

**Wolfeboro Board of Selectmen
Meeting Minutes
November 17, 2021**

Members present: Chairman Linda Murray, Dave Senecal, Brad Harriman, Luke Freudenberg and Brian Deshaies.

Staff present: Town Manager, James S. Pineo, Public Works Director Dave Ford and Recording Secretary, Amelia Capone-Muccio.

Chairman Murray opened the meeting at 6:30 PM.

Non-Public Session RSA 91 A: 3 e

Mr. Pineo stated a non-public session is needed under RSA 91 A: 3 a & c.

1. Consideration of Minutes

- **October 25, 2021**

It was moved by Luke Freudenberg and seconded by Dave Senecal to approve the minutes of October 25, 2021 as submitted. Members voted, Linda Murray-abstained, being none opposed, the motion passed.

- **October 27, 2021**

It was moved by Luke Freudenberg and seconded by Dave Senecal to approve the minutes of October 27, 2021 as submitted. Members voted, being none opposed, the motion passed.

- **October 28, 2021**

It was moved by Luke Freudenberg and seconded by Dave Senecal to approve the minutes of October 28, 2021 as submitted. Members voted, being none opposed, the motion passed.

2. Public Hearings

Temporary Event Permit(s)

- i. The Wolfeboro Board of Selectmen to consider a Temporary Event Permit of the Special Events Committee of the EDC to host Last Night Wolfeboro on December 31, 2021 from 10:00 AM to 7:00 PM. Permit # 2021-53.**

Chairman Murray opened the public hearing.

Ms. Murray stated she is the Chair of the EDC Subcommittee, the Special Events Committee, and this is the request to run the Last Night Wolfeboro Events. She stated they plan to have a combination of in person and virtual events. The in person events

will have a mask strongly suggested and those events will take place in town (scavenger hunt), Great Hall and possible Brewster Academy. The Fireworks will be at 6 PM (rain date Jan. 2nd). She thanked the following sponsors; Brewster Academy, Yum Yum Shop, Black's Paper Store, Edward Jones, Hunter's Shop & Save, Leone McDonnell, & Roberts, J. Clifton Avery and the Wolfeboro Children's Center.

Mr. Deshaies suggested contacting Carpenter School if they need a location to host anything.

Being no others to speak on the permit, she closed the public hearing.

It was moved by Brad Harriman and seconded by Dave Senecal for the Wolfeboro Board of Selectmen to issue a Temporary Event Permit to the Special Events Committee of the EDC to host Last Night Wolfeboro on December 31, 2021 from 10:00 AM to 7:00 PM. Permit # 2021-53. Members voted, Linda Murray-abstained, being all others in favor, the motion passed.

3. Public Comment

None

4. Bulk Vote

A. Weekly Manifests

- i. November 5, 2021 \$619,616.47
- ii. November 12, 2021 \$ 1,105,951.96

B. Return of Planning Surety Funds (plus interest) for the following;

- i. Grove Street Parking Lot \$55,397.03
- ii. Lake Motel \$1,700.96
- iii. Brewster Dorm \$1,386.02

C. Tax Warrant 2021-2nd Half Property Tax Warrant

- i. \$17,020,154.00

Chairman Murray noted that two additional Intent to cut permits were provided and not listed on the Agenda for N. Wolfeboro Road Tax Map 93 Lot 8 and Wentworth Farm Road Tax Map 181 Lot 5, due to the time sensitivity of filing these to the state, the department has requested to add them to this meeting.

It was moved by Linda Murray and seconded by Brian Deshaies to add the intent to cuts for N. Wolfeboro Road Tax Map 93 Lot 8 and Wentworth Farm Road Tax Map 181 Lot 5. Members voted, being none opposed, the motion passed.

It was moved by Brian Deshaies and seconded by Dave Senecal to approve the Bulk vote items A – C and including the intent to cuts for N. Wolfeboro Road Tax Map 93 Lot 8 and Wentworth Farm Road Tax Map 181 Lot 5. Members voted, being none opposed, the motion passed.

6. Board Appointments

i. Alan Frederickson-Alt. Member Ag Commission resignation

Chairman Murray stated the Board received a letter from Alan Fredrickson that he would need to resign as an alternate member of the Agricultural Commission because the meeting time has changed to earlier and he is not able to make that hour. She stated the Board will recall a discussion about the time change of the Ag meetings and that they have relocated to the Wolfeboro Public Library and the meetings need to start before the library closes for the evening.

It was moved by Dave Senecal and seconded by Brian Deshaies to regretfully accept the resignation from Alan Frederickson from the Wolfeboro Agricultural Commission. Members voted, being all in favor, the motion passed.

7. New Business

A. Approval: Commercial Vessel Landing Permit for the Millie B 2022

Chip Bierweiler addressed the Board. He explained this is the annual permit request for the Millie B vintage boat tours. He stated that the location has served them well for these well attend boat tours of the lake and sharing the history of boating on the lake.

Chairman Murray noted that there seem to be some confusion on the location of the signage last season and that the Mille B and the Mount Washington signs are on the top portion of the railing and the smaller vessels have the lower portion of the railing.

It was moved by Brian Deshaies and seconded by Luke Freudenberg to approve the Commercial Landing Permit for the 2022 Season of the Millie B at the commercial Town docks. Members voted, being none opposed, the motion passed.

B. Approval: Update of Regulations to Cite Correct Codes (Building)

Chairman Murray stated this item was tabled by the Town Manager.

C. Approval: Dockside Commercial Docks & Parking lot conceptual plan

Mr. Pineo stated that the Ad Hoc Dock committee has been meeting and discussing the plans, at the last meeting it was discussed that the permitting for the Smith River work may not be as clear as anticipated and they plan to have more information on that Friday. He stated the Board needs to discuss the parking lot conceptual plans and how they wish to proceed and if the project will be delayed due to permitting logistics.

Chairman Murray stated there will be a meeting with the abutters of Dockside on December 3rd and she would like the Board to review the two conceptual plans before that meeting.

Mr. Ford addressed the Board and provided a brief summary on the history of this project that started in 2008 and went over what has been done to date. He stated in previous plans they had discussed addressing storm water, but the cost of that is significant. He stated there is a Capital Reserve Fund for this project. He noted there are two plans before the Board and specifically, option A includes the location of the electrical transformer and the proximity of that needing to be close to the road, the downside of this plan is the loss of seven parking spaces. He stated at this point they need clarity on which conceptual plan to move forward with.

Chairman Murray agreed tonight's discussion should focus on which conceptual plan to move forward with, she stated there needs to be a separate discussion on parking because if they remove parking they do need to discuss options for parking elsewhere. She provided a brief overview of \$1.5 million dollars that has been phased for this project:

- 2017 \$90,000 for the boat ramp
- 2018 \$90,000
- \$150,000 restrooms (but was under budgeted)
- 2019 \$150,000 was raised to complete restroom upgrade
- 2020 \$170,000 for docks A, B, C & D
- 2021 \$850,000 for docks C, D, E, F & G

She noted that \$100,000 is scheduled to go into the Capital Reserve for 2022 and questioned if they have the funds to cover the transformer project.

Mr. Ford replied, that would be a further discussion with Mr. Muccio, but the Electric Department may need to cover some of that cost.

Mr. Senecal stated he prefers the second option, he feels that the angled parking is the way to go. He questioned if that version can be amended to include the transformer?

Mr. Ford replied he would look into that.

Mr. Freudenberg stated this has been a long ongoing project, a very important project. He feels the direction proposed is the next logical step. He understands they will lose some parking spaces, but the benefit is helping with that flow of traffic through a very busy area.

Mr. Ford asked Mr. Freudenberg to speak to the ramp issue as well.

Mr. Freudenberg replied it is a very tight area to load a small boat into and today boats keep getting larger and larger.

Mr. Harriman agrees with the statements made and also prefers the plan with angled parking.

Chairman Murray stated as a town they have worked to address storm water management, she feel comfortable with starting the project knowing they will need to discuss parking further and like to know what concept the Board is agreeable on before the meeting with the abutters.

Mr. Deshaies questioned the number of motorcycle spots.

Mr. Ford replied six.

Mr. Deshaies noted those may be better suited being in the ally to keep that space from being cramped.

Mr. Pineo suggested Mr. Ford provide an update on the latest email with regards to the grants.

Mr. Ford stated that some of the project proposals received grant funding and some did not. They will move forward with Mill Street, the Water Treatment Plant, but the Seasonal water line upgrades did not received funding.

Chairman Murray suggested providing the Board with a spread sheet on a summary of these projects with grants, the cash in the accounts and the cost for the projects.

Mr. Pineo will provide that information for the next meeting.

D. Assessing Contract 2022-2026

Mr. Pineo stated that at the previous meeting there was some additional language requested and that has been updated and the contract is now ready for approval.

It was moved by Dave Senecal and seconded by Brian Deshaies to authorize the Board to sign an Assessing Contract on behalf of the Town of Wolfeboro with Granite Hill Municipal Services for the term of January 1, 2022 to December 31, 2026. Members voted, being none opposed, the motion passed.

E. Board of Selectmen Rules of Procedure and process for legal opinion

Chairman Murray stated at one time the Board has a procedure adopted on how the Board members would seek legal opinions and at that time it was agreed that legal opinions would be requested through the Town Manager. She questioned if this Board would like to adopt such policy and add it to the Board's rules of procedure.

Mr. Senecal replied he thought it was in place.

Chairman Murray replied they are a different Board now, so technically it is not in place.

Mr. Deshaies questioned if he as an individual wanted to get a legal opinion could he?

Chairman Murray replied yes, this is for the town matters and if he personally wants to pay for a legal opinion for himself he can, but that will be considered his opinion only.

Chairman Murray suggested that the Board of Selectmen add to its Rules of Procedures Section IV: Rules of Order: a new section H as follows: The Town Manager is the person approved by the Board of Selectmen to manage and oversee all requests for legal opinions from Town Attorney on Town matters unless the Board of Selectmen votes to approve a selectman to request an opinion. Should a Selectman want a legal opinion from Town Attorney on a Town matter, the selectman should make a request to the Town Manager. The Town Manager will either send an e-mail to the Town Attorney stating the question being asked or bring the legal opinion request to the full Board for its approval at the next meeting.

Should a Selectman seek legal opinion as a citizen on a Town matter, he or she should recuse himself or herself from the topic of discussion and any votes related to such discussion.

Mr. Deshaies stated to be clear, he can go individually on his own but not as a Board member.

Chairman Murray stated as a Board, they are responsible for the taxpayers' funds, so as a Board they need to agree when to seek legal opinions. She stated that the amendment will be voted on at the next meeting.

F. Warrant Article Review & Deliberative Session location

Mr. Pineo stated the Board has been provided with a draft list of Warrant Articles for the 2022 Warrant. He stated so far cash cost from the General Fund is \$3.83 million dollars, with a \$1 million dollar by down from fund balance brings the total to \$2.83 million dollars. He stated this does not include the AFSME Union Contract or the Public Works Department new employee and vehicle article. He suggested the Board hold a special meeting December 8th to discuss these articles further.

The Board agreed to hold a special meeting on December 8th to discuss the Warrant Articles.

Mr. Pineo stated that based on the increase in cases of COVID 19 he suggests holding the Deliberative Session at the Kingswood Art Center again this year to allow more room to social distance.

Chairman Murray noted that would include following whatever mask mandates are implemented by the Governor Wentworth.

Mr. Pineo agreed they would follow the school districts rules.

The Board agreed to move the Deliberative Session at the Kingswood Art Center in 2022.

7. Other Business

None

8. Committee Reports

Mr. Deshaies stated he attended an Ad hoc Dock Committee meeting, EDC meeting and several Budget Committee meetings.

Mr. Freudenberg stated he attended a Chamber meeting, Heritage Commission meeting and a Public Safety Building meeting.

Chairman Murray stated she attended Friends of Pop Whalen meetings, several Library meetings relative to hiring a new director, Ad hoc Dock meeting, Library Trustee meeting, Budget Committee meetings, Special Events Committee meeting and Wolfeboro Waters meeting.

Mr. Senecal stated he attended some union negotiation meetings, Conservation Commission meeting and the code officer interview process.

Mr. Harriman stated he attended a storm water management meeting, lighting committee meeting, Friends of the Libby meeting, WCTV meeting and the Planning Board meeting.

9. Town Manager's Report

Mr. Pineo reported the following the Public Safety Building Committee has been meeting to finalize locations and determined that Filter Bed Road is not a viable location because it is in a residential zone and the road would need to be upgraded. He stated at this point the committee has decided to construct a new police station on North Main Street in the location of the former water tower site on town property and use the current location of the Public Safety Building just for the Fire Department. The plan is to construct the Police Station in 2023. The last numbers they have for a proposed project are from 2018 which was \$12 million dollars, they will need to solicit some new numbers for more accurate figure.

Chairman Murray stated that this project is on the CIP and she supports moving forward with getting it done in 2023.

Mr. Deshaies questioned the reasoning for Filterbed Road.

Mr. Pineo replied that the Department felt their response would disrupt the neighborhood and well the need for significant upgrades to the road. He stated that the Pop Whalen Committee met and has chosen a construction manager, one who is familiar with ice rinks, the next step is to meet and come up with an accurate number for the Warrant Article for the Board's December 15th meeting. He stated he does need a Board representative for that Committee.

Mr. Deshaies volunteered for the Pop Whalen Committee.

Mr. Pineo stated that the Town is in discussions with a purchase of 24 lots the Town owns in Winnepesaukee Estates, currently the purchaser has 45 days to evaluate the lots, create a homeowner's association and purchase the properties. The sale price for the lots is \$310,000 and the good news is getting these lots back on the tax roll. He stated that he has plans to meet with two groups that have built some bike trails on town property and is looking discuss this. He stated the two groups have done some great work on town property, but have not worked together. He stated the goal is to meet with the two groups see if they can work together. He stated the work is amazing and is a great attraction economically to Wolfeboro.

Brian Deshaies and Luke Freudenberg stated they will both attend the meeting with the bike trail groups.

Mr. Pineo last reported out that the Health Insurance rates came in at 2.5% increase, which is good news and the Finance Director will report on that at the next meeting. He also noted there has been some complaints the Budget Committee meetings are not lived streamed and they are working on a solution to that.

10. Questions from the Press

None

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

None

12. Non-Public Session RSA 91-A

Chairman Murray entertained a motion to enter into non-public session.

It was moved by Brian Deshaies and seconded by Dave Senecal for the Wolfeboro Board of Selectmen to enter into Non-Public Session RSA 91-A: 3 e , a & c at 8:59 PM. Members voted, being none opposed, the motion passed.

The Board re-entered public session at 9:30 PM.

It was moved by Brian Deshaies and seconded by Dave Senecal for the Wolfeboro Board of Selectmen to seal the Non-Public Session minutes of November 17, 2021. Members voted, being none opposed, the motion passed.

Being no further business before the Commission, Chairman Murray entertained a motion to adjourn.

Dave Senecal moved the Wolfeboro Board of Selectmen to adjourn at 9:32 PM. Luke Freudenberg seconded. Being none opposed, the motion passed.

Respectfully submitted,
Amelia Capone-Muccio