

Wolfeboro Board of Selectmen
Public Meeting Minutes-Approved
August 16, 2017

Members present: Chairman Luke Freudenberg, Brad Harriman, Linda Murray, Dave Bowers and Dave Senecal

Staff present: Town Manager David W. Owen, Police Chief Dean Rondeau, Fire Chief James Pineo, Finance Director Pete Chamberlin, Public Works Director Dave Ford and Recording Secretary Michele Chamberlain

Chairman Freudenberg opened the meeting at 6:30 PM.

Non-Public Session RSA 91-A:3, II

Mr. Owen stated a non-public session is needed to review some non-public meeting minutes.

Consideration of Minutes

Chairman Freudenberg asked for approval from the Board of the August 2, 2017 Regular Meeting Minutes.

It was moved by Dave Bowers and seconded by Brad Harriman to accept the minutes of August 2, 2017 as written. Members voted and being none opposed, the motion passed.

Public Hearings

A. Temporary Outdoor Event Permits

- i. Calvary Wolfeboro to hold Wolfeboro Kid Games on August 24, 2017 from 5:00—9:00 PM and August 25, 2017 from 9:00 AM—9:00 PM at 43 Mill Street.

It was moved by Linda Murray and seconded by Dave Bowers to table the public hearing until the end of the meeting since the representative was not present. Members voted and being none opposed, the motion passed.

Bulk Vote

A. Weekly Manifests

August 11, 2017
August 18, 2017

**B. Property Tax Abatements/Refunds
Denials:**

- | | | |
|------|------------------------------------|-----------------------|
| i. | Abatement/Refund #12 (2016-part 1) | Tax Map 232,
Lot 2 |
| ii. | Abatement/Refund #12 (2016-part 2) | Tax Map 232,
Lot 4 |
| iii. | Abatement/Refund #12 (2016-part 3) | Tax Map 232,
Lot 5 |

**C. Property Tax Credits/Exemptions
Approvals:**

- | | | |
|------|----------------------------|---------------------|
| i. | 50 Lang Pond Road | Tax Map 126, Lot 19 |
| ii. | 681 North Mains Street | Tax Map 142, Lot 24 |
| iii. | 316 Gov. Wentworth Highway | Tax Map 151, Lot 8 |
| iv. | 82 Waumbeck Road | Tax Map 159, Lot 16 |

Denials:

- | | | |
|----|--------------------------|---------------------|
| v. | 379 Pleasant Valley Road | Tax Map 235, Lot 17 |
|----|--------------------------|---------------------|

D. Notices of Intent to Cut Wood or Timber

- | | | |
|----|-------------|----------------------|
| i. | Middle Road | Tax Map 96, Lot 13-1 |
|----|-------------|----------------------|

It was moved by Linda Murray and seconded by Dave Senecal to approve the items listed on the agenda in the Bulk Vote in A through D above. Members voted and being none opposed, the motion passed.

Appointments

- i. Economic Development Committee**

Mr. Owen stated Reverend Bill Peterson has inquired about membership on the EDC. Right now there is a full complement of the 9 regular members of the EDC, and there are 4 current alternate members, leaving one alternate member slot available if the Board wishes to fill it at this time.

Linda Murray questioned if the EDC supported this appointment.

Mr. Owen stated yes.

It was moved by Linda Murray and seconded by Dave Senecal to approve the appointment of Bill Peterson as an Alternate Member of the Economic Development Committee for a term through April 30, 2019. Members voted and being none opposed, the motion passed.

New Business

A. Monthly Budget Expenditures and Revenues Report

Pete Chamberlin, Finance Director, addressed the Board. He stated the General Fund is at 61%, the Water Fund is at 72%, the Electric Fund is at 52%, the Sewer Fund is at 72%, the Pop Whalen Fund is at 57% and the overall expended-to-date is at 60%.

Linda Murray thanked Mr. Chamberlin for going over the Capital Outlay Projects. She stated the report was very helpful.

Linda Murray questioned the Town Clerk's health insurance budget at 70%. She asked if it was posted incorrectly.

Mr. Chamberlin stated he would check into it.

Mr. Chamberlin stated the Revenue Report was where it should be at this time.

B. Kingswood Golf Club – Installing a RRFB on Main Street

Chairman Freudenberg stated the Kingswood Golf Club have requested time on the agenda to discuss their proposal to install a Rectangular Rapid Flashing Beacon (RRFB) on South Main Street at the crosswalk used by golfers to cross the highway.

Sebastian Tordonato, Member of the Board of Directors for Kingswood Golf Club, addressed the Board.

He read the following statement:

Good Evening Ladies and Gentlemen.

My name is Sebastian Tordonato, and I'm on the Board of Directors for Kingswood Golf Club.

Kingswood is a Member Owned golf course which is opened to the general public. As such, Kingswood provides a substantial economic benefit to the Town of Wolfeboro by attracting non-local players, encouraging tourism and commerce, and providing local employment opportunities.

Tonight, I would like to address an issue which we consider to be of significant importance: Public safety at the crossing on South Main Street. In order to access the entire course, players must cross South Main Street twice per round of golf – once going out and once to return. Our golf season typically runs from April thru October. Within that seven month period, we will average 16,500 to 19,000 rounds of golf at Kingswood, the exact number being somewhat weather dependent. When you also consider the staff, the school teams from Brewster, Kingswood, and Prospect Mountain, and the grounds maintenance crew, the number of individuals crossing South Main Street can easily exceed 40,000 in that seven month period.

As currently configured, the crossing area does not provide clarity in the minds of passing motorists. Although there exist pedestrian crossing signs on each side of the road, the crossing itself is not marked on the pavement – it's not striped like other pedestrian cross walks. Therefore, motorists are uncertain on how to respond. Should they stop? Are they required to stop? And then again, some motorists take this as a signal to speed up so they aren't delayed getting where they're going.

Although this, in itself, can be considered to compromise public safety; a bigger problem emerges when the first motorist stops, and the second or third in line fails to do so. Since 2005 thru June of 2017 there have been 14 reported accidents at (or within 100 feet) of the crossing. Twelve of those accidents occurred between the months of April and November – the time of the year when the crossing is active.

Regrettably, my son was one of those statistics. He was the second vehicle in line, and the third failed to stop. He was rear-ended, pushing his vehicle into the first. Luckily there were no major injuries, but the vehicle was totaled. Personally, I have nearly been struck twice while trying to cross South Main Street. Most recently last week – in order to avoid rear-ending a stopped vehicle, the second in line came around into the oncoming lane, where I was crossing in a golf cart. I got an up close, eye-level view of an F-150 grill. A fellow golfer tells a similar story that occurred a few years ago. However, instead of turning into the oncoming lane, the following vehicle ran up onto the side walk. Thank goodness that it didn't occur at a time when school had just let out for the day. That would have truly been a disaster.

Thus far, the damage has been mostly limited to vehicles. But the hazard to individuals is very real – whether it's an individual crossing the road, or a motorist in a vehicle. With the large number of crossings, and increased traffic during peak vacation season, it's only a matter of time before the unthinkable happens, and someone is severely injured at that crossing.

With due consideration given to all of these factors, we requested a meeting with Mr. David Ford to explore the requirements for a State compliant pedestrian crosswalk with a flashing beacon. As a representative of Kingswood Golf Club, I am here tonight to formally request the Board of Selectmen to consider upgrading the crossing at the golf course and South Main Street. We understand that this is not an insignificant request and

that substantial monies (approximately \$50,000) will be required. Kingswood Golf Club is committed to ensuring the health and safety of our staff, our players, and our guests, as well as passing motorists. Our commitment is such that we are willing to cost share this project at the 50% level.

In addition, although we are aware that it's not completely within the purview of the Town of Wolfeboro, we would also like to have the speed limit in this area reduced to 30 MPH. The high school speed limit is 30 MPH, and 300 yards down the road (toward town) it's 30 MPH. It makes no sense to have a 40 MPH speed limit for the 1000 feet of road frontage which is the golf course and the Wind Drifter. Any assistance from the Town, in this endeavor, would be greatly appreciated.

Thank you for your time.

Dave Senecal stated this was an issue many years ago.

Linda Murray stated the speed limit is 40 MPH except when the blinking light is on for school.

Mr. Tordonato agreed.

Mr. Senecal stated a tunnel was proposed before but it was very expensive.

Mr. Senecal stated the Town needs to petition NHDOT to change the speed limit.

Mr. Tordonato stated they would appreciate any help from the Town in getting the State to change their minds about dropping the speed limit.

Linda Murray stated in 2006 the Town had this discussion with the Kingswood Golf Club. She stated there is a difference between a pedestrian crossing and a crosswalk. A pedestrian crossing is that it is the pedestrian's job to make sure it is safe to cross but once it becomes a crosswalk it becomes the driver's responsibility to stop. Ms. Murray stated in 2006 it was decided that a crosswalk would produce more rear-end accidents. Ms. Murray stated she felt it should stay a pedestrian crossing for this reason. She stated it was discussed to get the State to lower the speed limit. She stated after driving the area she discovered that most of the signs are covered partially by trees and branches so people do not have good visibility of the signs. She suggested that some work should be done to fix the signage visibility and it would help to improve the situation.

Mr. Tordonato agreed the signage could be cleared but felt that it should be a crosswalk. He stated motorists are unsure if they are supposed to stop and it causes confusion. He stated it creates uncertainty and safety hazards. He stated he would like to see the speed limit lowered and a crosswalk put in because there would be fewer accidents and less of a hazard.

Ms. Murray thanked Mr. Tordonato for his concerns and hoped they could clear the branches and trees so the signage would be clearer. She stated when she is driving down South Main Street and approaching a pedestrian crossing she looks in her rear view mirror to see if she is able to stop and if a car is too close to her bumper she keeps going.

Dave Bowers stated he was in favor of better signage and a crosswalk but felt a flashing light was something the Town would have to pay for and maintain. He stated the most dangerous crosswalk in Town is the crosswalk connecting Clark Plaza (Center Street Crosswalk). Mr. Bowers suggested getting advice from the Police Department. He stated everyone is concerned about safety.

Dave Ford, Director of Public Works, addressed the Board. He stated on Center Street the Town is putting in a Rapid Flashing Beacon. He stated this is now going to be a standard requirement of all new crosswalks and updated crosswalks. Mr. Ford stated what the Kingswood Golf Club is asking for is the same kind of crosswalk that will be done on Center Street and the Town is paying 1/3 of the cost and the State is paying the other 2/3rds. He stated the Town will be responsible for maintaining it. Mr. Ford stated this crossing is very dangerous and someone is going to get hurt. He stated the best solution would be to install a tunnel underneath the ground but the cost is at least half a million dollars. Mr. Ford stated the next best option would be to reduce the speed limit. Mr. Ford stated he was in favor of this because of the amount of walkers and bikers that are in the area. Mr. Ford stated he recommended that the Board of Selectmen petition the State to get the speed limit lowered. He stated Brewster Academy is asking for the same type of crosswalk. He stated the flashing beacon is to alert drivers far enough in advance. Mr. Ford stated he is in support of this flashing light because of the amount of traffic and it will slow traffic down. Mr. Ford stated a flashing light and clearing the signs would be helpful. Mr. Ford stated the Kingswood Golf Club is asking for a partnership with the Town. He stated he felt it was a public safety issue as well as a Kingswood Golf Club issue.

Chief Rondeau addressed the Board. He stated he could not support putting in a crosswalk at the Kingswood Golf Club because he felt it would create more rear end accidents. He stated he was in favor of lowering the speed limit. Chief Rondeau suggested that Kingswood Golf Club should hire a flagger.

Linda Murray questioned if the crosswalk was put in if the existing signage and flashing light would be removed. Ms. Murray suggested that Mr. Ford use some of the signs that are already in place.

Ms. Murray stated she had no problem requesting that the State lower the speed limit.

Chairman Freudenberg stated he supported lowering the speed limit as well.

Dave Bowers agreed.

It was moved by Chairman Freudenberg and seconded by Dave Bowers to have Mr. Owen draft a letter to NHDOT to request to have the speed limit lowered along South Main Street to 30 MPH. Members voted and being none opposed, the motion passed.

Chairman Freudenberg stated this is the first step.

Chairman Freudenberg stated Mr. Seeley, Director of Calvary of Wolfeboro has arrived.

Public Hearings

A. Temporary Outdoor Event Permits

- i. Calvary Wolfeboro to hold Wolfeboro Kid Games on August 24, 2017 from 5:00—9:00 PM and August 25, 2017 from 9:00 AM—9:00 PM at 43 Mill Street.

Cristopher Seeley, Director of Calvary Wolfeboro, addressed the Board. He stated they are requesting to hold this event for children in grades 1 – 6. Mr. Seeley stated it is a way to provide an opportunity for children of the Wolfeboro Community to come out and meet new friends while enjoying games and food together.

Chairman Freudenberg opened the public hearing.

Chairman Freudenberg closed the public hearing.

Linda Murray stated there is to be no off premises signage. She stated two signs are allowed to be posted two weeks before the event but they cannot be sprinkled throughout Town publicizing the event.

Mr. Seeley stated the permit they received is for a sign at Brewster and a sign on their property.

Ms. Murray stated the event that you had on Fourth of July had signs sprinkled throughout Town.

Mr. Seeley agreed and he stated he told members of his congregation not to place yard signs in their yards again.

It was moved by Chairman Freudenberg and seconded by Linda Murray to approve the issuance of a Temporary Outdoor Event Permit to Calvary Wolfeboro to hold Wolfeboro Kid Games on August 24, 2017 from 5:00—9:00 PM and August 25, 2017 from 9:00 AM—9:00 PM at 43 Mill Street and there are to be no off premises signs. Members voted and being none opposed, the motion passed.

C. Center Street Construction Project Update

Dave Ford, Director of Public Works, addressed the Board. He stated there will be at least a 2-3 week late start on the Center Street Construction Project. This is due to the fact that the contractor was unaware of certain requirements that came up as the result of the petroleum products contaminations that is in the right of way. When the Health & Safety Plan came out the contractor was told that all employees working on the project needed to take a 40 hour OSHA Training Class. As a result, the test pitting that was supposed to start in late August has been postponed. Mr. Ford stated unfortunately all the training classes are booked until the end of the year. He stated he would give the Board another update at their next meeting on September 6th.

Linda Murray stated we had allocated extra money last year in order to address some of the issues so that we have the funds if this project costs us more money. She asked Mr. Ford if that was correct.

Mr. Ford stated the PET Fund will cover 100% of all the contamination costs but it does not cover the training costs.

Mr. Ford stated the stricter regulations have set the project back.

Ms. Murray questioned if the project was going to be delayed by 2-3 weeks.

Mr. Ford stated at a minimum it will be delayed that much and the worst case scenario would be the project could be delayed until next spring.

Ms. Murray questioned if that meant next summer there would be one way traffic on Center Street.

Mr. Ford stated the Town and NHDOT had an agreement that there would be no one lane traffic during our busy season (June, July, and August).

Ms. Murray stated so if the project gets pushed back then the same agreement will hold.

Mr. Ford stated it will hold now but we need to keep the door open in case we need a few weeks. He stated hopefully some work will be done this fall.

D. Grant Agreement with NH Dept. of Safety, Homeland Security & Emergency Management for Emergency Operations Plan Update

James Pineo, Fire Chief, addressed the Board. He stated in the 2017 budget the Town approved \$4,500.00 for the purpose of hiring an outside contractor to assist us in the development and implementation of updating our Emergency Operations Plan. Mr. Pineo stated the process has been completed and a grant has been awarded. He stated the grant is for \$4,500.00 and it will be disbursed when the work begins.

Linda Murray stated the Town had an Emergency Management Committee and questioned if they would be involved in this project or if the project was going to be completed at staff level only.

Mr. Pineo stated he would like to reactivate the Committee to get input from the Community.

Mr. Owen stated the Board set up the Committee and he had the roster so he would look into it.

It was moved by Linda Murray and seconded by Dave Senecal to approve accepting the terms of the Emergency Management Performance Grant (EMPG) as presented in the amount of \$4,500 to update the community's Local Emergency Operations Plan (LEOP). Furthermore, the Board acknowledges that the total cost of this project will be \$9,000, in which the Town will be responsible for a 50% match (\$4,500). Further, the Board authorizes the Town Manager to sign all documents related to the grant. Members voted and being none opposed, the motion passed.

E. Acceptance of Gift of Less than \$10,000 from the Friends of Town Hall

Joyce Davis, Representative of the Friends of the Town Hall, addressed the Board. She stated the Friends of the Town Hall would like to see that the Clock Tower of Town Hall be maintained and have it keep accurate time. She stated it is an important component of the building and an asset to the Community. Ms. Davis stated that D'Avanza Clock Repair recommended regular maintenance to be performed on the clock and the cost estimate was for \$4,875.00. She stated the Friends of the Town Hall would like to offer the Town a check for this amount to cover this cost.

It was moved by Chairman Freudenberg and seconded by Brad Harriman to approve accepting a gift of a check in the amount \$4,875 from the Friends of Town Hall, Inc. to fund cleaning and repairing the clock mechanisms of the clocks in the clock tower at Town Hall. Members voted and being none opposed, the motion passed.

F. Amendment to Great Hall Use Policy

Mr. Owen stated there was a meeting recently about the use of the Great Hall. He stated the Great Hall Use Policy was discussed and it lacks having any mechanism for enforcing the policy when the rules are not followed. Mr. Owen stated an amendment was written to help enforce the rules and it read as follows:

Penalties:

1. Failure by user groups to adhere to the requirements of these Great Hall Use Policies, including the clean-up procedures, or causing any damages to the Great Hall facility may result in the imposition of a \$50 penalty assessed upon the user

group and/or the loss of future user privileges at the Great Hall as determined by the Town Manager.

Dave Bowers suggested the penalty be \$200.00.

Linda Murray stated the clean-up procedure checklist should be looked at. She suggested bolding the following sentences: Please check off each number when completed and sign. Return this sheet with the key.

Ms. Murray stated this checklist was proposed to accomplish two things. It was asking people to carefully check the list and to get a signature for a person responsible.

Chairman Freudenberg stated if the same group abuses the privilege then their rights will be revoked.

Brad Harriman stated if it continues to be a problem then we can address it with a higher deposit at that time. Mr. Harriman agreed that the checklist was a good idea.

Ms. Murray stated when the staff gets the checklist back then we have a record for who is responsible.

Dave Senecal stated the penalty should be added to the regulations.

Ms. Murray stated absolutely.

It was moved by Dave Senecal and seconded by Brad Harriman to amend the Great Hall Use Policy by adding a new Section entitled PENALTIES, to read as follows:

Penalties:

- 1. Failure by user groups to adhere to the requirements of these Great Hall Use Policies, including the clean-up procedures, or causing any damages to the Great Hall facility may result in the imposition of a \$50 penalty assessed upon the user group and/or the loss of future user privileges at the Great Hall as determined by the Town Manager.**

Members voted and being none opposed, the motion passed.

G. Additional Josiah W. Brown Scholarship Award

Mr. Owen stated another scholarship application was found in another file that hadn't been included with the others at the last Selectmen's meeting. This additional scholarship application was timely submitted, it is from a new applicant, and it meets all of the guidelines, including the financial limits. Mr. Owen recommended that the Board award the scholarship.

It was moved by Linda Murray and seconded by Dave Senecal to approve making a scholarship award in the amount of \$2,000 to the following additional Wolfeboro

scholar: Seth Richardson. Members voted and being none opposed, the motion passed.

H. Request for Transfer of Cable Franchise

Mr. Owen stated he wanted to inform the Board of a packet the Town received requesting the transfer of the franchise agreement from Metrocast to the new company, Atlantic Broadband. He stated he asked for a representative to come to the next Selectmen's meeting on September 6th. Mr. Owen stated he has not gotten an affirmative response yet. He stated it is his understanding that these requests to transfer franchise agreements are relatively pro-forma and that there is little a town can do to prevent or deny the transfer of a cable franchise. Mr. Owen stated they are required to adhere to the same terms and conditions as the current franchise including the funding for the Wolfeboro Community Television. Mr. Owen stated he recommended that the Board ask the new franchise if they will be able to provide all of the same services.

Chairman Freudenberg asked if the motion should be postponed.

Mr. Owen stated yes.

It was moved by Chairman Freudenberg and seconded by Dave Bowers to postpone the consideration of the Request for Transfer of Cable Franchise to the Board's meeting on September 6, 2017, and to invite representatives of Metrocast and Atlantic Broadband to attend that meeting. Members voted and being none opposed, the motion passed.

Old Business

None

Other Business

Linda Murray stated the CIP Committee is starting their work and they were looking at the Town Dock area. She stated there are three proposals in the Dockside area that are coming up; the Town Docks, the restrooms and the paving of that area. Ms. Murray stated at their meeting it was suggested that the Board of Selectmen look again at all the designs that the Town had for that area and make sure that the Dockside area was planned. Ms. Murray questioned the Board if they would like to leave these as three separate projects or take a look at any other changes that might be done in the Dockside area.

Chairman Freudenberg stated he would be in favor of looking at the whole plan.

Dave Senecal stated he was fine with that but the projects needed to be separated out when looking at the costs. He stated everything needed to be itemized.

Chairman Freudenberg and Brad Harriman agreed.

Linda Murray agreed and stated those are definitely three separate projects but maybe some other things need to be done down there.

Ms. Murray suggested looking at the two plans that Mr. Ford had proposed.

Ms. Murray suggested looking at a full site plan of Dockside at the second meeting in September.

Town Manager's Report

Mr. Owen stated the following:

There will be a couple of events tomorrow evening. He stated Governor John Sununu will be signing an executive order at the Police Station at 5 PM. Mr. Owen stated Mr. Sununu will be offering his support of updated animal welfare legislation which is an outgrowth of our Great Danes situation. Mr. Owen stated tomorrow evening at 7 PM the First Christian Church will be hosting a faith forum on Drug Awareness and Prevention.

The US Secretary of Agriculture, Sonny Perdue and Governor Chris Sununu will be in Town on September 1st for a listing session on Rural Quality of Life which is being held in the Town Hall. This event will be for the whole state and he notified the Agricultural Commission. Mr. Owen stated Ms. Silk would inform the Farm Bureau as well.

Ms. Murray asked for the time on September 1st.

Mr. Owen stated 11 AM.

Mr. Owen stated G.A.L.A received a local federal grant for \$250,000 from the Northern Borders Region Commission to acquire a property in Wolfeboro to turn it into a makers space. He stated they need to raise \$50,000 in matching funds by next month.

Mr. Owen stated a new winery, Winnepesaukee Winery will be having an open house on September 9th and 10th at the 1810 House Barn and Bed and Breakfast. He stated they plan to plant their vines next year.

Mr. Owen stated the staff of Parks and Recreation met with him to discuss a cemetery preservation plan. He stated there are a few employees in the Parks and Recreation Department that took an interest in restoring and cleaning stones. Mr. Owen stated he agreed to send them to a workshop in Salem, Massachusetts. It was a hands-on workshop. He stated they have come up with a plan but it will require some extra financial assistance. The equipment to start the program is \$5400. The Trustees of Trust Funds agreed to financially support their efforts in this area from the Sale of Graves Account.

Mr. Owen stated there have been some personnel changes in the Highway Department. There were seven applicants that were interviewed for the two vacancies. Chris Raymond and Kyle Rondeau have been hired as equipment operators.

Mr. Owen stated he wanted to remind the Board that he would be starting vacation on Friday, August 18th and returning to work on Wednesday, August 23rd.

Committee Reports

Brad Harriman attended a Planning Board Meeting last night and tomorrow he will be attending a Friends of Libby Museum Meeting.

Linda Murray attended the Milfoil Joint Committee Meeting. She stated they were working on their 2018 budget. She attended two CIP Meetings, the Economic Development Committee Meeting and the Chamber Social.

Dave Bowers attended the Public Hearing on the Town Docks and a Heritage Commission Meeting. He stated he also has been driving around Wolfeboro looking at our roads.

Chairman Freudenberg attended the Public Hearing on the Town Docks.

Dave Senecal attended the Public Hearing on the Town Docks.

Questions from the Press

None

Public Input

Limited to 3 Minutes per resident, not to exceed 15 minutes in total

Lew Gurnari, Chairman of the Grounds Committee of Kingswood Golf Club, addressed the Board. He stated in the last several weeks we have had some complaints pursuant to the Town's noise ordinance. He stated in the last 35 years we haven't had this issue. He stated in a five day period we had three different complaints from one individual. He explained they have tried to be accommodating and start early where they don't have any abutting neighbors. He stated three or four times a year they have guests coming to the Golf Club and they need to start working earlier in the day and this is what has started the problem. He stated he is looking for some guidance and to ask if there is any way to have an exception to #5 in the noise ordinance. He stated they would like a license or permit to have an exception variance to the ordinance. He asked if the Golf Club would qualify for this or if they could give suggestions on what they have to do. He stated it truly is going to be a challenge to do our daily business for the six to seven months that we are opened under these existing circumstances.

Dave Bowers stated the people that are giving the complaints should be invited to a public hearing to give their position as well.

Linda Murray questioned if he was saying they need to start cutting the grass earlier than 6:30 in the morning.

Mr. Gurnari stated it is only for two or three times a year. He stated that is not the issue because he could manage the 6:30 AM timeframe in the morning but the killer is the 10 AM time on Sunday morning.

Ms. Murray stated so the 6:30 AM time in the morning you don't have an issue with but the Sunday time at 10 AM is a problem.

Mr. Gurnari stated the Sunday 10 AM time is especially difficult in the Fall.

Chief Rondeau stated he would support the Board of Selectmen giving Kingswood Golf Club a variance or a permit. He explained a similar situation that happened about 15 years ago at the Lakeview Inn. He stated the problem is when he looks at the Town Ordinances or the State Statute in terms of noise and how the two mirror each other. They are very difficult to enforce. Chief Rondeau explained Lakeview Inn was cited for several violations and when it went to court the judge dismissed it. Chief Rondeau stated the judge's comments were very instructional. The judge stated that 1 or 3 people does not make a society. Chief Rondeau stated in order to be successful in court with a violation regardless of if it is in writing you must show some sort of aggravated aggrieved state relative to a society at whole. He stated in this particular case it does not show this. He stated yes, we have a Town Ordinance, but it will be difficult to enforce because it is only dealing with one person. He stated this problem really needs to be solved administratively. Chief Rondeau stated he does support this and it would be a good solution.

Dave Senecal questioned if it had to do with the mowing of the greens or a mower that is in the fairway.

Mr. Gurnari stated the three complaints were dealing with blowers not mowers.

Mr. Senecal asked if it was on the front or back side that they were getting the complaints.

Mr. Gurnari stated we try to do the backside first because there are not as many houses near there.

Linda Murray suggested granting a permit for certain dates and the Board could give it to the Police Department.

Mr. Gurnari asked if they could give him a permit for every Sunday.

Mr. Gurnari stated we need to open the Golf Club up by 7 AM or we are losing revenue.

Ms. Murray stated ok she hears what he is saying.

Brad Harriman stated he has lived near the Golf Club for over 30 years and you get used to the noise. He stated the noise is heard a little more during summer nights because you have your windows open but it's part of the neighborhood.

Mr. Gurnari stated the complaint is not from an abutter but someone that is 700 feet from the Golf Club.

Mr. Harriman stated he does not have a problem with any of the times and having the Board talk about letting the Golf Club have an earlier start time on Sunday.

Mr. Owen asked what time they would like to start on Sunday.

Mr. Gurnari stated they would like the time to be stagnant at 6:30 AM so everything can happen the same time every day.

Ms. Murray stated if the neighbors are able to deal with 6:30 AM Monday through Saturday then it seems like it would not be unreasonable to have the same time on Sunday. She suggested giving it a try for a trial basis.

Dave Bowers stated he did not think it was fair for the Board of Selectmen to change a regulation without first hearing from the person complaining.

It was moved by Linda Murray and seconded by Dave Senecal that the Board of Selectmen issues a permit to the Kingswood Golf Club to start their daily maintenance at 6:30 AM on Sunday for a trial basis. Dave Bowers was opposed. Linda Murray voted yes, Dave Senecal voted yes, Brad Harriman voted yes, and Chairman Freudenberg voted yes, the motion passed.

Mr. Gurnari thanked the Board of Selectmen.

It was moved by Chairman Freudenberg and seconded by Dave Bowers to enter into non-public session under RSA 91:3 II (c) to review some non-public minutes. Roll call vote, Chairman Freudenberg – yes, Linda Murray – yes, Brad Harriman – yes, Dave Senecal – yes, and Dave Bowers – yes. Being none opposed, the motion passed.

The Board re-entered public session at 8:02 PM.

Chairman Freudenberg moved the Wolfeboro Board of Selectmen to seal the minutes of the August 16, 2017 non-public meeting. Linda Murray seconded. Roll call vote, Chairman Freudenberg – yes, Linda Murray – yes, Brad Harriman – yes, Dave Senecal – yes, and Dave Bowers – yes. Being none opposed, the motion passed.

It was moved by Linda Murray and seconded by Dave Bowers to adjourn at 8:03 PM. Members voted and being none opposed, the motion passed.

Respectfully Submitted,
Michele Chamberlain