Town to address the items in the DES AO for 2016.

It was the consensus of the Board to not create another warrant article.

E. Snowmobile access – See map attached.

Mr. Ford noted the Chamber of Commerce and other entities are encouraging more business and tourism in the winter; a snowmobile path connecting Dockside to Bridge Falls Path with a crossing to Depot Street has been suggested. From a public works perspective, snowmobiles with cleats may damage the roadway and more information is needed regarding what risks are involved to the Town, i.e. traffic and pedestrian safety. Mr. Senecal requested that Mr. Ford contact the state DOT District III and come back in a month with additional information; at some point a public hearing can be held.

F. Budget Hearing

- i. Welfare Department
- ii. Libby Museum
- iii. Finance Department
- iv. Information Technology

The board held brief public hearings and made no changes to the budget requests.

Town Manager's Report

Mr. Owen reported the following:

The Budget Committee wants to move its meetings to the Town Hall Great Room.

The town received the Land and Water Conservation Grant for \$150,000 toward the Abenaki Lodge project; Mr. Owen executed the grant documents. The grant will reduce the town's portion of the project by more than half to \$131,000.

The New Hampshire Preservation Alliance will hold a ceremony at its office in Concord to announce the Seven to Save list properties. The Pickering House in Wolfeboro had been submitted for consideration and may well be selected. Mr. Owen invited the board and the public to attend that ceremony.

The new elevator at town hall was scheduled to be inspected Thursday, Oct. 15.

Mr. Owen informed the Board that employee Eric Pelletier, a heavy equipment operator for the Highway Division, has submitted his resignation [effective Oct. 22].

Wolfeboro Fire-Rescue Chief Phil Morrill announced his retirement effective Nov. 30th. The Chief offered to continue to work part time for the town if needed and agreed to continue his employment until such time the town fills the vacancy.

Mr. Owen publicly announced his intent to retire some time this winter. He added that the Board has requested he remain on board through this current town budget cycle and through town elections. He said he has enjoyed working with the town and has had good support from the boards and the community. He was proud of what has been achieved, but has come to the point where it's time to move on.

Mr. Bowers praised Mr. Owen for his work, adding that during Mr. Owen's tenure the town has gone through two of its largest and most controversial projects – the town hall renovation and the Wright-Pierce lawsuit and that "Dave was always there." He brought the town hall project in on time and on budget, and that does not often happen in many communities. On behalf of the board, Mr. Bowers praised Mr. Owen for his "outstanding achievements" and his leadership.

Committee Reports

Mrs. Murray attended with Mr. Bowers and Mr. Owen the meeting at the University of New Hampshire regarding the results of the Business Retention and Expansion Survey. She attended two Town Hall Team meeting. The Fisherville Committee has decided to have the weekend of February 19-21st as the Fisherville weekend. The committee has decided to start small. It is the plan to have the Fisherville houses on land and decorated for Christmas. The Milfoil Committee has completed its 2015 work. On September 14 a chemical treatment of part of Back Bay was completed. On September 30 and October 1 and 2, D.A.S.H. and divers worked in Wolfboro Bay and on second half of October 1 and October 2 in Back Bay.

Mr. Bowers also attended a meeting at the Wolfboro Public Library where the concentration is working on the new library building two years hence. The library roof also had massive leaks during recent rain. He also visited the renovated Town Hall and stopped by the Abenaki Lodge project. Mr. Harriman attended a Wolfboro Community TV meeting, the Planning Board meeting and will attend the Friends of Town Hall meeting.

Questions from the Press

None.

There being no other business, Mrs. Murray made a motion seconded by Mr. Harriman to go into nonpublic session to discuss personnel matters at approximately 8:15 p.m. Roll call vote: Luke Freudenberq-yes, Dave Senecal-yes, Dave Bowers-yes, Brad Harriman-yes, and Linda Murray-yes, the motion passed.

The Board re-entered public session at 8:50 p.m.

Mrs. Murray moved the Wolfboro Board of Selectmen seal the minutes of the nonpublic session, seconded by Mr. Bowers. Roll call vote: Luke Freudenberq-yes, Dave Senecal-yes, Dave Bowers-yes, Brad Harriman-yes, and Linda Murray-yes, the motion passed.

Being no further business before the Board, Chairman Senecal entertained a motion to adjourn at 8:50 p.m

Mr. Bowers moved the Wolfeboro Board of Selectmen to adjourn at 8:50 p.m. Mr. Harriman seconded. Being none opposed, the motion passed.

Respectfully submitted,
Larissa Mulkern
Recording Secretary