

MINUTES

Wolfeboro Board of Selectmen Meeting

Wed., Feb. 21, 2024

In-Person Session at the Great Hall 2nd Floor, 9 Union St. Wolfeboro

6:30 PM-Regular Session

BoS members Present: Mr. Harriman, David Senecal, Linda Murray, Luke Freudenberg, Brian Deshaies

Staff: James Pineo, Town Manager; Tavis Austin, Director Planning and Building Department; Police Chief Christopher Warn.

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

Mr. Pineo: Yes. Non-Public Session RSA 91-A: 3:11e; litigation- two items.

1. Consideration of Minutes

i. February 7, 2024

Regular Meeting

MOTION by Mr. Senecal to approve February 7, 2024 minutes as written. Second Mr. Deshaies. Approved 4-0-1 [Mrs. Murray abstains]

2. Public Hearing(s)

Unanticipated Funds

i. The Wolfeboro Board of Selectmen will hold a Public Hearing on Wednesday, February 21, 2024 at 6:30 PM in the Great Hall of Wolfeboro Town Hall for the acceptance of unanticipated funds greater than \$10,000 in accordance with RSA 31:95-b III (a) relative to the Wolfeboro Milfoil Committee to receive a 2024 Exotic Aquatic Plant Control grant from the New Hampshire Department of Environmental Services (NHDES) for expenses incurred in the prevention of exotic species/aquatic plant control in the amount up to \$ 31,394.00.

Mrs. Murray: Milfoil committee applied for a NHDES grant this year; grant was awarded at 50%. NHDES awarded \$23,400 toward herbicide and up to \$7964 for either DASH or DIVE going in to pull milfoil. Town budget has \$34,500 which will cover the match for both. We should accept this grant; we are lucky it's 50% of the costs.

Mr. Harriman: Opens the public hearing; No public comments; closes the public hearing.

MOTION by Mr. Senecal to authorize the Town Manager to sign a grant application and accept unanticipated funds greater than \$10,000 in accordance with RSA 31:95-b III (a) relative to the Wolfeboro Milfoil Committee to receive a 2024 Exotic Aquatic Plant Control grant from the New Hampshire Department of Environmental Services (NHDES) for expenses incurred in the prevention of exotic species/aquatic plant control in the amount up to \$ 31,394.00. Second Mrs. Murray Approved 5-0.

Alcohol Beverage permit

i. The Wolfeboro Board of Selectmen will hold a Public Hearing on Wednesday, February 21, 2024, on or about 6:30 PM at the Abenaki Lodge, 390 Pine Hill Road, Wolfeboro, New Hampshire to consider the application for an issuance of an Alcoholic Beverages Permit to the Lakes Region Curling Association for their end of season award ceremony on March 10, 2024, at the Abenaki Ski Lodge on 390 Pine Hill Rd from 6:30 PM – 8:30 PM.

Andrea Dudley, treasurer Lakes Region Curling Association; third time Abenaki Lodge used for end-of-season event following Pop Whalen end of season games. 40-50 people attend; Some guests bring their own wine/beer.

Mr. Harriman: Assume Parks and Recreation director has reviewed this?

Ms. Dudley: Yes. Approved date and alcohol use sent to BoS for approval.

Mr. Harriman: Opens the public hearing; No public comments.

Mr. Deshaies: Checked to confirm organization had alcoholic beverage binder on their policy; They do.

MOTION by Mrs. Murray to issue an Alcoholic Beverages Permit to the Lakes Region Curling Association for their end of season award ceremony on March 10, 2024, at the Abenaki Ski Lodge on 390 Pine Hill Rd from 6:30 PM – 8:30 PM. Second Mr. Deshaies. Approved 5-0

Temporary Event Permits

- I. The Wolfeboro Board of Selectmen will hold a Public Hearing on Wednesday, February 21, 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 Abenaki Ski Team and Wolfeboro Parks and Recreation to hold a Nordic Race on February 25, 2024, on the Abenaki Nordic Ski trails from 11 AM to 12 PM. Permit #2024-10.

Ann Debeer, Abenaki Ski Team Nordic race: ski team is helping run the event.

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

MOTION by Mr. Deshaies to issue temporary event permit for the Abenaki Ski Team and Wolfeboro Parks and Recreation to hold a Nordic Race on February 25, 2024, on the Abenaki Nordic Ski trails from 11 AM to 12 PM. Permit #2024-10. Second Mr. Freudenberg. Approved 5-0.

- II. The Wolfeboro Board of Selectmen will hold a Public Hearing on Wednesday, February 21, 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 Abenaki Outing Club to host a Fun Day on March 23, 2024, from 11 AM to 3 PM at Abenaki. Permit #2024-11.

Ann Debeer, Abenaki Ski Team: Second time for this event to create awareness about the ski area and use it. Want to offer free tickets; detailed in the proposal; same structure as last year.

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

MOTION by Mr. Deshaies to issue a temporary event permit for the Abenaki Outing Club to host a Fun Day on March 23, 2024, from 11 AM to 3 PM at Abenaki. Permit #2024-11. Second Mr. Senecal. Approved 5-0.

- III. The Wolfeboro Board of Selectmen will hold a Public Hearing on Wednesday, February 21, 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 Boat Museum to host the Back Bay Skippers at the Bridge Falls Path on Tuesdays and Thursday (rain day of Wednesday) from March 26, 2024 – November 4, 2024, from 11 AM to 4 PM. Permit #2024-18

Annie Lennon, program and events manager, NHBM: Looking forward to another season with the skippers; 16th year on Back Bay.

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

MOTION by Mr. Deshaies to issue a temporary event permit for the NH Boat Museum to host the Back Bay Skippers at the Bridge Falls Path on Tuesdays and Thursday (rain day of Wednesday) from March 26, 2024 – November 4, 2024, from 11 AM to 4 PM. Permit #2024-18. Second Mr. Freudenberg. [Pending receiving insurance certificate] Approved 5-0

Mrs. Murray: Will need insurance.

Mr. Harriman: adding the insurance contingency to the motion and second.

Ms. Lennox says the insurance certificate has been requested and will be sent to the town.

IV. The Wolfeboro Board of Selectmen will hold a Public Hearing on Wednesday, February 21, 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 Boat Museum to host the Sasquatch Footy Regatta at the Bridge Falls Path on June 15, 2024, from 8 AM to 5 PM. Permit #2024-19

Annie Lennox for NHBM: Will be sure the insurance is sent.

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

MOTION by Mr. Deshaies to issue a temporary event permit for the NH Boat Museum to host the Sasquatch Footy Regatta at the Bridge Falls Path on June 15, 2024, from 8 AM to 5 PM pending receipt of insurance rider. Permit #2024-19. Second Mrs. Murray. APPROVED 5-0.

V. The Wolfeboro Board of Selectmen will hold a Public Hearing on Wednesday, February 21, 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 American Legion Post 18 to present the Memorial Day parade and Ceremony at the Veterans monument and Dockside on May 27, 2024, from 9 AM to 3 PM. Permit #2024-20.

Paul Vivian, American Legion: tradition ceremony with short parade starting at Brewster Field; Kingswood HS band will lead the way and end at Town Docks for ceremony; wreath placed in water; then to Cate Park for some remarks.

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

Mr. Pineo: Notes schedule, there could be construction related to the water line in that area.

Mr. Harriman: Memorial Day they won't be working.

Mr. Vivan: We'll account for that and make modifications as needed. Insurance company will issue insurance rider 30-days in advance of the event.

Mr. Deshaies: Asks if insurance is needed.

Mrs. Murray: Yes, insurance needed. Asks whether the legion has insurance yet.

Mr. Vivan: Company will issue the policy to the town two weeks in advance of the event.

MOTION by Mr. Deshaies to issue a temporary event permit – pending insurance- for the American Legion Post 18 to present the Memorial Day parade and Ceremony at the Veterans monument and Dockside on May 27, 2024, from 9 AM to 3 PM. Permit #2024-20. SECOND Mr. Freudenberg. Approved 5-0.

VI. The Wolfeboro Board of Selectmen will hold a Public Hearing on Wednesday, February 21, 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 American Legion Post 18 to host 4th of July Parade on July 4, 2024, (rain date 7/5/2024) from 8:30 AM to 12:30 PM. Permit #2024-21.

Mrs. Murray: Did not receive the permit request in packet. Application was emailed to me. Town department heads did not sign off. Application requests use of Cate Park July 3-7. Concerned about logistics of the concerts at Cate Park going on during the holiday. Suggests legion determine what they need and talk to groups to be sure they can have the space they want. Wants to table the permit request until March 6.

Mr. Vivan: Want to put HQ tent; we want to put it in the lower end of Cate Park; easier to reach people in the lower area. Last year we were in the upper part of Cate Park. We think we'll be out of everyone's way.

Mrs. Murray: Will you set up the tent and take it down overnight.

Mr. Vivan: Set up at the start July 3; take the tent down at the end of the event July 7. Parade is part of the Independence Day Festival. Legion provides festival information; arts society, quilting group; We'll be out of the way of concerts; Concerts part of the festival.

Mrs. Murray: Concerned about taking up seating space for the concert.

Upper part of the Cate Park might be easier logistically. A tent would take up space needed at the lower part of park.

Mr. Vivan: We think our footprint is small; lower area would be better; we are flexible.

Mrs. Murray: Have Amy talk with the organizations to see who needs what space. That's why I want to table this until March 6 since we did not get all the information.

MOTION by Mrs. Murray to table considering this event permit until March 6, 2024. Second Mr. Freudenberg. Approved 5-0.

Mr. Vivan: Promotes American Legion-sponsored events coming up.

- Feb. 28 skating party at Pop Whalen; free skating, skates, hot dogs, hot chocolate
- Pre-Memorial Day – flags placed at veterans' graves. Boy Scouts help; BBQ afterwards for the scouts.
- Independence Day Festival: Quilting Society; Lions Club, antique car show off Center Street.
- June children's Fishing Derby with Lions Club.
- June annual retirement of old flags; Boy Scouts help with that ceremony.
- Suicide prevention program being planned for veterans and youth.
- Veterans Day ceremony Nov. 11+ will retrieve flags from the veterans' graves.
- Dec. toy drive

Mr. Deshaies: Applauds what the American Legion does for the community.

3. Bulk Vote

A. Weekly Manifests

- i. February 9, 2024 \$ 653,499.41
- ii. February 16, 2024 \$ 279,302.58

B. Property Tax Credit/Exemption

- i. 10 Adams St Tax Map 217 Lot 153

C. Property Tax Refund/ Abatement

- i. 61 Haines Hill Rd Tax Map 86 Lot 1-9

MOTION by Mrs. Murray to approve Bulk Vote items A-C. Second Mr. Senecal. Approved 5-0.

4. Board/Committee Appointments:

Lake Region Planning Commission TAC

- i. Tavis Austin - Member term expires 2026

Mrs. Murray: When do these meetings take place?

Mr. Austin: TAC committee meets Mondays 1-4 p.m. – once a month.

Mr. Harriman: Other questions/comments?

MOTION by Mr. Senecal to appoint Tavis Austin to the LRPC TAC for a term to expire February 2026. Second Mr. Freudenberg. Approved 5-0.

5. New Business

A. Approval: Commercial Vessel Landing Permit- Big Sandy II

Mr. Pineo: This has been allowed for a few years.

Mr. Harriman: Campers brought to town nine times during the summer to enjoy Wolfeboro.

Mrs. Murray: Should confirm that Big Sandy II knows Mount Washington schedule when it comes into Wolfeboro Town Docks

Mr. Pineo: Will confirm that in the letter with the permit.

MOTION by Mr. Freudenberg to issue a 2024 Commercial Vessel Landing Permit- Big Sandy II
Second Mrs. Murray. Approved 5-0.

B. Approval: Posting of Town Roads

Mr. Pineo: Steve Randall cannot be here; Wants the postings by March 4; if there's a significant warm stretch and it's needed earlier, he wants to OK to post earlier. The latest he would post is March 4th.

Mrs. Murray: Would like list of posted town roads on the town web site.

Mr. Harriman: Agrees.

Mr. Deshaies: How long are the posted road signs up?

Mr. Harriman: When frost is done.

Mr. Pineo: Maximum 10 weeks according to state statute.

Mrs. Murray: Contractors or delivery trucks can get special permits for the posted roads.

Mr. Deshaies: surprised there doesn't seem to be a hard freeze in some areas.

Mr. Harriman: Explains thawing and freezing is an issue.

MOTION by Mr. Deshaies to post Town Road for load limits effective March 4, 2024 or earlier at the discretion of the DPW director; list to be posted on town web site; posted roads no longer than 10 weeks. Second Mrs. Murray. Approved 5-0.

C. Approval: E-911 Addressing without voluntary compliance *[attach Mr. Austin's memo to BoS]*

Tavis Austin, Planning/Building Director: any time a new structure is built or tenant space in a building is separated, an application to assign a new E-9-1-1 address is needed. Mostly done through voluntary compliance. Starting to experience – with police and fire – people do not want to change their address.

You have a detailed memo about the 9-1-1 history in Wolfeboro and addressing standards in Wolfeboro; problems that can arise if towns do not follow the state guidelines.

Details property issue – parcel adjacent to Furber Lane that has no rights to access Furber Lane. Was granted a right-of-way from Beach Pond Road; between lot 30 and 25 or 149 and 151 Beach Pond Rd. [refers to image Mr. Austin provided] right of way extends to parcel 22 and allows access to parcel 23 This has been a long-standing issue over some years.

Current owner submitted a building permit; address was to be given, Owner of lot 22 – happens to be on Furber Lane owner was given the opportunity to name the right of way so an address could be given. Property owner suggested Lady Slipper Lane. Lot 23 would become 28 Lady Slipper Lane. Submitted to E-911; Response from E-911 indicated 149 and 151 Beach Pond Rd take driveway access off of that driveway. When three houses are addressed off the driveway, the standards indicate it has to be named. Lot 30-149 Beach Pond Rd and Lot 25 -151 Beach Pond Rd. are not accessed from Beach Pond Rd according to the standard. Property owners do not want to voluntarily change their address. Questions goes to BoS; under statute 231:133 and 231:133a, BoS can hold a public hearing to require an address change; you do not have to – you have the ability to do so.

Suggest to BoS with consent from fire and police departments – our collective opinion that we should follow the E-911 addressing standards. There are a number of instances in Wolfeboro are not in compliance. Examples- South and North Main Streets; East Wakefield Rd. In the memo, summarized that most of these issues existed before E-911 addressing.

Believes it's a town liability issue and wants to bring this to BoS attention; what do you want to do moving forward- follow the standards – or not. Asking the board how they want to proceed on these standards.

Mrs. Murray: When building permits are given today do we make sure there's a road to access? If we don't do this – am I correct that lot 23 cannot be built?

Mr. Austin: No.

Mrs. Murray: They can still build; even though it won't meet the standards.

Mr. Austin: A few issues in play: 674:41 – says we cannot issue a building permit for a lot that does not have road frontage. Lot 23 in this case has road frontage on Furber Lane.

Mrs. Murray: Our ordinance is missing a key component – having access from a road.

Mr. Austin: In order to create a lot, you have to have frontage and lot area; not required to have access from your frontage.

Mrs. Murray: Then we'll keep having these problems.

Mr. Austin: That's why I'm suggesting now is the time to determine what we're going to do. Under the addressing standards, I cannot say '*149 Beach Pond Road, rear,*' for example. Some towns do this; may or may not comply with E-911 addressing standards. Both 149 and 151 take access from the same driveway that serve lot 23, that is under the addressing standard – a driveway that needs a name. Understand from a 9-1-1 standpoint that the driveway needs to be named; people have said if it has a name, it has to be a road. No – it's a named driveway.

Mr. Deshaies: What's between lot 25 and 23?

Mr. Austin: No – it's a portion of lot 22. Goes around 23 on both sides; lot 22 is large enough for 4-5 house which would be addressed off the same driveway.

Mr. Deshaies: questions dotted line around d the lot.

Mr. Austin: The dotted line on the tax map is attempting to indicate where there is a road- may be Google maps. By deed, a 20-30 foot wide easement goes up the middle of lot 22.

Mr. Deshaies: If you make it Lady Slipper Lane, you can do that only if there's three houses on the lane?

Mr. Austin: No; if driveway services three homes, you're required to name the driveway.

Mr. Deshaies: Can the town require them to name the driveway?

Mr. Austin: Yes. Under 231:133 and 231:133a.

Mr. Deshaies: We can say that is now Lady Slipper Lane and that house is 28 Lady Slipper Lane – after a public hearing?

Mr. Austin: We can do **that** anyway. Tonight, we're asking if the town will require 149 and 151 Beach Pond Road to become 2 and 3 Lady Slipper Lane – because the two properties are access from the driveway – not Beach Pond Rd.

Technically, both addresses are wrong now; it becomes more of an issue when that driveway has to be named and there's three structures on it.

Mrs. Murray: Are we saying emergency responders come in the driveways despite the road in the front?

Mr. Senecal: Doesn't lot 25 on Beach Pond Rd. have a driveway NOT on Beach Pond but on the right-of-way?

Mr. Austin: They have a form of a driveway coming off Furber Lane; it's not a formal driveway. I think that was established when they rebuilt their deck.

Mr. Senecal: Looks as though that driveway comes off of what would be Lady Slipper Lane under the house garage.

Mr. Austin: 30 and 25 both come off of Lady Slipper Lane with the driveway.

Mr. Harriman: That's why they should legally change address to Lady Slipper Lane.

Mr. Senecal: That's what I'm getting at.

Mr. Deshaies: Same thing happened to him when he lived in Newton, NH; address was changed several times in a new subdivision.

If these lots have to change addresses; it will have to change for safety reasons.

Mr. Harriman: Lot 22 – **does it have deeded access to Furber Lane?**

Mr. Austin: No.

Mr. Harriman: If there were a house on lot 22, they'd be off Lady Slipper Lane.

Mr. Austin: We determined there could be 3-4 home lots on lot 22; the addresses would have to be by the distance of the standard; there'd have to be enough numbers to address it correctly.

Mr. Deshaies: It's an inconvenient process – all your ID and documents/utilities – address have to be changed.

Mrs. Murray: Don't like to do it; but it's for safety reasons. Is there any other way around it.

Mr. Freudenberg: It's not just for the current owners; eventually the properties will sell. Someone else will be there – it's for future safety.

Mr. Austin: Lot 25-@151 Beach Pond Rd is in the most difficult position. Talked to owner – to ask if a driveway could be installed off Beach Pond Rd. It is possible – but could be more confusing. Have not heard directly through 149 Beach Pond Rd except through 151 Beach Pond – saying please do not change our addresses.

Zach Branscom: NH Department of Safety, Division of Emergency Services and Communications; mapping and data operations section. Has some imagery and driveways drawn on *[distributed to BoS]*.

Agency supports changes of this kind. Addressing tends to be long lasting for hundreds of years. For longevity and making fewer changes; we recommend adhering to the standards of making sure that every house has access off of the ways. Wolfeboro responders would know the old/new street names/addresses; mutual aid may not know the streets and ways; They follow address standards; a standard is required; we provide a standard that works; can provide resources and assistance and can explain to residents why a change is needed. It is not popular. More in the nation, agencies are running into situations where non-standard addressing is causing problems – that can be life-threatening. NH 9-1-1 goes through triple verification of addresses. Redundancies in place to confirm addresses. But if there is someone from out of town and thinks their on one road and their actually on another, it is not good. Not popular with citizens; but it has to be done. It's a life safety issue.

Mr. Deshaies: Has taken 20 years to map E-911; Why Furber Lane not accessible to lot 23?

Mr. Austin: Subdivision that created Furber lane, contemplated a private road for those lots only. There were separate lanes contemplated off Furber Lane. All the land was controlled by one person. It's a private road. No formal association: property owners who were contacted by 28 Lady Slipper, they said 28 could not have the road. I believe that occurred when lot 23 was created when it to the planning board. PB wanted to be sure there was a deeded right of way from Beach Pond Rd. I am not sure who addressed 149 and 151 Beach Pond Rd. This is uncomfortable – that is why we're here.

Mr. Deshaies: [referring to E-911 list?] These back lots listed, may have different numbers and may conform; Others in town may not be on this list. This list is from 2013.

Mr. Austin: Mr. Pineo – who lives in Alpine Meadows, has atypical addressing and should be on the list according to Mr. Branscom. A Brewster Heights Road house was added; a spur off to the right – should have a different lane. Odd-even numbers incorrect.

Now with the state allowing duplexes addressing is affected. Again asking selectmen to further the statute. Can put together a separate memo outlining who needs to be notified for a public hearing to effectuate that; or simply name Lady Slipper Lane and leave 149 and 151 alone.

Mrs. Murray: We need to do it for safety reasons; do not like to do it. We should hold a public hearing; some people will not be pleased.

Fire Chief Tom Zotti: Consistent system provides WFD with information. 28 Lady Slipper Lane – if you know the system; Tells responders even and odd sides of road at 50-foot increments; can get a supply line based on measurements between addresses; in this case would be 700 feet. Hydrant is at a corner of Beach Pond and Furber Lane. We figure these numbers on the way to a call; it only works when the numbering system is consistent. We have existing situations with addressing; we're familiar with this. Knowing whether apparatus can get to a scene is based on the numbering system. Mutual aid department will not have that familiarity. Want addressing to be as compliant as we can. As new subdivisions come forward as these things develop, it behooves us to be consistent.

Mr. Harriman: Agree that the E 9-1-1 system should be standardized; as these issues pop up address them. Will make it easier for everyone in the long run.

Mrs. Murray: Would like a new memo from Mr. Austin.

Mr. Austin: Will get a new memo for the March meeting. Public hearing could be the April 3 meeting giving property owners notice and answer questions.

Mr. Deshaies: Wonder if when a property comes up for sale, voluntarily with Realtors, the correction could be made with the new owner. New owners would have a compliant address number. We could

not force this; would make the corrections slowly. Changing addresses when they live there is contentious.

Mrs. Murray: That would make sense if it could happen.

Mr. Deshaies: It would be guidance for the local realtors; let local Realtors know about an issue with an address.

Mr. Austin: Maybe. If you're in a neighborhood with odd addresses on left; evens on right and some numbers are missing, you could correct that; if the entire neighborhood is backwards – the road name and addresses would all have to be changed.

Mr. Harriman: Do we all agree moving toward a public hearing and address that?

[all agree]

D. Approval: . 2024 Ambulance Contract approval [attach draft -proposed contract]

Mr. Pineo: Copy of the proposed ambulance contract. One includes an option for a one-year extension to ensure we have ambulance coverage. Decision needed by end of August. Stipulation for an up to 4% increase. Also included and updated today – we did not have a copy of what the rates are; we now have that showing the costs for ambulance rides based on medical scenario – so citizens know. There are incremental costs for loaded mile, etc. My understanding is that legislation may have passed in NH allowing ambulance service to invoice/bill patients who are not transported. They are treated at the scene and supplies used; there is a mechanism to bill for that.

Legislation also may have passed related to ambulances – people who file an insurance claim that bill from the company – the check is cut directly to the ambulance provider.

Mrs. Murray: #2 of contract- states there is one 24-hour ambulance designated for Wolfeboro; other ambulance may be used for mutual aid to surrounding communities or provide services to Huggins Hospital – does that mean transfer to Huggins Hospital?

Chief Zotti: Yes -transfer.

Mrs. Murray: So an ambulance could be out for a while. This is the same wording that is in the current contract?

Chief Zotti: Wording had been adjusted a few contracts ago. If an ambulance is on a transfer; they will try to backfill another ambulance. Language in contract is designed to give flexibility. If it is a routine transport with a quick turnaround, by the time the backfill ambulance gets to Wolfeboro from say, Meredith, the patient has been transferred. Language gives Stewarts and WFD flexibility. Intent is that we will have two designated ambulances. If one is in used; the second ambulance is on the way.

Mr. Deshaies: Anything different in this ambulance contract than in the previous contract?

Chief Zotti: Attorney has gone over this; advice of town attorney taken to clean up some numbering/language. Contract had been cut and pasted for some time; we renumbered it. Language in general is identical. I did some of the editing; cut and pasted it. Placed things where they made sense on advice of town attorney. It works the same as previous contracts.

Mr. Freudenberg: Can be rates be in the contract and not on the back page?

Mr. Pineo [others]: It's part of the contract.

Mr. Freudenberg: While doing a new contract, it would be good to have real financials from Stewarts to see what they charged for services. We're signing this contract for \$750,000; We'll be looking at ambulance service and the upcoming warrant article for a WFD-based ambulance service plan. We should be able to see the financials – just as if you were buying a business. Alton gave me their financials on running their own ambulance service; would be good to ask and to get some real numbers from them.

Mrs. Murray: If they are not interested in giving us financials, tell us how many ALS emergency-bases they've done in a year.

Chief Zotti: That's in the contract; they show that on a monthly basis.

Mrs. Murray: As the BoS it should be reported to us; we can do the calculation. We need to educate the public and we need to have the costs to show the public.

Chief Zotti: We can ask; they are a private company.

Mrs. Murray: We have base rates here; based on time?

Chief Zotti: And mileage; rates are what they would charge; that is not what they collect.

Mr. Freudenberg: Not even close to that.

Chief Zotti: What they charge and what insurance pays is different.

Mr. Freudenberg: Alton billed \$1,090,000 in 2022 and received \$305,000 in reimbursements; received about a third of what was billed.

Mr. Deshaies: That's the number Jim gave us a long time ago.

Chief Zotti: That is not far off of our estimate for our proposals.

Mrs. Murray: We want to make sure we're talking about it month after month and the public hears it.

Mr. Deshaies: Interested in knowing how many calls Alton ambulance has compared to how many Wolfeboro has.

Mr. Freudenberg: Alton had 1100 in 2022.

Mr. Deshaies: Their [Alton] net cost is \$700,000; mentions what the cost of a fire-based system in Wolfeboro would be based on comparing to Alton. Stewart's one-year contract extension could be \$780,000 in 2025. There will be a break-even point in time where it will be beneficial to have our fire-based ambulance service.

Mr. Harriman: Do we want a motion to sign the contract?

MOTION by Mr. Harriman to authorize the Town Manager and Fire Chief to sign the proposed 2024 contract with Stewart's Ambulance Services. Second Mr. Senecal. Approved 5-0.

E. Approval: Wolfeboro Waters Committee letter to the Lake Winnepesaukee Assoc. [attach revised letter]

Mrs. Murray: Given to BoS revised letter. Spent time tonight looking at draft; removed from the initial letter the retention pond project at Foss Field and Wolfeboro shopping center. We have a better understanding of the projects; when we identify the different projects, Lake Winnepesaukee Association will do a conceptual design. We looked at where these projects were in terms of being on our CIP or talking about the future of a project moving forward. There has been no discussion of a retention pond at Foss Field/Wolfeboro shopping center in terms of looking at nutrient load. It was a design doing multiple ponds going down. It's price tag looked pretty high to us; even though might have a good removal of nutrients. We removed that. We would keep the Wolfeboro Bay Town Docks and boat ramps; that is already in our fourth phase down in that area. It will be a large project. We thought if they did a conceptual design, it would give some idea of how to do some nutrient removal down there. We kept the South Main Street one on from before. We took off the Main Street downtown which was to put more trees/planters/bump-outs at the crosswalks. We felt that would come when the town addressed the master plan transportation chapter that had that design from bump outs. We put the Back Bay Boat ramp in; because that project had the high possibility of nutrient removal. Did not look like a very expensive project compared to the others. We know there's a drainpipe that dumps the water out into the lake. Last summer, there were decaying leaves that looked ugly. If we had a catch basin, debris would be caught and not go into the lake.

We did this in degrees; first is most expensive; second less expensive; third least expensive.

These are the recommendations of the Wolfeboro Waters Committee; the other items – addressed the Walgreen's parking lot and new supermarket construction; public works director wrote the other paragraphs.

Would like the board's approval; then give to Amy and put this on town stationary and send it off to the Lake Winnepesaukee Association to do conceptual design of these three projects.

Mr. Harriman: With those conceptual designs, could lead to them applying for NHDES grants for these projects. Dual purpose to get the projects moving and offset the town costs.

MOTION by Mr. Freudenberg to approve the Wolfeboro Waters Committee letter to the Lake Winnepesaukee Association for conceptual designs for three projects. Second Mr. Deshaies. Approved 5-0.

6. Other Business

Mrs. Murray: Would like to go over backlog of non-public minutes February 28, 5 p.m. with this board – before the elections. *[all members are available]*

Mr. Pineo: Will send a meeting invitation.

Mrs. Murray: Amy has distributed to board all the non-public minutes that need review. I'll ask her to send a new packet for this if you cannot find the minutes.

Mr. Deshaies: Send them anyway.

Mr. Freudenberg: Met with Alton FD which runs its fire-based EMS service; 3 ambulances; 24/7 fire EMS; 12 hour shifts with two firefighter EMTs on call 24/7/365.

- 2023- 1100 calls for service fire and EMS
- Looking to expand to four staff on per shift- that's the goal
- Pay for equipment out of revenues from ambulance service payments that are billed
- Transports to Huggins, Wentworth-Douglass and Portsmouth hospitals.
- Good on-call system so ambulances and fire are always covered. Mutual aid used rarely.
- Billing information: they use ComStar which is paid 5% of payments collected; Billed \$1.1 million 2022; received \$300,000 in payments; Copies to Mr. Pineo and Chief Zotti.

Hopes With the third party review for potential ambulance service for Wolfeboro, neighboring town's information is a good resource.

Mrs. Murray: Let's just give them this information.

Mr. Deshaies: Also has a lot of research information in 8-10 NH communities. Hopes third party analysis is fruitful. Consistent statistics with billing and payments.

Mr. Freudenberg: Ther more information we can show people the better. It will be a big sell to the community so we can speak thoughtfully about it.

Mrs. Murray: All the analysis information is needed to be out there to help the public understand no matter which way we go. It's a serious consideration and will be a big hit.

Mr. Deshaies: It will be a \$1 million dollar hit whether we have a contract or our own fire-based ambulance service.

7. Committee Reports

Mr. Deshaies: Talked with EDC chair to update what's going on. Attended Heritage Committee.

Mr. Freudenberg: Police Commission meeting;

Mrs. Murray: Attended EDC – Winnepesaukee Day discussed; also discussed workforce housing and business staffing; looked at the idea of small [tiny] houses as a possibility. Wolfeboro Waters.

Mr. Harriman: Planning Board meeting- summer workload; WCTV board; Wolfeboro Waters; Announces that Tuesday, Feb. 27, 6:30-9 p.m. is candidates' night at Great Hall. Moderated by Randy Walker; candidates will answer questions/talk.

Mr. Senecal: Conservation Commission meeting.

8. Town Manager's Report

Mr. Pineo: Welcomes Wolfeboro Police Chief Christopher Warn attending his first BoS meeting.

- Bid opening for S. Main St. project: As that project unfolds, due to timing/staffing and work flow – we will paint sidewalks/crossings; maybe not painting parking spaces because of construction.
- Asked board to allow staff to pursue temporary alcohol permits for Pop Whalen Arena/Abenaki Lodge; director approached about events there; one a comedy night; dueling piano event; craft beer event. We have authorized beer and wine at Abenaki Lodge. Is this something BoS could want to let staff pursue to give BoS of a draft of an ordinance and criteria to be able to have beer and wine at the arena?

Mrs. Murray: Would want this for adult-only events; no children events could be going on.

Mr. Pineo: Correct – just be for adult-only events.

Mrs. Murray: Another room in the arena could not be rented out for a children's event while an adult event with alcohol is going on.

Mr. Pineo: Will work with staff on that and get something to you in the next few weeks.

Mr. Pineo: Last item – During budget season, NH Municipal Association presentation on budgeting – talked about voters' guide and concerns. Need direction from board on voter's guide to go into the newspaper – or sticking with just the ballot in the newspaper.

Mrs. Murray: Need the ballot in the newspaper so that a voter can cut out the published ballot and bring it to the voting poll; voter's guide is good to educate voters.

Mr. Senecal: favors voter's guide. Many people do this. I like the voters guide; it's an explanation for the voters.

Mr. Freudenberg: Voter's guide helpful to give people opportunity to do their homework.

Mr. Deshaies: Voter's guides helpful and have done it in the past.

Mrs. Murray: Place extra copies of the voter's guide copies at town hall and the library.

Mr. Deshaies: Should be on the town web site, too. They can print it if they want to.

Mr. Pineo: I think we do that; not sure. The newspaper guide is a full page. On the web site it might be small.

Mr. Deshaies: Not everyone gets the newspaper.

Mrs. Murray: Copies will be at town hall and library.

MOTION by Mr. Senecal to produce a 2024 voter's guide. Second Mrs. Murray. Approved 5-0.

9. Questions from the Press – no questions

10. Public Input (Limited to 3 minutes per person and not to exceed 15 minutes in total) ***No public comment***

11. Non-Public Session RSA 91-A

MOTION by Mr. Senecal to adjourn to non-public session at 8:02 p.m. Second Mrs. Murray. Approved 5-0.

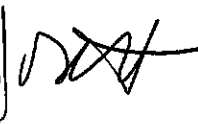
MOTION by Mrs. Murray to seal the minutes of the non-public session at 8:49 p.m. Second Mr. Freudenberg. Approved 5-0.

MOTION by Mr. Senecal to adjourn at 8:49 p.m. Second Mr. Harriman. Approved 5-0.

Next Meeting dates: March 6, 2024 Regular Meeting
March 12, 2024 Town vote
March 20, 2024

Submitted by:


Brenda Jorett





*Town of
Wolfeboro*

February 21, 2024

Pat Tarpey
Lake Winnepesaukee Association
PO Box 1624
Meredith, NH 03253

Dear Pat,

The Wolfeboro Waters Committee has reviewed the Wolfeboro Bay Survey results and has prioritized three key sites. The Committee did not address any of the sites not in Wolfeboro. Many of the locations were at some distance from Lake Winnepesaukee which made it difficult to know the impact of nutrients going into the lake. Wolfeboro Waters Committee focuses on sites closer to the lake.

The top three sites are as follows:

HW-1 Wolfeboro Bay Town Dock and Boat Ramp: The dockside parking lot and drainage system are included in the fourth phase of the Town's project to upgrade the Wolfeboro Bay docks and dockside parking lot.

2-23-1 South Main Street: The Committee included this site due to the reduction in nutrients going into the Lakes. The drainage swales along this section of Rt. 28 were cleaned this spring by NH DOT. During the summer rainstorms, these drainage swales failed.

HW-7 Back Bay Boat Ramp: This boat ramp and parking area have no stormwater treatment. The parking lot drains have no sumps. Based on the initial estimates this project would provide a significant reduction in nutrients going into Back Bay.

The projects listed below are being addressed either by the Town or by an approved site plan.

HW-5 Walgreens Parking Lot: Part of the approval for the rebuilding of the supermarket was an upgrade to the drainage system which includes a filter system at the bottom of the parking lot before going into the Town's drainage system. This site has been addressed.

B.O.S.
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2-21-24

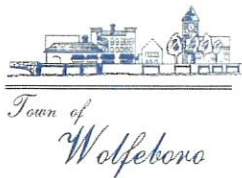
he Town's Public Works Department will address the cleaning of the road and the catch basin at 297 Sewell Rd. Shoulder and ditch repair are part of the summer maintenance program.

2-10 Pointe Sewall Road is part of the Town's Road upgrade projects and will be addressed in the next few years.

The road shoulders and ditches will be addressed as part of the Town's general maintenance. Due to the heavy storm in 2023, the Town addressed road washouts instead of shoulder ditch maintenance.

Very truly yours,

Wolfeboro Waters Committee



DATE: February 14, 2024
TO: Board of Selectmen
FROM: Tavis Austin, AICP, Director of Planning and Development
RE: E-911 Addressing without voluntary compliance

As the Board may be aware, the Planning and Development Office is tasked with assigning E-911 compliant addresses to new structures as they are constructed. This addressing is done in accordance with the "Addressing Standards-revised 02152017" (Attached) and with direct communication with E-911 to assist with adherence to the forementioned standards. While assigning addresses for new buildings is typically routine and can be completed without affecting other residents, occurrences are becoming more prevalent where simple compliance with E911's recommendations. What does this mean?

In most cases, new addresses are assigned under 'voluntary compliance.' In short, most addressing assignments are in accordance with the E911 Standards and Recommendations, using the applicant's voluntary consent to have their property addressed. Where voluntary compliance cannot be achieved, the process invokes potential action by the Board of Selectmen as neither the Planning and Development Office nor E-911 has the authority to force an address change and/or compliance with the standards. Under RSA 231:133 and 231: 133-a (attached), the Board can unilaterally assign a street name and/or address upon completion of a public hearing. Why is this coming up?

In the below image are two currently addressed homes on Beach Pond Road and a parcel requesting a building permit for a new home.



As you can see, there are no available odd numbers between 149 and 151. Additionally, the new home would be the 3rd structure off a shared driveway. Alphanumeric and fractional addressing is not recommended by NH E911. Such a situation, per the Addressing standards requires the naming of the right-of-way/driveway (See page 8-9/14 of the attached PDF; excerpt below):

BOS
attach
2-21-24

- When the address range of a road is unable to support the number of structures that are accessed from it due to the presence of driveways with multiple

8

addressable structures, the DESC recommends that the driveways be named and that the structures be addressed from the newly named road.

To further complicate the addressing of the proposed home, there are other properties that would be affected by this new named right-of-way, besides the owner requesting an address. It became clear during review that 149 and 151 Beach Pond Road are also technically accessed by this shared driveway. . To remain in compliance with the Addressing Standards, the next step in the process was to seek voluntary consent from these two properties to change their address to be off the newly named right-of-way/driveway. The owners of 149 & 151 Beach Pond Rd were contacted, and, at this time, voluntary compliance cannot be achieved.

While the Town (Planning and Development) could simply assign a name to the right-of-way/driveway and a Standard compliant address to the proposed home, this would place the other two addresses (149&151 Beach Pond Rd) outside of the Addressing Standards. Not only could this non-standard addressing cause responder confusion and delay, it could also potentially open the Town to liability (See attached Swanze court case documents). Accordingly, such direction is not recommended by the Fire Department, Police Department, NH E911, or Planning and Development wholly support addressing in compliance with the Addressing Standards. Additionally, these Departments further support the Board of Selectmen using their authority under RSAs 231-133 & 231-133-a, to hold a public hearing to:

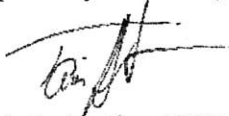
- 1) Assign a name to the right-of-way/driveway, and
- 2) Obligate the change of address for 149& 151 Beach Pond Road to addresses compliant with the Addressing Standards.

All staff recognize inherit burdens such action places on those obligated to change their address, however, the Town has numerous inconsistencies with the Addressing Standards—many of which exist since prior to incorporating E-911 Standards—and we believe in moving forward, it is in the best interest of the Town to not create new inconsistencies.

While a suggested action is outlined in the above paragraph, the purpose of this memo is to seek guidance and direction from the Board. Should the Board wish to proceed under RSAs 231-133 & 231-133-a, Staff is happy to prepare a future memo to effectuate that decision. Alternatively, should the Board state its decision to proceed with addressing outside of compliance with the Addressing Standards, please declare such direction in the form of a motion. Please note a budling permit is currently under review and largely 'on hold' until this decision is made.

Please let me know if you have questions or concerns at this time.

Respectfully submitted,



Tavis J. Austin, AICP
Director of Planning and Development

This agreement made as of the 21st day February 2024 by and between the Town of Wolfeboro, a municipal corporation situated in the County of Carroll, the State of New Hampshire, hereinafter sometimes referred to as the "Town", and Stewart's Ambulance Service, Inc. 20 Foundry Ave, Meredith NH 03253, a corporation duly organized under the laws of the State of New Hampshire, with its principal place of business in said State aforesaid, hereinafter sometimes referred to as the Contractor.

1. From January 1, 2024 until December 31, 2024, the Contractor shall continue to provide citizens of and visitors to the Town with customary and essential local emergency ambulance service on a 24 hour-a-day basis, regardless of the ability of those served by such service to make payment therefore
2. The Contractor must have at least two (2) New Hampshire Department of Safety, Division of Fire Standards and Training, and Emergency Medical Services licensed ambulances one of which must be licensed at the Advanced Life Support level while the other ambulance may be licensed at the Basic Life Support level. Both of these ambulances are to be well maintained and not to be more than 10 years old, garaged in heated accommodations in the Town of Wolfeboro and available for use in the Town of Wolfeboro on a 24 hour-a-day basis. One of the two ambulances will be exclusively dedicated to providing 911 EMS in the town of Wolfeboro. The other ambulance may be used to provide mutual aid to surrounding communities and/or provide services to Huggins Hospital. Said ambulances shall be equipped with mobile communication equipment, according to the State of New Hampshire EMS communication plan, to provide communications with Wolfeboro Central Dispatch via Wolfeboro Fire-Rescue Department radio frequencies state and local police departments, Huggins Hospital and other hospitals, the Contractor's own office, and the Carroll County Sherriff's Department.
3. The Contractor must have Emergency Medical Providers licensed by the State of New Hampshire, Department of Safety, Division of Fire Standards and Training, and Emergency Medical Services necessary to staff the ambulances.
4. To provide the aforementioned ambulance service, each ambulance must be manned with at least two (2) Nationally Registered Emergency Technicians. At least one ambulance must have an EMT who is certified at the Advanced EMT level or higher.
5. Both the Town and the Contractor will adhere to the 2024 New Hampshire Patient Care Protocols and any revisions thereto. However, notwithstanding any other provision of this agreement, the Fire Chief or his designee shall, if present, be in charge of any accident or incident to which the Contractor responds. All personnel shall use the National Incident Management System.

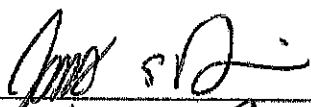
B.O.S. attach 2-21-2024

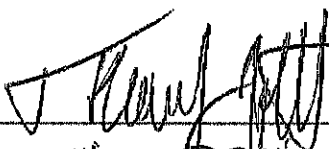
6. In the event the Contractor violates any provision of this contract, the Contractor shall be assessed a penalty of \$500 for each event. Any penalty shall be subtracted from the following month's payment.
7. The Contractor, being currently licensed by the State of New Hampshire, Department of Safety, Division of Fire Standards and Training, and Emergency Medical Services to engage in the business of providing ambulance service (see copy of license attached), will, throughout the life of this agreement, continue to be so licensed.
8. The Contractor shall ensure that Contractor's personnel are trained in Infectious Disease Protection, with an approved plan in place during the term of this contract.
9. The Emergency Medical Providers utilized by the Contractor to provide the ambulance service specified in this agreement, will in each instance be licensed by the State of New Hampshire, Department of Safety, Division of Fire Standards and Training, and Emergency Medical Services to perform those aspects of the service required of the Contractor hereunder performed by them and will consist of such full-time employees of the Contractor plus such supplementary part-time employees as are necessary to provide said required service. The contractor shall conduct a background check for all Emergency Medical Service Personnel.
10. The Contractor shall maintain, during the life of this agreement, at least two telephone lines serving the telephone number designated by it to receive business calls. These designated lines are as follows: 569-2081 and 569-6088.
11. The Contractor shall accept the provisions as set forth in the payment schedule as provided by Medicare-Medicaid for all residents and visitors of the Town of Wolfeboro (i.e. the Contractor may bill customers the difference between the allocated amount and the payment amount only, as prescribed by Medicare-Medicaid.).
12. The Contractor, after providing the services required by this contract, may use all legal means to secure collections of its authorized charges, including collection from any insurance carrier.
13. The Town, for the services to be provided by the Contractor as described in this agreement, shall pay to the Contractor a total of \$750,000 payable in \$62,500 monthly installments at the start of each month. Bills will be

20. This agreement is binding upon and inures to the benefit of the parties hereto and any permitted successors or assigns of the Contractor.

21. This contract may be extended for an additional year term. The cost for the additional year will be the 2024 annual cost increased by the annual increase in the Northeast Region Consumer Price Index not to exceed 4%. The Town will notify Stewart's by August 30th 2024 if it intends to renew.

IN WITNESS WHEREOF, the parties hereto and to another original counterpart hereto have hereunto affixed their hands by their duly authorized officers as of the day and year written below.

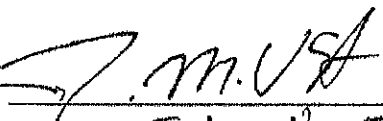

Name: James S. Piro
Title: Town Manager
Date: 02/21/2024


Name: Thomas J. Zotti
Title: Fire Chief
Date: 2/21/2024

Name:
Title:
Date:

Name:
Title:
Date:

Name:
Title:
Date:


Name: Justin Van Ethen
Title: Chief
Date: 2-15-24

14. The Contractor shall provide the Town with monthly statistical activity reports, containing the number of times the ambulance(s) responded to calls the previous month, the number of patient transports to hospitals resulting from calls within Wolfeboro (including to which hospitals they transported), and the number of such ambulance transports that required Basic Life Support (BLS) or Advanced Life Support (ALS) services and Advanced Life Support Paramedic.
15. The Town reserves the right to terminate and/or renegotiate this agreement at anytime during the life of said agreement, providing written notice, by certified mail, is given 30 days prior to termination and/or renegotiation.
16. The Contractor is an independent contractor in the provision of the services required of it by this agreement and shall be accountable hereunder to the Selectmen of the Town or its designated representative.
17. The Contractor agrees to maintain, during the term of this agreement and subsequent renewals, liability insurance on its vehicles and employees, including occupational or professional liability insurance and workers compensation insurance in the following amounts: General Liability: \$3,000,000 each occurrence; \$1,000,000 personal injury; \$4,000,000 general aggregate; Automobile Liability: \$1,000,000; Workers Compensation: as required by law. The Contractor shall at contract signing and annually thereafter provide the Town with certificates of insurance evidencing such insurance coverage.
18. The Contractor agrees to indemnify, defend, and hold harmless the Town of Wolfeboro from and against all claims, lawsuits, fines, penalties, damages (including consequential damages), losses, liabilities, judgments, expenses (including without limitation attorneys' fees and legal costs) or actions of any nature whatsoever arising from the Contractor's or its employees' actions in fulfillment of the agreement.
19. In entering into this agreement, the Town is relying upon the proven ability of the Contractor's existing management which shall not be substantially changed during the period from January 1, 2024 through to December 31, 2024, except to the extent beyond the control of the Contractor, such as in the event of incapacity or death, and thereafter so long as this agreement shall remain in effect without the prior written consent of the Town. This agreement shall not be assigned by the Contractor without written consent by the Town.

Stewart's Ambulance Service Rates

As of 12/31/2023

ALS Emergent Base Rate - \$3,593.75

BLS Emergent Base Rate - \$2,497.00

Per Mile Rate - \$77.50