

MINUTES
Wolfeboro Board of Selectmen Meeting
Wednesday, March 20, 2024 at 6:30 PM

6:30 PM-Regular Session

BoS members Present: Mr. Harriman, Linda Murray, Paul O'Brien, Brian Deshaies. Absent: David Senecal
Staff: James Pineo, Town Manager, Kathryn Carpentier, Finance Director, Christopher Warn, Wolfeboro Police Chief. Barry Muccio, MED Director, Steve Randall: Public Works Director

Chairman Brad Harriman calls meeting to order. Need for non-public session?

Mr. Pineo: Yes – under employment and reputation.

Mr. Harriman: Welcomes Paul O'Brien back to the BoS; and thanks Luke Freudenberg for his years of BoS service.

1.Consideration of Minutes

i. February 28, 2024 Special Meeting

MOTION by Mr. Deshaies to approve Minutes of Feb. 28, 2024 as written. Second Mrs. Murray. Approved 3-0; Mr. O'Brien abstains.

ii. March 6, 2024 Regular Meeting

Mr. Harriman: Date at top of minutes needed – March 6, 2024

Mrs. Murray: Pg 9 – third time mentioning Mrs. Murray: Libby - Should read "Dr. Libby's will." And should read - "Mr. Harriman opens the public hearing of the Libby Trustees meeting."

MOTION by Mrs. Murray to accept the March 6, 2024 meeting minutes as amended. Second Mr. Deshaies. Approved 3-0; Mr. O'Brien abstains.

2. Public Hearing(s)

Temporary Event Permits

i. The Wolfeboro Board of Selectmen **to hold** a Public Hearing from Wednesday, March 20, 2024, at approximately 6:30 PM at the Great Hall Town Hall, 84 South Main Street, Wolfeboro, New Hampshire to consider a temporary event permit for New England Lyman Group to host 25th annual Boat Show at the Town Docks and Community Bandstand on June 8, 2024, from 8:00 AM to 2:00 PM. Permit #2024-22.

Betsy Braynt: board of directors New England Lyman Group; event co-chair: Details in the BoS packet: NH Boat Museum display; NH Marine Patrol and a wooden boat vendor. Same as previous years.

Mr. Harriman: Opens the public hearing; no comments; Closes public hearing.

MOTION by Mrs. Murray to approve a temporary event permit for New England Lyman Group to host 25th annual Boat Show at the Town Docks and Community Bandstand on June 8, 2024, from 8:00 AM to 2:00 PM. Permit #2024-22. Second Mr. Deshaies. Approved 4-0.

i. The Wolfeboro Board of Selectmen **to hold** a Public Hearing from Wednesday, March 20, 2024 at approximately 6:30 PM at the Great Hall Town Hall, 84 South Main Street, Wolfeboro, New Hampshire to consider a temporary event permit for the NH TBF Elite Series to host a Bass Tournament at the Town Docks (Back Bay **boat launch**) on July 10, 2024, from 6:00 AM to 5:00 PM. Permit #2024-23.

Mr. Harriman: No one to here to speak to this event.

Mrs. Murray: Clarified that this is the Back Bay boat launch ramp. 15 boats participating.

Mr. Harriman: Boat trailer parking at Glendon St. lot. It's a bass tournament. Opens public hearing for comments.

Jody Persson: Suggests railing at Back Bay docks needs repair.

Mr. Harriman: We'll look into that. No other public comments; Closes the public hearing.

Mr. Deshaies: There are Back Bay docks/railing and a few boards; wear and tear needs to be looked at.

Mrs. Murray: yes, before the season starts.

Mr. Harriman: Insurance certificate included; Department heads signed off; all looks good.

MOTION by Mr. Deshaies to approve a temporary event permit for the NH TBF Elite Series to host a Bass Tournament at the Town Docks (Back Bay boat launch) on July 10, 2024, from 6:00 AM to 5:00 PM. Permit #2024-23. Second Mr. O'Brien. Approved 4-0.

3. Bulk Vote

A. Weekly Manifests

i. March 8, 2024 \$ 224,977.85

ii. March 15, 2024 \$ 193,772.56

B. Property Tax Credit/Exemption

i. 184 Ambrose Way Tax Map 188 Block 1 Lot 10

MOTION by Mrs. Murray to approve bulk vote items A-B. Second Mr. Deshaies. Approved 3-0. Mr. Obrien abstains.

4. Board/Committee Appointments:

Mrs. Murray: Would like to table this; The public can apply to be on various boards and committees; announcements published in the Granite State News March 21 and March 28; deadline for members of the public to apply is March 29, 2024.

MOTION by Mrs. Murray to table appointments until April 3, 2024 until public announcement for board and committee openings is published in the newspaper and posted. Second Mr. O'Brien. Approved 4-0.

Mr. Harriman: BoS normally reorganizes at this meeting following the town vote March 12, but Mr. Senecal is not here – so we'll do that April 3. Chairman, vice chair and committee representatives.

Mr. Deshaies: Urges those who are requesting appointment to committees/commissions to attend the April 3 meeting so people can put names to the faces.

Agricultural Commission:

i. Wendy Rodgers Term expires March 2027

Conservation Commission

i. Lenore Clark Term expires March 2027

ii. Bob Gilbert Term expires March 2027

iii. Brenda Jorett Term expires March 2027

iv. Jeff Marchand Term expires March 2027

Energy Committee

i. Rick Kourian Term expires March 2027 ii.

Warren Wilson Term expires March 2027

Lakes Region Planning Commission

i. Tavis Austin Term expires April 20, 2028

5. New Business

A. **Approval: Barge Permit for the Libby Dock Beckwith Builders, Inc.**

Mrs. Murray: Steps down;[son works for Beckwith Builders]

Mr. Harriman: Everything is in order on this permit applications.

MOTION by Mr. Deshaies to approve Barge Permit for the Libby Dock Beckwith Builders, Inc. Second Mr. O'Brien. Approved 3-0; Mrs. Murray abstains.

B. Discussion: 2023 Actual vs. Budget December 2023 (preliminary) Finance Department

Kathryn Carpentier, Finance Director: Preliminary report Dec. 2023. BoS has documents for appropriations and revenues for December 2023.

General operation budget: 99.3% expended with some entries to be done. It's anticipated that there will not be a need to borrow funds from the electric fund as was approved .

November 2023 spending freeze by town manager; department heads minimized fourth quarter spending. Transfers were done and there were no unforeseen events; unfunded portion being covered - \$148,183 of the town roads warrant article.

General funds= 103% with some reserves that could be adjusted between management and auditors.

Came in slightly under budget and over revenue – before final entries by the auditors.

Water fund: 97% expended; returned \$52,000.

Electric fund: 100%; returned \$41,000.

Sewer fund: 102%; over by \$27,000

Pop Whalen: 123%; over by \$94,000

REVENUES:

Water fund: 108%; water charges at \$109,000

Electric fund: 102%

Sewer Fund: 105%; residential sales at 92%

Pop Whalen: 80%; an \$80,000 'miss' on revenues.

Wastewater treatment plant: slightly under budget with the contractual increase which was missed in the 2023 budget. A lot of Pop Whalen repairs accounting for overspending.

Also included is donation reconciliation and capital reserve fund planning document.

Mrs. Murray asked about reports today – and then I sent to you a copy of all eight line-item transfers during the year. The largest were after the DRA budget freeze. There are numbers in the third column showing funds in and out to fund the town road upgrade project.

Mrs. Murray: appreciates getting the additional reports. Saw in the budget a \$55,000 transfer out of the town engineer; the additional report clarified the budget numbers.

Mrs. Carpentier: I sent you this electronically and a hard copy; and can answer any questions.

Mr. O'Brien: When do the auditors begin?

Mrs. Carpentier: April 22 for the week; fieldwork – then work is contracted to be done by the end of July, but they missed that deadline last year.

Mr. O'Brien: We'll learn a lot from the audit.

C. Discussion: Actual vs. Budget February 2024- Finance Department

Kathryn Carpentier, Finance Director: February 2024- this is actuals compared to the proposed budget – this was before the March 12th town vote. Numbers will be adjusted for March to reflect the approved budget -which is the default budget.

Appropriations and revenues-Feb. 29, 2024- reflects the proposed budget.

General fund: 23% expended; two months would be 16.7%; there's a spike because of POs and other things processed at the start of the year.

Default budget was approved Dec./Jan and posted/approved by the BoS and reported to the NH Department of Revenue.

Town manager working with department heads to make recommendations for line item transfers to cover items that will be underfunded. Transfers will be made in and out to fund items that are priorities. Example -Welfare has gone up; we'll have to increase that line item \$20,000 to provide that service. Town manager and department heads will find excess funds to be shifted to priorities. General fund revenue: 3% - will remain that way until the first tax bills go out in June.

Water fund: 25% expended

Electric fund: 22%

Sewer fund: 70%- that has the wastewater operation and maintenance contract.

Pop Whalen: 53% - waiting on donation for locker rooms.

Revenues-

Water fund revenue: 14%

Electric: 19%

Sewer: 14%

Pop Whalen: 5%

Revenue lags a month.

Mr. O'Brien: Donation for Pop Whalen- is that due in July – or ongoing?

Mrs. Carpentier: Final donation payment due June 30 or July 1. They have been making \$50,000-\$55,000 payments every two weeks as promised.

Mr. O'Brien: there's no indication of a potential shortage?

Mrs. Carpentier: Don't believe so – and I would not be the one to know that.

Mr. Pineo: No indication; to clarify that the donation referred to in this report is for the outfitting of a locker room through a donation – separate from \$2.7 million. I had correspondence with Brewster this week; donation is due in the next week to help level that account.

Mr. O'Brien: When is that big donation due?

Mr. Pineo: July 2024 time-frame.

Mrs. Carpentier: It's believed that donation could be in before July.

Mr. Harriman: Other questions? [none]

D. Discussion: Pop Whalen Financial Review- Finance Department

Mrs. Carpentier: For the first time this is a separate agenda item this time. Spending activities snapshot review for 2024. This will be in the normal monthly report. For the first time, this is a separate agenda item.

The Pop budget and how it's divided – based on curling, ice time rental, figure skating, SheWolves.

Second one is just Feb. 2024

Taken in \$20,000 – about one-month of revenues. We've spent \$211 – again, \$117 is for the Brewster locker room fit-out that a donation will level out.

2023 Pop Whalen budget report has been given to BoS.

Mr. Pineo: This is version 1 of this report. Want to take board input now on other items BoS wants included. Meeting tomorrow with the director [Chuck Smith] to add those items.

Mrs. Murray: Would like to know how many hours booked for monthly usage so we can tell where we are. For summer programs – want to know what events/activities are booked. We have to pick up usage for spring, summer and fall. We've got to pick up usage to make the budget. We need to see those figures.

Mrs. Carpentier: Wants number of hours used for this month and projections for what's booked for the next month.

Mrs. Murray: We fell down in spring, summer and fall; need to know how many hours are needed to be booked so we know where we're short. We should know how many hours we need to book per month to make budget goal.

Mr. Deshaies: Town ice rentals: we rent \$100,705 in ice – more than Back Bay/Kingswood/Brewster hockey. Want to know how much revenue we get back from town ice rentals so we can see underutilized times and find others to rent ice.

Mrs. Carpentier: The hours are town-sponsored events.

Mr. Deshaies: What are we getting back in other rentals beyond town-paid ice time. Are there vacant ice times to have another group use the ice?

Mr. O'Brien: Hopes Chuck tells us how this will work; it's his job. He should know what needs to be done to get to break-even at Pop Whalen. Now, we're not close. We need to see a calendar, projected revenue. People need to know where we're going so it's net-neutral. Looking forward to hearing from Chuck. Need to look deeply into this.

Mrs. Carpentier: Five of the six requests are for Chuck to answer – they are planning items; Financial item I will take care of.

Mr. O'Brien: Hope that Chuck Smith tells us how this will work – it's part of his job. We need to know from him how to bring this to break even. We need to generate about \$408,000 in order to break-even. ON a run-rate basis we are not getting close. With meeting with Chuck – we need a calendar; revenue expected; that will be great. Important that people know where we are going. This has to be net-neutral.

Mrs. Carpentier: Meeting with Chuck tomorrow will address these items. Expense-revenue is something I will take care of on the spread sheet. Planning items are for Chuck to address.

Mrs. Murray: About advertising what's available at Pop Whalen; Programs need to be advertised and promoted. Have not seen anything about pickleball at Pop, etc.

E. Approval: Hazard Mitigation Plan update and seeking committee members

Thomas Zotti: Fire Chief; Emergency Management Director.- : Dep Chief Nichols doing the update on emergency operations; Chief Zotti doing the hazardous mitigation plan update. These are required to keep town eligible for grants towards cost of new generator and outfit of the emergency operations center at the new public safety building. Keeps us eligible for grants and new grants.

FEMA disaster reimbursement; \$118,000 FEMA money received from Dec. 2023 storm.

July 2023 storm: FEMA money still pending –if successful, about \$1.2 million could be reimbursed by public works, road washouts, etc.

Emergency operations: no committee work needed.

Hazard Mitigation committee: would like a business community member recommendation and a member of the public. With BoS approval, I would make the process known to make those positions available. Want to move swiftly; we'll get started on that process. Will get you recommendations or names of people who have expressed interest. Minimizing number of meetings.

Received notice Emergency Management performance grant: generator and outfit of emergency operations center– approved at the federal level; Asked to be on the April 3 meeting we will ask BoS to approve grant agreement; will be reviewed again from state for signatures.

\$102,000 grant money/town match is money already raised for the project.

Side note: Deputy EMD Paul Wayland here - CERT team- We've had one since 2019; some technical glitches in this process; COVID hit; hoping to do a slow roll-out to gauge interest; state covers cost of background checks, etc. Two volunteers would be minimal cost to the town.

We're meeting with CERT teams in the Lakes Region; county has CERT team several live in Wolfeboro; hope to double-dip. Vision is to have these folks to operate a shelter in an

emergency situation. They could help with planned events such as parades, traffic, other emergencies.

Also participating in the GWRSD table-top simulated emergency exercise tomorrow 3/21/24. Want to move slowly to support the program.

Mr. O'Brien: Jim, are you good with this?

Mr. Pineo: Yes.

MOTION by Mrs. Murray to approve two volunteer positions for the Hazardous Mitigation committee – one from business; one from general public. Second Mr. O'Brien. Approved 4-0.

F. Approval: Wolfeboro M.E.D REGGI rebate reimbursement IX

Barry Muccio: Director MED: REGGI program - \$278,000 accumulated– to provide rebate to rate-payers of .017 Kw hours per month- April-June - to get that down to \$4000. To participate in REGGI program – money collected from ratepayers have to be paid back 100%. Need BoS approval for those rebates; Billing office, Brenda Lapointe ready to take care of this.

Mr. Harriman: Average of \$10.20/month for the typical rate payer.

Mr. Muccio: About \$30 for three months for people who use 500-600 kw hours per month.

Mr. Deshaies: Good news.

MOTION by Mr. Deshaies to approve the REGGI rebate for April-June 2024 at .017 kw hours. Second Mr. O'Brien. Approved 4-0.

Mr. O'Brien: MED selling 77-million kw hours; you're down to 72?

Mr. Muccio: 2024 has been a mild winter. Electric usage tied to Mother Nature and climate – mild winter. Hot summer will raise things.

G. Approval: Seasonal Waterline piping

Mr. Pineo: Longstanding issue with seasonal water lines; will be impossible to provide year-round, secure water as we learned on a few roads this past year – that we intended to bring to the warrant. BoS received memo/information outlining issues about seasonal waterlines; there are about 200 – and letter from state recommending path forward to make the transition. Need board guidance to make the transition.

Steve Randall, Public Works Director: About 200 seasonal line customers; some on private, dead-end or public road. Sanitary survey was done last November. Highlights – there are thousands of feet of seasonal water mains; typically small dam and plastic pipes; shallow bared; laid on top of ground; direct access to the meter shutoff valve. In one location, simple tap. Risk for contamination; should be replaced with mains reconstructed to current industry and NHDES standards or removed from water service to those homes terminated.

Cost-perspective – the upgrade would cost multi-millions of dollars to current industry or NHDES standards. Already costs a lot of town money to maintain the seasonal lines compared to the return.

Believe we should terminate them with a time-frame, letting let people know this will happen.

This problem predates my involvement and people are aware. This is not news to the seasonal waterline properties,

Mr. Deshaies: Are we looking at wells?

Mr. Randall: Not our problem to determine how they should get water. They could get a well or pay to tie into town water; they would pay to get to the town tie-in.

Mrs. Murray: Counter there are 10 seasonal water lines on town property; we should have the cost analysis of what it will cost the town to convert those 10 to the town water line.

Mr. Randall: Albee Beach is an example. Bathhouse on a seasonal line. It would be more cost-effective to sink a well instead of tying into public line there – and for other seasonal lines on town properties.

Mrs. Murray: Also includes town cemeteries; would like to see cost analysis for the town/water users. Enterprise fund would take the hit. Get an estimated cost for a homeowner to put in a well?

Mr. Randall: Depends on the property location; We could get an average artesian well price.

Mr. Harriman: Does DES want us to eliminate the seasonal lines or could the seasonal line be sunk deeper?

Mr. Randall: For cemeteries and some sites, that's a reasonable option.

Mr. O'Brien: What if resident want to bury their seasonal line deeper? Exceptions can lead to new rules.

Mr. Deshaies: Town property different from a resident; cost of maintaining seasonal water lines does not have a lot of return revenue. Correct?

Mr. Randall: True.

Mr. O'Brien: Health and safety issues, too.

Mr. Randall: Health and safety is first. Cost, second – NHDES-wise.

Mr. Pineo: We'll formulate a revised plan and schedule a public hearing on the matter for those who may be affected by this. NHDES needs to know we are moving forward with the project – there is no hard deadline. We need to show continued off-boarding of some of these seasonal water lines.

Mr. Randall: Will get more information on well costs; town properties and costs to town and carve-out situations.

Mrs. Murray: And a five-year phase-in plan.

H. Discussion: South Main Street Water project

Mr. Randall: Dawson Excavation contract signed with town for the project. Scheduled to start April 1. Stantec will give presentation April 3 to BoS-phase-in and construction. And scheduling another stakeholder meeting to get the public involved.

Mrs. Murray: Will detour routes be detailed around the work site?

Mr. Randall: **Working model** is two-way traffic expected at all times. Full traffic plan will be included in the presentation.

Mrs. Murray: There is another way around town.

Mr. O'Brien: Recently, the route 109-A was going to get a shim-coat. For this South Main project and people trying to get around the construction there – are you working with NHDOT?

Mr. Randall: I have zero control on NHDOT's schedule; they are supposed to give us 30-days notice. We have to raise covers, etc. The 109-A paving could happen in the middle of the summer – if we're lucky.

I. Approval: Public Works Equipment Capital Reserve Fund- truck \$270,215 & Skid Steer \$104,160

Mr. Randall: After the March 12 vote – this is new equipment this year. Quotes/contracts attached. Update is there is good news – from the truck salesman – it's almost \$20,000 LESS than what is shown. So I will ask BoS for less money. This is an International HP Fairfield – it's a 2025 – expected delivery in July 2025; being build now.

Mr. Deshaies: Expected lifespan?

Mr. Randall: 11-year cycle.

Mrs. Murray: This is replacing an old truck?

Mr. Randall: Yes; HD 2 which is 15 years old. Other is a skid steer – splitting between the highway and water fund; that is in stock; that will be in service when approval comes. Replaces the old HD 16 tractor.

Mr. O'Brien: You are allocating capital as well as expense.

Mr. Randall: Yes.

Mr. Harriman: Motion?

MOTION by Mr. Deshaies to approve Public Works Equipment Capital Reserve Fund- truck \$252,000 & Skid Steer \$104,160. Second Mr. O'Brien. Approved 4-0.

J. Approval: Excavation Permits and Licensing- Public Works

Mr. Randall: Time spent looking at excavation permits. Want to update permits and make contractors accountable for work they do on our roads. Permit application is adapted from other towns. Explains data and fees with a two-year surety bond – to protect the town from paying for road issues caused by contractors. Permit fees, I believe are fair.

Mrs. Murray: Fee is \$250 administration inspection fee?

Mr. Randall: Yes – would cover the inspection; surety bond; street damage fee based on square footage; infrastructure damage fee.

Mr. O'Brien: The surety bond is \$5000 – for any road or site?

Mrs. Murray: If my contractor tears up the road ..that's for that contractor.

Mr. O'Brien: OK.

Mrs. Murray: ON the surety bond – when we were talking to the Downtown Grille group – they said a bond was hard to get; this is not hard for contractors to get?

Mr. Randall: If it's hard for them to get – they probably should not be doing construction.

Mr. Deshaies: Can we enforce Dig Safe?

Mr. Randall: Town of Wolfeboro is not part of Dig Safe. That is a previous policy. If we were a member of Dig Safe, we'd probably get a little more with that. Assuming that's because we have our own water, sewer, power. We are a one-stop shop. Dig Safe would have to call our water, sewer and electric departments anyway.

Second part of this is licensing. New for Wolfeboro; it's a common practice in other municipalities. It's to keep everyone from digging in the street. It is not a large fee by any stretch; an experienced contractor completes an application; provide 3 references. The license is good for a year. Town inspections are done. If a contractor cannot provide references – you would need to pay for a town staff member to be out there to monitor what you do from start to finish and that town staffer would sign off on anything you do. We're not letting everybody do it; we have some control over who is doing work on town roads.

Mr. Pineo: Staff on site overseeing contractors on some digs now; taking them away from other town tasks.

Mr. Randall: This sets the guidelines for what the contractor does and what town workers do.

Mrs. Murray: What problems have we run into?

Mr. Randall: A lot of time is taken away from what we should be doing. This streamlines things so town staff can do their maintenance or other town jobs.

Mrs. Murray: Do we need a public hearing on this?

Mr. Harriman: Move this to a notice for a public hearing.

Mr. Randall: Is a public hearing needed for the excavation part – because of the construction season upon us.

Mrs. Murray: We're changing something in this; we could get the hearing in April.

Mr. Pineo: We're assessing a fee – so a [public hearing is needed. April 17 meeting.

Mrs. Murray: Could we do it April 3?

Mr. Pineo: We'll get it for April 3 – and add any changes you might have.

Mr. O'Brien: We have cost and resources in the wrong place; but we don't want this to be a regulatory burden on people.

Mr. Randall: This makes contractors responsible for their own work. This makes it easier to track work being done. It's easier to track licenses and permits which have numbers.

K. Approval: IWORQ Asset Management Software- Public Works

Mr. Randall: IWORQ Asset Management Software what it does for public works department.. Program will allow us to track costs; value and will cover municipality assets. Different modules: Public Works package: work management; assign management pavement, water, sewer management system.

Managers have access to everything; everything is inventoried, tracked including hours, costs, budgeting. When a problem is spotted, it's entered into the database and the responsible department is notified of the issue. IWORQ used in 9 other nearby towns.

Other modules for other departments can be added. A grant is paying for the capital.

Mr. Pineo: Ongoing costs for licensing fees -\$15,000-18,000 per year -unlimited seating for staffing.

Mr. O'Brien: That means any staff can have access – if credentialed?

Mr. Pineo: Yes.

Mr. O'Brien: asks about full installation by when – and how data will be populated and by who.

Mr. Randall: IWORQ – 60-day implementation process; data input/inventory up to town. Each foreman for each division responsible for inputting data for their division. Crew/foremen will do their part; I'll help and fill in where needed.

Mr. Pineo: At year's end DPW inventory will be in the system for the audit report.

Mr. O'Brien: This is big data; we want to make sure it's done right.

Mr. Randall: I don't expect it to be fully operational for quite some time because of data input needed.

Mr. Deshaies: Will there be other grants to cover annual IWORQ costs?

Mr. Randall: We're always on the lookout for asset management grants. The packages are broken down by department. The savings come in efficiency, manpower, time and money.

Mrs. Murray: We have maps that can be loaded – and we have asset management plans for water; can these be inputted?

Mr. Randall: Almost all of that data can cross over. There is additional hardware that we're going to use to map – what we do not have. Also - hydrant shutoffs, gate boxes, catch basins – all compatible with this. Once we have all the data it's a matter of pulling it over. Out in the field, the crews can look at their tablets to see water, sewage, drainage, roads – all the different layers in real time.

Mrs. Murray: Very pleased; it's been needed for a long time.

Mr. Deshaies: refers to neighborhood and how all cable that can be mapped. States this is an as-built plan for the entire town.

Mr. Randall: Correct. It will take time – it will be done before 2026.

Mr. O'Brien: Makes it clear that DPW work continues.

Mr. Randall: We never stop moving.

MOTION by Mrs. Murray to approve IWORQ Asset Management Software- Public Works, water, sewer, facilities, etc. Second Mr. Deshaies: Approved 4-0

L. Appointment: Derrick Brown-follow up process improvement from March 6, 2024

Derrick Brown, Libby Street with Marge Hart: Petition from town residents being presented following up on Nov. 15, 2023 BoS meeting; Chamber spoke to BoS about less than friendly town management process. Two selectmen, Luke Freudenberg and Mr. Harriman, stated BoS is here to help. We hope to bring this to BoS and get help and improve the process.

States that planning department and town management are selectively reactive. States that processing control systems have not been scaled to account for increase in issues as population has grown since the 1980s.

Says planning department/management out of control: refers to projects involving Green Street, Forest Road, Libby Street. People do not feel they have been heard.

Specifically, zoning appeal today. A zoning appeal was presented to the planning department 71 N. Main Street -house demolition. As I understand it, when appeal received – work stoppage is to occur. That has not happened today. Jackhammering continued all day despite the appeal that was filed. Planning department had time to take action and did not.

What we see happen is a climate from select board that “this is how we do things.” Subordinate groups act on that. The planning department expresses to landowners that “We’re here to help you.” And landowners are told that the zoning and planning boards are the enemies – and the planning department is where help can be received.

States that the ZBA and PB are there to help homeowners get through obstacles with existing ordinances and requirements. They are not there to be the enemy.

Marge Hart, 20 Libby Street resident: *[copy of petition given to board]*; After ‘meet the candidates’ night. Contacted Brian [Deshaies] about how the planning department works and what to do when results are not coming from the planning department.

16 Libby Street issue has turned into a civil matter due to inaction by the town manager and planning director. This has caused neighborhood conflict; legal fees incurred by residents; town; property damage; lost wages. And there is an appeal to the state housing board. *[Case - Dennis and Marjorie Hart vs. Town of Wolfeboro, case # 2024-001-PBA; appeal grounds pursuant to RSA 677:4; remedies defined by the planning board are ill-defined, arbitrary and will be ineffective as they are not based on qualified engineering assessment and are therefore unreasonable.]*

Title of petition- Petition to Address Wolfeboro’s Lack of Enforcement of Town and Building Codes and Ordinances We’re not asking for more ordinances, just enforce existing ones. *[Reads the petition]*

50 signatures now on the petition; comments are telling: “enforce the town codes fairly and equitably;” “Crucial to enforce rules and policies for all residents,” “Restaurants in town not ADA compliant,” lack of response for construction and environmental issues and building practices that are against code. Continues reading complaints that code enforcement does not act on complaints from citizens/property owners; lack of code enforcement is negatively impacting town. Inaction by code enforcement; state and town regulations are not being enforced. – had planning department questions. There were people afraid to sign the petition; they feared retribution by the town.

Ask that the BoS hold the town manager, town planner and code enforcement officer accountable for providing proper guidance in accordance with town ordinances, confirmation of compliance and enforcement as the town grows. If not, litigation will continue costing time and money.

Mr. Deshaies: Thanks Mrs. Hart.

Mr. Brown: Have heard many comments and strong observations on this and we did not do this on social media. This is a dark issue: fear factor is huge – If I sign – they will not help me. “They” is the planning department. This has to stop. BoS has to state this is not acceptable.

Mr. Harriman: BoS does care. Town works under a town manager-style government. BoS only has say and control on town manager – no say/control on department heads/departments/boards; boards are elected. Personnel matters are not aired publicly. Conversations have taken place at BoS level. That’s all I can say.

Mr. Brown: Looking at this from a flow-chart point of view; town manager hired by BoS. Town manager is responsible hiring the planning director. Spoke with Mr. Pineo in September 2023 about this. It was a waste of time.

Mrs. Murray; Thank you for coming. Gives me plenty to think about.

Mr. Deshaies: Thank you; ordinances and state RSAs need to be enforced.

Mr. Brown: Consistently. 71 N. Main Street is not the contractor's fault. Codes and code enforcement in plan. It's a Massachusetts developer that is not following the rules.

Mr. O'Brien: We're better than this; we can fix this. We have to ponder this. An administrative appeal can lead to an immediate work stoppage; I am not sure how the mechanism works. Not sure what's happening – they can rebuild the single-family residence on the same footprint.

Mr. Brown: Challenging how the process is executed; suggests to look at Zoning Board minutes May – October 2023 – spirit of what I'm referring to.

Mr. O'Brien: I understand some of the dynamics.

M. Approval: Update to Josiah Brown Scholarship application

Mr. Pineo: Adding documents to the application BoS has; add the FAFSA to the documents to the application.

Mrs. Murray: Changes for the application – pleased with #7 – adding FAFSA form which includes parameters.

Mr. Deshaies: We need a mechanism to make sure it's a need-based scholarship; we have to make sure the student has need. Amy is the welfare agent and understands FAFSA.

MOTION by Mrs. Murray to adopt the amended guidelines for administration of the Josiah Brown Scholarship Fund application. Second Mr. Deshaies. Approved 4-0

O. Discussion: Board of Selectmen Rules of Procedure, Code of Conduct, Committee Assignments

Mr. Harriman: Committee assignments postponed until April 3, 2024. Does board want to table discussion of Rules of Procedure, Code of Conduct?

Mrs. Murray/Mr. Deshaies: Table since Mr. Senecal not here.

Mr. Harriman: Board members should review last year's BoS committee/board assignments to address at the April 3 meeting.

Mr. Pineo: Rules and procedures have been reviewed by legal and have been updated; shown in blue bullets.

Mr. O'Brien: suggested to Mr. Pineo that a town functional organization chart be on the town web site showing who-is-who.

Mr. Pineo: Will send weekly notes to board for review and add as a discussion item.

Mrs. Murray: Selectmen handbook needs to be updated from 2021; Municipal City Chair Guidelines that should be in our handbook and sent to committee chairs.

Mr. O'Brien: RSA that details responsibilities of town manager: out of date. Put the RSA in there. Draft changes proposed by counsel? I will review.

Mr. Pineo: Yes.

6. Other Business

Mrs. Murray: Wants ad hoc Sidewalk Committee survey on the town web site- for businesses and public – the committee is collecting data by April 1st concerning town public sidewalks; it's for businesses and residents. There are good questions that need public feedback so the committee can move on.

Mr. Pineo: Hope to get a link to the survey tomorrow.

7. Committee Reports

Mr. Deshaies: EDC- created subcommittee for housing to dedicate more effort toward housing needs in Wolfeboro; Winnepesaukee Day discussions;

Mr. Harriman: Wolfeboro Community TV board meeting; Planning Board meeting; Wolfeboro Waters and meetings with Jim Pineo in the last week.

Mrs. Murray: March 7 quarterly chamber meeting – warrant articles and operating budget presentation. EDC meeting; Friends of Pop Whalen; ad hoc sidewalk committee meeting; Library Trustees; Attended Town election;

Wolfeboro Waters- working at reviewing town projects – what passed, what failed – how to move forward. Talked about stormwater: more emphasis on educating public since all residents live in the watershed. Important to reduce nutrient load washing into the water. More presentations at select board meetings in the future.

Mr. O'Brien: not on committees yet; met with police chief; chair of police commission. Watched with interest the school funding issue; met with a state representative and that ongoing process.

8. Town Manager's Report

Mr. Pineo: Answering Suzanne Ryan question = 40-year lease for the Pop Whalen locker rooms. Statement on default budget: There's a lot of conversation taking place on the default budget and impact on town operations and events will be in 2024. Working diligently with department heads: goal is to make impact on citizens, programs visitors and events as minimal as possible.

If people are hearing something contrary to that, please bring it to my attention. The goal is to keep things as stable as possible.

9. Questions from the Press: none

10. Public Input (Limited to 3 minutes per person and not to exceed 15 minutes in total)

Sarah Silk: Household Hazardous Waste coordinator: Events are third Saturday in May to October. Changes this year:

Medications will NOT accepted this year; can be disposed of at the Public Safety Building [Same in Alton]; costs to dispose of medications have risen 15% this year and 10% more in each of the following two years. Highest jump ever.

Paint Care HB1504- bill being considered in NH. Other states have this measure in place or are considering. Manufacturers support this measure She supports this bill; less cost for disposal of latex paint for the town and hazardous waste program. Keeps latex paint out of landfills. Paint shops would accept latex paint, then it would be used to make inexpensive latex paint for underserved areas.

Passes out solid waste brochure- was in touch with Steve Randall and Steve Steadman: points out errors in the brochure - bulky furniture – is not hazardous waste.

Picked up flyer at town hall – and they have crossed off everything after household hazardous waste.

Mr. Pineo: No liaison from BoS to the joint board – should there be?

Mrs. Silk: Supposed to be the town manager.

Mr. Pineo: Understand – but my plate is full.

Mrs. Silk: If a BoS members wants to participate that will be good. I go every meeting. Alton town administrator attends.

Mr. Harriman: We'll discuss when we assign BoS to various committees/boards.

Mrs. Silk: New hazardous waste brochures are at the printers.

Mr. Randall: Errors will be crossed off on all brochures. Confusion: upper portion of the brochure is for solid waste – not hazardous waste.

John Thurston: Personal issue related to neighbor who alleged he was getting preferential treatment. Read his farewell letter given to the chair of the planning board.

Speaks to residents who have private well. People who are on the water system should not have to pay for a well on town property – should come out of the general fund.

Re: planning department – there has been no oversight by planning department to inspect projects affecting town roads. Questions how DPW director would manage the fees and collecting surety bonds/fees from contractors.

Marge Hart: Planning Board meeting where construction at 71 N. Main came up; the construction fence is constricting Libby Street further. Asking that Libby Street be one-way. Fence overhanging the sidewalk on a hilly area; it is a public hazard.

Mrs. Murray: Are you asking that one-way traffic on Libby street be during construction or always?

Mrs. Hart: Would like it to be one-way always.

Mrs. Murray: OK.

Bobbi Boudman: Sarah Silk – re: putting things in landfills; commends Jim for bringing reusable cup; challenges select board to use reusable cups.

States that Libby Street residents should be heard.

States that BoS always approves manifests and never questions the manifests; \$2.7 million could have been caught if more scrutiny was given to the manifest.

Pop Whalen: Are we only at 3% of revenue?

Mrs. Murray: 3% was revenue collected in the town. Mrs. Carpentier said tax bills had not gone out.

Mr. Pineo: Enterprise fund at 80% - at end of December 2023.

Ms. Boudman: I mean Pop Whalen revenue for 2024 so far.

Mr. Deshaies: Mrs. Carpentier stated figures are a month behind.

Ms. Boudman: This is the heart of the season at Pop.

Mr. Pineo: We're at 5% revenue for Pop – that's as of end of January.

Ms. Boudman: We're far behind.

BoS members clarify – We're starting anew with revenue in January.

Mr. O'Brien: restates that Mr. Pineo is meeting with Chuck Smith on Pop Whalen and revenue from the facility to offset \$400,000 in costs. Break-even is the goal. The calendar and programs can help look toward revenue in the future.

Ms. Boudman: Did we pay for the locker rooms in advance and now we're waiting to be paid back?

Mr. Pineo: Correct.

Ms. Boudman: Mrs. Murray – you met with Friends of Pop Whalen. Last year a petition warrant for a recreation commission did not pass. Now, this may be a good time to establish a recreation committee. Friends of Pop Whalen is not a committee; should not be in your committee report. We should have a citizen committee that oversees the recreation department. Where I worked in the past, the recreation committee made the recreation department so much stronger because the citizens were engaged and helped the recreation department.

Mrs. Murray: I took the BoS seat on the Friends of Pop Whalen. I stepped down when BoS had issues related to Pop when I started raising money for Friends of Pop. If I was not on the board they would want another selectman.

Ms. Boudman: Friends of Pop is not a recreation committee. We don't have representatives from other sports interests on Friends of Pop. Now could be the time to have a recreation committee.

Audrey Kline: referring to Planning Board meeting related to 71 Libby street [does she mean 71 N. Main Street?]; Fencing for construction should have been in the construction plan and reviewed and approved since she believes the fence is partly on public property. These types of issues are not getting reviewed.

Jody Persson: Related to Pop Whalen – a recreation committee a good idea; should be more oversight beyond the recreation department. Refers to throw ring on Town docks missing – Dock repair cost taxpayers a lot; there are no throw rings in the holders; it's a safety issue.

Barge permit at the Libby launch; perhaps have specific times allowed; maybe talk and thing about this for next year. Some barge companies allow recreational boaters to launch; other barge companies do not move.

Bobbi Boudman: Says she is declining check for budget committee member; would like this \$250 to go to town welfare.

Anne Blodget: Thanks Sarah Silk; Pharmaceuticals dropped at the police department- do not flush down the toilet; thanks Harts and Browns for summarizing and taking action; living through, paying for lack of support from the planning department.

I have had neighbor issues; handled on my own; town says it's a civil matter – I have gotten no response from town. There are ordinances not being enforced that are in black and white.

Ordinances are on the books that are not being enforced.

Chief Zotti: To clarify - Mr. Thurston mentioned getting volunteers for the Hazard Mitigation Plan - and how to do that. Approval just happened at this meeting for a business and citizen volunteer. In the next week, we will put out information in the next week or so to ask for volunteers to apply.

MOTION by Mr. O'Brien to go into nonpublic session at 9:09 p.m. Second Mr. Deshaies. Approved 4-0.

11. Non-Public Session RSA 91-A

MOTION by Mr. O'Brien to seal the nonpublic minutes at 10:08 p.m. SECOND Mrs. Murray. APPROVED 4-0.

MOTION by Mr. Harriman to adjourn at 10:09 p.m. Second Mr. O'Brien. APPROVED 4-0.

Next Meeting dates:

April 3, 2024 Regular Meeting

April 17, 2024 Regular Meeting

Submitted by:

 
Brenda Jorett