

**Town of Wolfeboro
Capital Improvements Program Committee**

August 20, 2020

8:00 AM

Great Hall at Wolfeboro Town Hall and Virtual Access

APPROVED MINUTES

Members Present (In-person): Kathy Barnard, Chairman, Linda Murray, Board of Selectmen's (Alternate) Representative, Mike Hodder, Planning Board Representative, Bob Loughman, Budget Committee Representative, Paul Whalen, Members.

Members Present (Virtual): Suzanne Ryan, Member.

Members Absent: Paul O'Brien, Board of Selectmen's Representative, Kathy O'Blenes, GWRSD Representative, Chuck Sumner, Member.

Staff Present: Matt Sullivan, Director of Planning and Development, Jim Pineo, Town Manager, Dave Ford, Public Works Department and Water & Sewer Utilities, Lee Ann Hendrickson, Administrative Secretary.

Chairman Barnard called the meeting to order at the Great Hall at 8:00 AM.

I. Consideration of Minutes

August 6, 2020

It was moved by Bob Loughman and seconded by Mike Hodder to approve the August 6, 2020 Capital Improvements Program Committee minutes as submitted. Roll call vote: Kathy Barnard - yes, Linda Murray - abstain, Mike Hodder - yes, Bob Loughman - yes, Paul Whalen - yes, Suzanne Ryan - abstain. The motion passed (4-2).

II. 2021-2030 Capital Improvements Program Development

Department of Public Works

2021 Docksider Parking Lot Upgrades Capital Reserve Fund; \$100,000

Dave Ford stated in 2019 the Town authorized the preliminary design of Docksider parking lot and noted the construction of the parking lot has been delayed until other projects at Docksider can be completed. He stated the BOS set up a capital reserve account in 2016; noting the balance of the account at the end of 2019 was \$159,300 and noted the account was not funded last year. He stated the project was estimated at \$400,000; noting an additional \$245,000 is needed. He stated there is a need to update the plans that were done in 2015 and 2016. He stated Phase I of the parking lot (ice cream stand area) was completed.

Linda Murray noted an error in the spreadsheet that was provided to the Committee. She stated the proposal includes the development of a new conceptual plan. She stated in 2015 three

designs were submitted and the BOS chose plan 3 that depicted optional parking. She stated those plans were paid for by the taxpayers and recommended that prior to spending more taxpayer money that the Town takes what it already has and adapt the plan.

Dave Ford stated the Town is using the same engineer and architect and noted the plans Ms. Murray is referring to were conceptual plans that are now outdated. He stated the plans need to be updated and the electrical component needs to be included in the new plans.

Linda Murray reviewed the previous plans; noting the Committee should have received the plans and backup information.

Mike Hodder stated regardless of which plan goes forward the decision was made to establish a capital reserve fund for whatever is going to be done at the site. He stated the fund was not funded last year; noting such was a decision made beyond this Committee and the Committee is being asked to fund it this year.

Suzanne Ryan asked if someone has the language of what the fund was specifically established for.

Jim Pineo replied no and stated he could acquire such.

Suzanne Ryan recommended tabling the request until the Committee reviews the language.

Mike Hodder disagreed with Ms. Ryan and stated the Committee has previously recommended additional funding therefore, there is no need to question the language since the Committee has previously confirmed its understanding of the language.

Kathy Barnard and Bob Loughman agreed with Mr. Hodder.

It was moved by Bob Loughman and seconded by Mike Hodder to recommend the Dockside Parking Lot Upgrades Capital Reserve Fund CIP project scheduled for 2021 in the amount of \$100,000. Roll call vote: Kathy Barnard – yes, Paul Whalen – yes, Mike Hodder – yes, Bob Loughman – yes, Suzanne Ryan – no, Linda Murray – abstain. The motion passed (4-1-1).

2021 Dockside Docks Capital Reserve Fund; \$250,000

Dave Ford stated the expansion project and the rebuilding of existing infrastructure were separated last year. He stated the Town has moved forward with the latter including the permitting process and applying for a boat infrastructure grant. He stated the language of the warrant article needs to be reviewed by Town Counsel regarding the acceptance of the grant. He stated Phase II of the dock upgrade project is proposed for 2021; noting such includes the balance of the finger docks. He stated there would be no grants awarded to the Town to complete Phase II. He stated Phase III is proposed for 2022 and includes the reinforcement of the seawall along the Smith River. He stated the permitting of the Smith River portion of the project is more significant. He stated based on advice from Town Counsel and the language of the warrant article, money was not put into the fund last year. Rather, he stated the Town appropriated \$170,000 cash with an additional authorization of \$130,000 if the Town received the grant; noting there is \$300,000 authorized from last year. He stated the balance of the capital reserve fund is \$103,000 and is recommending it be placed in the capital reserve fund at the discretion of the Selectmen to spend. He noted last year's money was not put in the capital reserve fund. He stated the

appropriation is recommended for Phase II however, depending upon receipt of the grant the funds may be used to complete Phase I.

Linda Murray confirmed that last year's warrant article is a two-year appropriation; noting that if the appropriation isn't used this year the Town has until the following year to use the funds. She stated the BOS' rationale regarding not depositing the money into the capital reserve fund is to avoid having to take the money back out in the same year when the project is completed.

Mike Hodder asked how much the capital reserve fund was authorized for.

Linda Murray stated it was meant to go through the process and keep putting money in until the dock projects were completed.

Mike Hodder questioned the balance of the fund.

Dave Ford replied \$103,000.

Linda Murray asked why the dock expansion project was removed from the CIP spreadsheet; noting the project was included in the spreadsheet last year.

Dave Ford stated there are many infrastructure needs and when prioritizing those needs and projects he felt the dock expansion project didn't meet the criteria of the CIP guidelines. He stated safety is priority.

Kathy Barnard stated the project should be included in the plan.

Dave Ford recommended the project be dropped and doesn't see the expansion fitting into the Town's mission.

Jim Pineo stated he and Dave Ford have had numerous conversations regarding work volume and the Town needs to ensure that the projects being brought forward are quality projects that get completed with some quality. He stated there was a dock committee that was established and should be re-invigorated however, the Town must address its existing infrastructure before the Town adds additional infrastructure.

Kathy Barnard confirmed that Mr. Pineo is saying that the expansion project should not be considered in the ten-year plan

Jim Pineo recommended re-engaging the previous dock committee in a positive direction for the purpose of evaluating whether or not the docks should be expanded. He stated the existing structure needs to be taken care of.

Bob Loughman recommended pushing out the dock expansion project.

Jim Pineo stated they are not prepared to submit the project this year.

Mike Hodder stated the project could be brought forward again next year. He stated he doesn't see how the Committee can put a placeholder on a project that a number hasn't been provided or a date for the project.

Kathy Barnard stated as of right now the project isn't being considered as part of this 10-year plan.

Bob Loughman questioned whether the appropriation request for Phases I and II is adequate.

Dave Ford stated there is a funding issue and a construction issue. He stated the Town has cost estimates for all four phases and the Town will be moving forward with the permitting and bidding of the documents this fall. He noted following receipt of the bids he will be able to determine if the funding is adequate. He stated Phase III is the dock expansion project and Phase IV is the Smith River portion; noting the expansion is important if it's going to get done. He stated there was a vote for a senior citizens project from the Girl Scouts and questioned why that project is not being discussed yet a special interest project is being discussed.

Bob Loughman asked Mr. Ford if he is comfortable with the \$250,000 request given what is known regarding the Phase I and II projects.

Linda Murray stated it is not a special interest project; noting there was a committee that was formed, the Town Dock Committee. She stated members included the Town Manager, Adam Tasker and herself until Paul O'Brien took her place. She stated they took taxpayers money to develop a plan for the expansion (plan prepared by White Mountain Survey & Engineering). She stated the Committee talked with NHDES and it has been one of the projects supported by the BOS. She stated she believes the expansion should stay on the 10-year plan and noted that at no time has it come to the BOS nor has the BOS voted not to expand the Town docks.

Mike Hodder expressed concern regarding the politics of the project and the validity/nonvalidity of the project. He stated the Committee should be focusing on the proposals brought forward by the Department and decide whether or not to recommend the projects. He stated there isn't enough information to determine whether the expansion project should be included on the 10-year plan.

Suzanne Ryan stated she feels that Dave Ford is on the right track and questioned the docks on the river.

Dave Ford stated those docks have not been inventoried or assessed and is currently not in the long term plan and noted that again, expansion of the docks is being discussed before taking care of the Town's existing docks.

It was moved by Bob Loughman and seconded by Mike Hodder to recommend the Dockside Docks Capital Reserve Fund CIP project scheduled for 2021 in the amount of \$250,000. Roll call vote: Kathy Barnard – yes, Paul Whalen – yes, Mike Hodder – yes, Bob Loughman – yes, Suzanne Ryan – yes, Linda Murray – abstain. The motion passed (5-0-1).

2021 Port Wedeln Beach/Drainage Upgrades; \$200,000

Dave Ford stated currently stormwater runoff from Winterhaven Road to a closed drainage system at the transition from a Town road to a private road. He stated the Town's consulting engineer is developing conceptual working plans to review with the Port Wedeln Association and the Town

has pre-applied for a stormwater grant. With regard to paying for the improvements, he stated a Betterment Assessment is being considered so the Town can act as the funding agency with a potential bond that would be paid for by the Association. He stated the Town would contribute a certain percentage based on the water that is coming from the Town roads that is causing the problem. He stated he doesn't believe the Town's portion will be capped at \$200,000.

Bob Loughman confirmed that \$200,000 is estimated to be the gross amount of the project and not the Town's portion.

Dave Ford stated the \$200,000 is estimated to be the total project cost with a portion of such for the betterment assessment.

Mike Hodder stated the project is a worthwhile project however, seems that it is a premature project at this stage. He stated a legal opinion is needed as to whether the project qualifies under the statute for a betterment assessment. He stated if it is going to be a betterment assessment then the BOS have to get involved in apportioning what percentages each party to the assessment pays. He stated the Town then needs to vote on the Betterment Assessment before it can be applied to both parties and then following such the abutters have eight months to appeal the assessment to the Superior Court. He stated the Town doesn't have the apportionment of responsibilities between the parties or a legal opinion as to whether the betterment assessment would be applicable; noting a betterment assessment if for road construction and repair and not for stormwater management issues.

Dave Ford asked how Mr. Hodder knows the betterment assessment doesn't include stormwater management issues.

Mike Hodder stated it is not included in the statutory language.

Bob Loughman stated it is an urgent project that is impacting the lake and the fact that the Committee doesn't have all the details yet seems immaterial as far as this Committee is concerned.

Linda Murray stated it is an important project that is affecting the lake and applauds Mr. Ford for his creativity with regard to funding the project.

Bob Loughman stated there wasn't a lot of information provided when the Whitegate Lane project was submitted but, it came to fruition. He stated the project is a need and is urgent.

Kathy Barnard stated the Town is focusing on water quality projects and supports the proposal.

Paul Whalen questioned the timeline for getting through the NHDES permitting process and the Betterment Assessment process.

Dave Ford stated he previously spoke to Attorney Mark Puffer however, a legal opinion is needed and will seek such. He stated the Town has contracted Underwood Engineers and is reviewing alternatives with NHDES. He stated the intent is to schedule construction for 2021.

Jim Pineo agreed that the project is premature however, the Association came to the Town four months ago and progress has been made since. He stated the Town has ownership in the problem and the impact on water quality. He asked if a betterment assessment has come before the CIP Committee previously.

Matt Sullivan replied yes.

Suzanne Ryan stated the Committee previously reviewed a Betterment Assessment for improvements to Westwood Drive. She asked if the Town is going to upgrade the private road and then take over the road/own the road and if so, she has no interest in such.

Dave Ford stated the Town is responsible for drainage and utilities located in the Town's right-of-way; noting that sometimes the drainage and utilities extend into the private road. He stated the Town is responsible for addressing and maintaining such (through easements). He noted the Town would be responsible for the BMPs forever.

Matt Sullivan stated the Town has to determine if a Betterment Assessment can be applied to stormwater management improvements.

It was moved by Suzanne Ryan to table the Port Wedeln Beach/Drainage Upgrades CIP project scheduled for 2021 in the amount of \$200,000. There being no second, the motion fails.

It was moved by Bob Loughman and seconded by Kathy Barnard to recommend the Port Wedeln Beach/Drainage Upgrades CIP project scheduled for 2021 in the amount of \$200,000. Roll call vote: Kathy Barnard – yes, Paul Whalen – yes, Mike Hodder – no, Bob Loughman – yes, Suzanne Ryan – no, Linda Murray – abstain. The motion passed (3-2-1).

2021 Bay Street Sidewalk Upgrades; \$55,000

Dave Ford stated the project was brought to the voters in 2018 and \$45,000 was appropriated to study and design alternatives for sidewalks along Bay Street. He stated the project was funded at the CIP level however, was cut further in the process. He stated he believes the project should be brought back for discussion to determine whether the project should continue to be included in the CIP plan.

Kathy Barnard noted the project has been included in the Master Plan since 2007 and is recommended in the current Master Plan. She noted the area is seeing more development and the Town is encouraging a walkable community.

Bob Loughman asked where Bay Street is with regard to the Town Road upgrade plan.

Dave Ford stated an overlay on Bay Street was done ten years ago and will need another overlay in 1-2 years.

Bob Loughman confirmed the cost is associated with the engineering, obtaining easements and the preparation of bid documents and not associated with construction.

Dave Ford reviewed the easement process.

Bob Loughman recommended purchasing additional solar powered speed limit signs.

Dave Ford stated he is considering placing such in the 2021 operational budget.

Linda Murray confirmed that they are not permanent structures and can be moved around.

Mike Hodder expressed concern regarding obtaining the easements required for the projects. He asked how confident is the Town with regard to obtaining the easements and how much it would cost if the Town has to pay for such.

Dave Ford stated based on the stakeholder meetings a survey had been done. He stated he doesn't ever recall an issue with obtaining easements.

Suzanne Ryan asked if there is an opportunity to establish a capital reserve account and push out the project to work towards the goal of \$600,000.

Dave Ford stated such is an option however, hasn't been considered.

Suzanne Ryan asked if pathway improvements and obtain easements can be done without impacting the road.

Dave Ford stated the roadway has to be done with the sidewalk pathway project; noting such would be the most efficient way to complete such.

Suzanne Ryan confirmed the projects should be done simultaneously. She stated it should be one project and a capital reserve account established.

Bob Loughman stated the project as submitted does not include or address the construction portion of the project.

It was moved by Bob Loughman and seconded by Mike Hodder to recommend the Bay Street Sidewalk Upgrades CIP project scheduled for 2021 in the amount of \$55,000. Roll call vote: Kathy Barnard – yes, Paul Whalen – yes, Mike Hodder – yes, Bob Loughman – yes, Suzanne Ryan – no, Linda Murray – abstain. The motion passed (4-1-1).

2021 Railroad Avenue Layout & Upgrade; \$120,000

Dave Ford stated there is a gravel portion of the Railroad Avenue that extends past the Bean property and runs alongside the condominium property. He stated the Town purchased a portion of the gravel road and was prepared to layout a Town road in 2016 however, the restoration of the railroad freight building has placed the project on hold. He stated the Town is committed to working with the Lakes Region Model Railroad to provide upgrades; noting drainage upgrades (Phase I) has been completed. He stated the road needs to be laid out and the proposal includes the completion of the road layout, engineering, installation of drainage and gravel prior to paving, reclaiming and repaving of all paved portions from the boat ramp to the Bridge Falls pathway, including parking spaces, and paving the Bridge Falls path from its beginning to approximately 860 feet to an access point to the Glendon Street parking lot. He stated the latter would allow the path to be accessible year round, plowed and provide ADA accessibility to the freight building/Lakes Region Model Railroad.

Mike Hodder asked if the \$120,000 is for design and engineering.

Dave Ford replied yes and noted it also includes total construction.

Mike Hodder questioned the timeline for the project.

Dave Ford replied 2021 if authorization is provided in March.

Mike Hodder stated he is opposed to paving the Bridge Falls Path to provide ADA access to a building; noting the intent of the path was to be gravel and not paved.

Jim Pineo stated the intent of the project is to also provide access to the Glendon Street parking lot without creating sidewalk redundancies. He noted the Glendon Street parking lot is underutilized.

Mike Hodder asked if signage is proposed directing people to from the Glendon Street parking lot to Downtown.

Jim Pineo stated such could be considered.

Mike Hodder stated he reluctantly withdraws his objection.

Paul Whalen questioned the impact to the snowmobilers and asked whether the path has to be paved to be ADA compliant.

Matt Sullivan replied no to the latter question however, noted the path does have to be paved in order to be maintained in the winter for ADA accessibility.

Suzanne Ryan stated it is her understanding the Heritage Commission has sent a letter to the BOS regarding the paved portion of the path; noting the Heritage Commission is opposed to such. She stated ADA parking will be located behind the building; noting an ability for ADA parking on site.

Matt Sullivan stated the paved length could be shortened to access the ADA parking directly behind the building. He stated the intent of extending the paved area was to enhance access.

Linda Murray stated she believes the Town already has a sidewalk from the Glendon Street parking lot (provided as part of the Safe Walk to School program). She stated there is an existing sidewalk that access Downtown and is plowed in the winter and likes the path as it currently exists.

Paul Whalen stated he is opposed to paving the path however, is supportive of the road layout.

Kathy Barnard agreed with Mr. Whalen.

Dave Ford stated he cannot sign the building permit for the Lakes Region Model Railroad until the issue (year round ADA accessibility) is resolved. He stated he doesn't see how there is year round accessibility if the path isn't paved and plowed.

Matt Sullivan recommended a compromised solution of paving just the area from the ADA space to the front of the building where the ADA ramp will be.

Dave Ford discussed the issue of snowmobilers and requested further discussion of such with the hopes of limiting impact by the snowmobilers.

Suzanne Ryan stated the presentation provided by Mr. Simms states that the building will not be open year round to the public for intense use. He stated there will be minimal use in the winter.

Matt Sullivan stated because there will be use in the winter ADA access has to be available and the site has to be designed for such.

Mike Hodder asked if the project should be withdrawn.

Dave Ford replied yes for one year.

Linda Murray stated the project needs to stay on due to the construction lease that is in place. She stated it can be brought before the BOS as a potential warrant article if it is not ready for the CIP process.

Suzanne Ryan stated it is her understanding the museum is not ready financially ready to go.

Kathy Barnard stated she feels conflicted because the Planning Board approved the project and it needs ADA access. She stated she is not in favor of paving the pathway and questioned, at the Planning Board meeting, whether paving the pathway could be done. She also asked at that meeting if there is a deed restriction that states the path has to be maintained as a gravel path and questioned whether such has been researched.

Matt Sullivan replied no to the latter.

Following further discussion the Committee agreed to amend the project to only include the Railroad Avenue road layout project.

It was moved by Mike Hodder and seconded by Suzanne Ryan to recommend the Railroad Avenue Layout and Upgrade CIP project scheduled for 2021 as amended to include a reduced paved area of the Bridge Falls Path. Roll call vote: Kathy Barnard – yes, Paul Whalen – yes, Mike Hodder – yes, Bob Loughman – yes, Suzanne Ryan – yes, Linda Murray – abstain. The motion passed (6-0-1).

Dave Ford stated he would submit a revised project form.

2021 Wastewater Treatment Plant Asset Management Plan Grant; \$30,000

Dave Ford stated the grant would be used to complete a detailed inventory of the Water Treatment Plant facility, including determining the useful life, repair or replacement cost and a financial plan to support needs.

Linda Murray noted a typographical error in the Project Title; stating “WTP” should be changed to “WWTP”.

It was moved by Bob Loughman and seconded by Kathy Barnard to recommend the Wastewater Treatment Plant Asset Management Plan Grant CIP project scheduled for 2021 in the amount of \$30,000. Roll call vote: Kathy Barnard – yes, Paul Whalen – yes, Mike Hodder – yes, Bob Loughman – yes, Suzanne Ryan – yes, Linda Murray – abstain. The motion passed (6-0-1).

Kathy Barnard questioned the Solid Waste Facility expansion project.

Dave Ford stated there has been a market turn down in recycling and ability to sell the recycling projects therefore, the project has been removed.

Kathy Barnard questioned the water main replacement project from Main Street/Pickering Corner up to Forest Road.

Dave Ford stated the project was pushed out.

Matt Sullivan stated Mr. Ford will provide his full index and it will be added to the CIP plan.

Bob Loughman recommended pushing the project out until 2023.

Matt Sullivan stated he would discuss such with Mr. Ford.

III. Other Business

Kathy Barnard stated at the last CIP meeting Paul O'Brien commented that he felt the Committee was spending too much time talk about project financing. She stated she disagrees with Mr. O'Brien's comment; noting it is important for the Committee to understand how projects will be financed.

Mike Hodder referred the Committee to RSA 674:6; noting the Committee has statutory authority to look at funding sources.

Kathy Barnard stated the Committee will continue to have financing discussions with the Departments.

Matt Sullivan reviewed the upcoming meeting schedule.

IV. Public Comment

Referencing the dock expansion project, Kathy Eaton stated the discussion came up at the July 2020 Economic Development Committee meeting. She stated the EDC reviewed the Master Plan and their priorities and agreed that the expansion of the Town Docks were a priority because the Downtown area and Town Docks are at the heart of the Town's economic vitality. She stated the expansion of the docks is equal to jobs within the community. She stated in 2014 the EDC conducted a Business Retention and Expansion survey in which 100 of approximately 300 different business owners in the Town were interviewed. She stated it was a 50 question person to person interview; noting that one of the things that came out of the survey was the need for more parking, docks and the need for better bathrooms for the Town's visitors. She stated tourism is Wolfeboro's number one industry. She stated the parking situation is still influx and being worked on and the bathroom project has been completed. She stated a dock expansion committee was formed and taken on by the Chamber of Commerce and the BOS. She stated the EDC sees the dock expansion project as a much higher priority than what she saw today at the CIP Committee. She asked that the Committee reconsider the

priorities in the phasing and consider it as one large project that should perhaps be bonded. She stated the BOS will be hearing more from the EDC with regard to the project and feels it is appropriate that the project is presented to the CIP Committee. She stated expanding and improving go hand in hand. She stated the EDC is collecting early data relative to the impact of a dock space; noting dock space has a dollar value just as a parking space does. She stated the early data is indicating that the expansion would bring \$200,000 - \$500,000 revenue to the Town and should be considered a higher priority. She urged the Committee not to drop the project from the 10-year plan.

It was moved by Bob Loughman and seconded by Mike Hodder to adjourn the August 20, 2020 CIP Committee meeting. All members voted in favor. The motion passed.

There being no further business before the Committee, the meeting adjourned at 9:59 am.

Respectfully submitted,

Lee Ann Hendrickson

Lee Ann Hendrickson