Wolfeboro Board of Selectmen

Public Meeting Minutes-Approved

January 2, 2019

**Members present:** Chairman Linda Murray, Brad Harriman, Paul O’Brien, Dave Bowers and

Dave Senecal

**Staff present:** Acting Town Manager Jim Pineo, Police Captain Mark Livie, Planning

Director Matt Sullivan, Finance Director Deb Zabkar, Public Works Director Dave Ford, MED Director Barry Muccio and Recording Secretary Michele Chamberlain

Chairman Murray opened the meeting at 6:30 PM.

Chairman Murray read a statement to the public that on December 27th the Board of Selectmen

announced that they had placed Town Manager Becky Merrow on paid administrative leave. The

statement reads that Ms. Merrow will remain on leave pending further review of her job

performance. Fire Chief James Pineo has agreed to serve as Acting Town Manager during her

absence. This decision was not made slightly. The Board met on December 10th, 12th, 16th, 18th,

19th, 20th and 23rd to evaluate and discuss her job performance and to consider what actions

would serve the Town’s best interest. The Board engaged the services of a labor lawyer to insure

the Board acted in a manner that was lawful and respectful of Ms. Merrow’s rights. It is unfortunate

that some people have chosen to engage in speculation and to disseminate information. This is a

personnel matter and the Town is limited in its ability to publicly discussed this matter but will keep

the public informed as circumstances permit.

Chairman Murray asked for a motion to have Fire Chief James Pineo appointed as Acting Town

Manager effective January 2, 2019.

**It was moved by Dave Bowers and seconded by Dave Senecal to appoint Fire Chief James**

**Pineo as Acting Town Manager. Members voted and being none opposed, the motion passed.**

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

Chairman Murray stated a non-public session is needed to discuss litigation.

**Consideration of Minutes**

Chairman Murray asked for approval from the Board of the November 26, 2018 Regular Meeting Minutes.

**It was moved by Brad Harriman and seconded by Dave Senecal to accept the minutes of November 26, 2018 as amended. Members voted and being none opposed, the motion passed.**

Chairman Murray asked for approval from the Board of the November 28, 2018 Special Meeting Minutes.

**It was moved by Paul O’Brien and seconded by Brad Harriman to accept the minutes of November 28, 2018 as written. Members voted and being none opposed, the motion passed.**

Chairman Murray asked for approval from the Board of the December 5, 2018 Regular Meeting Minutes.

**It was moved by Dave Bowers and seconded by Dave Senecal to accept the minutes of December 5, 2018 as amended. Members voted and being none opposed, the motion passed.**

Chairman Murray asked for approval from the Board of the December 10, 2018 Special Meeting Minutes.

**It was moved by Brad Harriman and seconded by Dave Senecal to accept the minutes of December 10, 2018 as written. Members voted and being none opposed, the motion passed.**

Chairman Murray asked for approval from the Board of the December 12, 2018 Work Session Minutes.

**It was moved by Paul O’Brien and seconded by Dave Senecal to accept the minutes of December 12, 2018 as amended. Members voted and being none opposed, the motion passed.**

Chairman Murray asked for approval from the Board of the December 12, 2018 Special Meeting Minutes.

**It was moved by Brad Harriman and seconded by Dave Bowers to accept the minutes of December 12, 2018 as written. Members voted and being none opposed, the motion passed.**

Chairman Murray asked for approval from the Board of the December 18, 2018 Special Meeting Minutes.

**It was moved by Brad Harriman and seconded by Paul O’Brien to accept the minutes of December 18, 2018 as written. Members voted and being none opposed, the motion passed.**

Chairman Murray asked for approval from the Board of the December 19, 2018 Regular Meeting Minutes.

**It was moved by Paul O’Brien and seconded by Chairman Murray to accept the minutes of December 19, 2018 as amended. Members voted and being none opposed, the motion passed.**

Chairman Murray asked for approval from the Board of the December 20, 2018 Special Meeting Minutes.

**It was moved by Brad Harriman and seconded by Dave Senecal to accept the minutes of December 20, 2018 as written. Members voted and being none opposed, the motion passed.**

Chairman Murray asked for approval from the Board of the December 23, 2018 Special Meeting Minutes.

**It was moved by Paul O’Brien and seconded by Dave Senecal to accept the minutes of December 23, 2018 as written. Members voted and being none opposed, the motion passed.**

 **Public Hearings**

 **A. Temporary Outdoor Event Permit Application**

 **i. New Hampshire Boat Museum to hold the 11th Wolfeboro Vintage Race Boat**

 **Regatta on September 12-14, 2019 from 6:00 AM – 5:00 PM at the Town Docks,**

 **Parking Lot, Cate Park, and Wolfeboro Community Bandstand.**

Bill Marcussen, Representative of the NH Boat Museum, addressed the Board. He stated they are looking to do the exact same event as two years ago relating to timing, facilities and access to the town docks parking area, etc.

Chairman Murray opened the public hearing.

Chairman Murray closed the public hearing.

Chairman Murray stated the Town moved the Electric Boat to this spot. She suggested talking to Mr. Muccio to see if the Electric Boat could be moved during those days.

Mr. Marcussen agreed.

Chairman Murray stated she did not see a copy of their insurance.

Mr. Marcussen stated the insurance gets renewed in May or June so they will provide an updated copy when the policy renews unless the Board would like a copy of the existing policy.

The Board agreed to have Mr. Marcussen provide an updated copy in June before the scheduled event.

Chairman Murray stated the event needs two police detail officers.

Mr. Marcussen stated it was a new requirement but they are familiar with it.

**It was moved by Brad Harriman and seconded by Paul O’Brien to approve the New Hampshire Boat Museum to hold the 11th Wolfeboro Vintage Race Boat Regatta on September 12-14, 2019 from 6:00 AM – 5:00 PM at the Town Docks, Parking Lot, Cate Park, and Wolfeboro Community Bandstand contingent upon receiving an updated insurance certificate. Members voted and being none opposed, the motion passed.**

 **ii. New England Chapter, Antique & Classic Boat Society to hold a Boat Show**

 **on July 27, 2019 from 6:00 AM – 2:00 PM at the Town Docks, Parking lot,**

 **Cate Park and Wolfeboro Community Bandstand.**

Scott Robinson, Representative of the New England Chapter, Antique & Classic Boat Society, addressed the Board. He stated we have held this event in Wolfeboro for the last several years and the public has had a great time. Last year we offered rides for children for the first time and we hope to continue with this.

Chairman Murray opened the public hearing.

Chairman Murray closed the public hearing.

Chairman Murray stated the event needs two police officers and an updated insurance certificate.

Mr. Robinson provided the Board with an insurance certificate.

Chairman Murray stated an updated insurance certificate will need to be provided before the event.

Mr. Robinson agreed.

**It was moved by Paul O’Brien and seconded by Dave Senecal to approve the New England Chapter, Antique & Classic Boat Society to hold a Boat Show on July 27, 2019 from 6:00 AM – 2:00 PM at the Town Docks, Parking lot, Cate Park and Wolfeboro Community Bandstand contingent upon receiving an updated insurance certificate for 2019. Members voted and being none opposed, the motion passed.**

 **iii. Morning Star Lodge #17 (Race hopper Race, LLC) to hold a Trail**

 **running Race on July 6, 2019 from 8:00 AM – 2:00 PM at Abenaki .**

Richard Neil, Member of the Morning Star Lodge #17, addressed the Board. He stated for the last three years we have tried to hold races on Thursday evenings at Abenaki which turned out to be a lot of fun but they were not very productive. We would like to try to have a race on Saturday morning at Abenaki using the same trail. There will be a running race, a walking race and a race with runners and dogs. We will provide the Town with an updated copy of our insurance within the next couple of weeks.

Chairman Murray opened the public hearing.

Chairman Murray closed the public hearing.

**It was moved by Dave Senecal and seconded by Paul O’Brien to approve the Morning Star Lodge #17 (Race hopper Race, LLC) to hold a Trail running Race on July 6, 2019 from 8:00 AM – 2:00 PM at Abenaki Ski Area. Members voted and being none opposed, the motion passed.**

 **iv. Cystic Fibrosis Foundation, North New England Chapter to hold a Walk on**

 **May 18, 2019 from 9:00 AM – 1:00 PM starts and ends at Foss Field.**

Mark Foynes, Co-Chairman of the Cystic Fibrosis Foundation, addressed the Board. He stated this will be our 8th year holding the event in Wolfeboro. We do not have any proposed changes to the event. We arrive around 7:30 AM to set up and people start to filter in at 9:00 AM and the walk begins at 10:00 AM. The walk route will be the same and afterwards we will provide hotdogs. It is a wonderful site to have a family orientated event because of the proximity of the playground. Since 2011 we have raised $100,000.00 to find a cure for Cystic Fibrosis.

Chairman Murray opened the public hearing.

Chairman Murray closed the public hearing.

Chairman Murray stated an updated insurance certificate will be needed before the run.

Mr. Foynes agreed.

**It was moved by Brad Harriman and seconded by Paul O’Brien to approve the Cystic Fibrosis Foundation, North New England Chapter to hold a Walk on May 18, 2019 from 9:00 AM – 1:00 PM starts and ends at Foss Field contingent upon receiving an updated insurance certificate. Members voted and being none opposed, the motion passed.**

 **B. Proposed Bond Issue over $100,000**

 **i. For the 2019 Bond Issue not to exceed the amount of Three Million Six**

 **Hundred Seventy Five Thousand dollars ($3,675,000) for the purpose of**

 **constructing new 12.47 kV substation and distribution conversion from 4kV to**

 **12.47 kV on Forest Road, North Main Street and surrounding areas and**

 **constructing the new 34.5 kV substation and feeder at the former substation.**

Chairman Murray read the following public notice:

A Public Hearing will be held by the Wolfeboro Board of Selectmen as required by RSA 33:8-a and RSA 40:13 at 6:35 PM on Wednesday, January 2, 2019 in the Wolfeboro Town Hall Great Room, 84 South Main Street, Wolfeboro, NH to receive comments on the proposed 2019 bond issues over $100,000.

 A. For the 2019 Bond Issue not to exceed the amount of Three Million Six Hundred Seventy Five Thousand dollars ($3,675,000) for the purpose of constructing new 12.47 kV substation and distribution conversion from 4kV to 12. 47 kV on Forest Road, North Main Street and surrounding areas and constructing the new 34.5 kV substation and feeder at the former substation.

Complete copies of the proposed bond issue warrant articles may be obtained at the Town Manager’s Office, Wolfeboro Town Hall, 84 South Main Street, Wolfeboro, NH.

If there is anyone with a disability needing any modifications and/or auxiliary aid to access the meeting, please notify Anne Marble, Secretary, at 569-8161 at least 72 hours before the hearing date.

Posted Wolfeboro Town Library December 20, 2018

 Wolfeboro Town Hall December 20, 2018

 Website December 20, 2018

Paul Whalen, Resident of 79 Glendon Street, addressed the Board. He stated he has been before the Board before to oppose the power substation. He read the following statement:

As I have before, I will begin by acknowledging the great work that Barry does managing the Electric Department and recognize that he is doing his job bringing improvements forward. And, recognize that it is this Board’s job to balance those with character, scenic optics, and the safety of the citizens of this Town.

I appreciate Barry reaching out to me a couple of weeks ago and all the work he did responding to my concerns that I had expressed to you on the August 15th meeting, and his presentations, including an alternative site plan at your meeting on December 19th. I certainly appreciate the efforts that are being put forth by the Town with the proposed solid fencing, mature trees, and modern-quieter equipment to soften the impact of a power substation should it be located on Glendon Street – however, it is still putting lipstick on a pig….

I will forward a current list of signors to an online petition that is ongoing to the Acting Town Manager. I see that some of these people are here tonight.

You have heard a lot from me on the subject, and Barry has responded to these, so to just quickly recap:

 1) I continue to be extremely concerned with health and safety issues having the power substation and wires next to me, and located in what is now such a densely populated area. We did not understand the risks back when there was a substation there many years ago.

 2) Do I understand correctly, that one of the reasons that Barry wants to separate the substations on Filter Bed Road is because of the risk of lightning strike and explosion?

 3) The constant hum emitted from the equipment is a huge concern. Barry indicates the newer equipment is not as bad as the rather significant noise emitted by the current substation on Filter Bed Road. But, on a quiet summer’s night, even patio conservation from across the Bay can be easily heard.

 4) There is little question that property value will be negatively impacted – I am speaking about the Market Value, not the assessed value that was discussed on December 19th.

 5) I know that our energy usage was up this past summer, but, I question with all our focus on net-zero buildings and reducing consumption, that we, in Wolfeboro will see a decline in usage “from the grid”.

 6) If I understand correctly, the idea is to move a substation, providing more power distribution, closer to the large energy users – Huggins Hospital and the Kingswood Campus … then, shouldn’t one be located even nearer to them. To only move the current substation about a mile and a half, and have the horrible impact on such a dense area is a shame --- If locating a substation nearer to the big energy users is out of the question – I, again, ask if it is at all possible to upgrade the equipment on Filter Bed Road – Move it as close to Town as possible, keeping it on Town Land, and leave it in the woods, safely away from people?

Julie Jacobs, Resident of Wolfeboro, addressed the Board. She stated she participated in the Facilities Chapter of the Master Plan. We spoke about this a lot when we were checking out the buildings on Lehner Street. We spoke a lot about what we should do with the substation plant and the surrounding area such as the Community Center. This area is a mess right now. The Committee agreed that this substation really does not belong there anymore. It is not the place for it, when the plant was there it belonged but not now.

Kurt Dillmore, Resident of 50 Union Street, addressed the Board. He suggested that the Town look at a 33 acre piece of property for sale across from the Nick. It would be a great place for this because it is surrounded by woods and it is not visible from any area. It would be away from the population of the residents and visitors of the Town.

Suzanne Ryan, Resident of Wolfeboro, addressed the Board. She suggested that Barry Muccio discuss the alternatives that were looked at and the prices of these locations. As a tax payer she is not in favor of anything that is going to cost more. She stated it sounds like it will be exceedingly expensive to do another alternative.

Barry Muccio, MED Director, addressed the Board. He stated a lot of these concerns were addressed on December 19th. We looked at a couple other locations. The idea is to get the substation as close to where the load is located which is the Downtown area. Therefore, the substation needs to be as close to that load as we can possibly get it. We looked at a couple of sites in the general area where we can try to hide it but unfortunately there is a lot of environmental issues going on down there that affect the cost of it tremendously. We would lose parking and it would cost close to a quarter million dollars more to relocate the substation. The area across from the Nick would be extremely difficult because of easements required from the number of house owners abutting the property. Also, we would not be close to our load which is what we are trying to accomplish.

Ms. Jacobs asked if it could be moved to the old stump dump by Wickers.

Mr. Muccio stated that area has already been done. We are trying to pick up the South Main Street load so it would not be closer.

Ms. Jacobs questioned if the lines could go further out.

Mr. Muccio stated that is the line that comes across the Bay. It is the closest we are going to get to the Downtown area geographically.

Chairman Murray stated this will be a warrant article on the 2019 Town Warrant so people will have an opportunity to express their concerns.

**Bulk Vote**

1. **Weekly Manifests**

December 28, 2018

January 2, 2019

**B. Notice of Intent to Cut Wood or Timber**

 **i.** New Garden Road Tax Map 255, Lot 4

**C. Property Tax Refund/Abatement**

**i.** 79 Heath Trail Tax Map 220, Lot 9

 **ii.** 69 Sargents Pond Road Tax Map 98, Lot 21

 **iii.** 139 Gov Wentworth Hwy #E8 Road Tax Map 133, Lot 20-E

**It was moved by Dave Bowers and seconded by Paul O’Brien to approve the Bulk Vote. Members voted and being none opposed, the motion passed.**

**New Business**

1. **Parks and Recreation emergency repair to the Groomer**

Christine Collins, Parks and Recreation Director, addressed the Board. She stated the cost to fix the groomer is approximately $11,000.00. The Board decided originally not to spend the money to fix the old groomer but to buy another used groomer. However, if we spend the $11,000.00 to fix the groomer it is a 3 – 5 year fix with regular maintenance. We reached out to a couple of companies about purchasing a groomer and unfortunately this is not the time to be purchasing a groomer. The money we have in the account will not be enough money to purchase a groomer. We are running the groomer and it is currently working but if anything breaks we will have to shut down Abenaki. We need a groomer to keep it safe. We are requesting to use the $11,000.00 from the Capital Reserve Account to fix the groomer. We will still put money into the Capital Reserve Account and will continue to look to the future. Our plan has always been to get this groomer to last as long as it can until we have to purchase a new one.

Chairman Murray asked Ms. Collins to explain the repairs that the groomer needs.

Ms. Collins stated it is the arms on the groomer that move the snow. They are very loose. The groomer is still working but if one of the arms goes then we won’t be able to use it. This is one of the items suggested to be repaired when our yearly maintenance check was done.

Acting Town Manager Pineo stated the groomer needs to have both tracks taken off the machine, arms replaced, some linkages replaced, deck rubber mounts need to be replaced and replace rear lift frame bushings and repair lift frame.

Ms. Collins stated that is correct. We had originally put in for the repairs to be completed with a purchase order but it was put on hold until we could talk at this meeting.

Chairman Murray stated she looked at the original warrant article and it stated the money could be spent for the purpose of purchasing or repairing the snowmaking equipment, the groomer. She passed out a copy of the warrant article.

Mr. O’Brien questioned the price of the used groomer.

Ms. Collins stated the Capital Reserve Account currently has a balance of $70,000.00. The groomer that we bought in 2001 costed $80,000.00. We are looking for prices for used groomers but at the moment no one can provide an answer.

Mr. O’Brien questioned if we have to buy a groomer how much would it cost?

Ms. Collins stated between $80,000.00 and $90,000.00 for a used groomer. We do not have enough money right now. The maintenance money is already in the budget so it is not extra.

Mr. O’Brien stated really the difference is the $11,000.00 versus $80,000.00.

Ms. Collins stated correct.

Acting Town Manager Pineo stated another problem is the availability of the groomers because they are being used right now.

Mr. Senecal asked when the groomer goes in for repairs do they bring one we can use while it is being fix?

Ms. Collins stated the repairs usually take a few days so we try to pick the best time so it does not affect us.

Acting Town Manager Pineo stated the estimate for repairs is for 20 hours/two days.

Mr. Harriman asked if the repairs were done if they would increase the value of the groomer.

Ms. Collins stated she was told that the groomer would probably only be worth a few thousand dollars. We might be able to use it towards a trade-in but she was not sure how much it would be worth.

Chairman Murray stated it sounds like it is not the right time to purchase a used groomer.

This does fit within the warrant article so she felt comfortable in doing the repairs but she asked that Ms. Collins start to look at solutions.

Ms. Collins stated we are looking but it needs to be done after ski season.

Chairman Murray questioned if there was other equipment that they were holding together.

Ms. Collins stated she thought they were pretty good. We have a Capital Reserve Account that is outlined. The groomer is just one big expense that is hard.

**It was moved by Dave Senecal and seconded by Paul O’Brien to take out $11,552.30 from the Capital Reserve Account at Abenaki to repair the present groomer. Members voted and being none opposed, the motion passed.**

 **B. Payment-In-Lieu-of-Taxes Agreement for Hearthstone Homes**

Chairman Murray stated this was tabled at our last meeting so financials could be provided. It does not look like these have been provided. The question was whether the amount should be raised and the financials would have helped us determine if the amount should be raised. We support Christine Ridge and the Ledgers which is Hearthstone Homes but we have to be careful with taxpayers’ money. She asked the Board if the amount should be changed or if they wanted to table it until the information is provided.

Mr. Senecal questioned what the new figure would be.

Chairman Murray suggested they would pay $21,000.00 instead of $20,000.00.

**It was moved by Dave Senecal and seconded by Brad Harriman to change the amount of the discounted P.I.L.O.T. agreement of $20,000.00 to $21,000.00 from Hearthstone Homes, Inc. to the Town of Wolfeboro for 2019. Members voted and being none opposed, the motion passed.**

Mr. Senecal stated next year we will need to have the financial documents available.

 **C. Payment-In-Lieu-of-Taxes Agreement for NH Boat Museum**

Chairman Murray stated this agreement has only the tax rate but last year we had them do the municipal plus the county. The municipal is $5.98 and if we add the county for $1.31 then their rate would be $7.29 and the payment would be $8,680.20. The Tax Collector and the Assessor agreed to these figures being changed. We could change the amounts and then resign the agreement or we can table it.

Mr. O’Brien stated we should approve the agreement at $8,680.20.

**It was moved by Paul O’Brien and seconded by Dave Senecal to approve the payment-In-Lieu-of-Taxes Agreement for the NH Boat Museum for $8,680.20. Members voted and being none opposed, the motion passed.**

**D. AFSCME Union Contract**

Acting Town Manager Pineo stated the AFSCME agreement received the final agreement yesterday from the Union and it was sent to Mr. Puffer and he did not have any corrections. Therefore, it is ready to be signed.

Josphine Amatucci went up to the podium and stated she had concerns about the union contract.

Chairman Murray stated this was not an appropriate time for public comment.

**It was moved by Dave Bowers and seconded by Paul O’Brien to approve the 2019 agreement between the Town of Wolfeboro and American Federation of State, County and Municipal Employees Local No 534 as submitted. Members voted and being none opposed, the motion passed.**

 **E. 2019 Warrant Article Review**

Chairman Murray stated Mr. Sullivan has been working with Mark Puffer to finalize the warrant articles.

Mr. Sullivan stated he will mostly focus on the articles that have been amended. These changes are based on staff review and Mark Puffer’s suggestions.

**Articles 2- 8 are reserved for Planning Board Zoning Amendments.**

**Article 11**

Mr. Sullivan wanted to note there is no tax impact.

**Article 12 – Pleasant Valley Road Bridge Construction**

Mr. Sullivan stated Mr. Ford, Ms. Zabkar and Acting Town Manager Pineo reviewed this article with him. The following changes were made:

To see if the Town will vote to raise and appropriate the sum of One Million Two Hundred Thirty one Thousand Five Hundred Sixty Five Dollars ($1,240,000) for the purpose of engineering, permitting, and constructing the Pleasant Valley Road Bridge replacement project over Heath Brook. The amount to be raised by general taxation requested herein is $248,000. The total project cost for this Project is One Million Three Hundred Eighty Thousand Dollars ($1,380,000). One Hundred Forty-Eight Thousand Four Hundred Thirty Five Dollars ($140,000) has been expended from 2016 appropriations for preliminary design and engineering for the Project. This is a New Hampshire of Transportation (NHDOT) State Bridge Aid project under which eighty percent (80%) of the One Million Three Hundred Eighty Thousand ($1,380,000) will be reimbursed by NHDOT, upon completion of the Project, and twenty percent (20%) thereof will be paid from general taxation. This appropriation shall not lapse until the fulfillment of the purpose or completion of the Project or at the end of 2022 fiscal year, whichever occurs sooner.

Mr. O’Brien questioned if the $140,000.00 was a lapsing appropriation.

Mr. Sullivan stated it was a lapsing appropriation but it was done in 2016 and expensed in 2016.

**Article 13 – Town Road Upgrades**

Mr. Sullivan stated the language, This is the second year of a Special Warrant Article and This is a 2 year appropriation is being taken out.

Mr. Sullivan stated this is a 2 year appropriation but the language was listed twice.

**Article 15 – Dockside Public Restrooms Improvements**

Mr. Sullivan stated the cost estimate that the Town received from Milestone Construction for this project was $300,000.00 so we had to modify the sum of the article from $145,000.00 to $150,000.00. This is a $5,000.00 change. This is supplementing the $150,000.00 that was appropriated in 2018 from Article 17. The appropriation has been legally encumbered for this project. The total appropriation is $300,000.00. The language, this is a second year of a Special Warrant Article has been removed.

**Article 16 – Effluent Disposal Pilot Study**

Mr. Sullivan stated Mr. Ford added language for clarity. The purpose of completing NHDES Administrative Order requirements including the following activities: engineering, permitting, pilot testing and wetlands mitigation as required.

The language, this is a second year of a Special Warrant Article was removed.

**Articles 17, 18, and 19**

No changes

**Article 20 – Wastewater Treatment Plant Capital Reserve Fund**

Mr. Sullivan stated this is $125,000.00 appropriation for a Capital Reserve Fund. The original amount in the narrative amount was listed as $175,000.00 so we have amended the narrative number to read $125,000.00 to be deposited in the existing Wastewater Treatment Plant Capital Reserve Fund.

**Article 21- Establish Dispatch Equipment Capital Reserve Fund**

Mr. Sullivan stated no changes have been made but the Police Commission will be meeting in January to take the final vote and then it will be listed.

**Article 22 – Carry Beach Water Quality**

Mr. Sullivan stated the original name for the article was the Carry Beach Parking Lot/Septic System. We are not sure what the solution will be so we would like to broaden the range for this warrant article. We have renamed the warrant to Carry Beach Water Quality. We have removed and added some language and it reads as follows:

To see whether the Town will vote to raise and appropriate the sum of fifty-thousand dollars ($50,000) for the purpose of studying, engineering, and permitting a solution to environmental concerns related to water quality at Carry Beach. This shall be a non-lapsing warrant article and will not lapse until the project is complete or until December 31, 2024 whichever occurs sooner.

**Articles 23, 24 and 25**

No modifications

**Article 26 – Water Quality Improvements**

Mr. Sullivan stated there was some miscommunication about how we were going to fund the water quality improvements. It was noted initially as a Capital Reserve Fund but as part of CIP discussions it was made clear this was not going to be a Capital Reserve Fund. We have removed and added some language and it reads as follows:

To see if the Town will vote and raise and appropriate the sum of fifty thousand dollars ($50,000) for the purpose of providing matching funds for NHDES Section 319 Watershed Assistance grants for Winter Harbor, a Section 319 grant for Wentworth Watershed, for watershed education and water quality testing.

**Article 27**

No changes

**Article 28**

Mr. Sullivan stated the Police Commission will take a vote on this and it will be listed.

**Articles 29, 30, 31 and 32**

No changes

Chairman Murray questioned the language of Article 29- Special Detail Fund. This article is to amend 2006 article 23 which limited expenditures from the fund to providing police special details. She stated she did not feel this article should change in any way or amend the 2006 article. It was a one time request to remove funds for a different purpose. She would like that line removed.

Mr. Sullivan suggested removing the last sentence and in the third line adding the words created in 2006 as part of article 23. The article would read as follows:

To see if the Town will vote to raise and appropriate the sum of fifty two thousand seven hundred twenty-one dollars ($52,721) which represents a portion of accumulated revenue in the Special Detail Revolving Fund created in 2006 by article 23 which has been allowed to accumulate from special details in prior years. Said appropriation will be used to purchase a replacement cruiser and to allow the Selectmen to dispose of the existing cruiser by sale or trade in, whichever is in the best interest of the Town.

Mr. O’Brien stated the 2006 article is not to be amended it still stands.

Mr. Sullivan stated correct.

Mr. Sullivan stated there are 8 articles that he recommends that the Board vote or re-vote on.

**Article 12**

**It was moved by Chairman Murray and seconded by Paul O’Brien to amend Article 12- Pleasant Valley Road Bridge Construction according to the amended revision on 1/2/2019. Members voted and being none opposed, the motion passed. The vote was 5- 0.**

**Article 14 – Operating Budget**

Chairman Murray stated this is usually done after the Budget Committee Meeting. We need to put it on the next agenda.

**Article 15 - Dockside Public Restrooms Improvements**

**It was moved by Chairman Murray and seconded by Dave Senecal to amend Article 15- Dockside Public Restrooms Improvements according to the amended revision on 1/2/2019. Members voted and being none opposed, the motion passed. The vote was 5- 0.**

**Article 16 – Effluent Disposal Pilot Study**

**It was moved by Brad Harriman and seconded by Dave Senecal to amend Article 16- Effluent Disposal Pilot Study according to the amended revision on 1/2/2019. Members voted and being none opposed, the motion passed. The vote was 5- 0.**

**Article 22 – Carry Beach Water Quality**

**It was moved by Paul O’Brien and seconded by Chairman Murray to amend Article 22 – Carry Beach Water Qualityaccording to the amended revision on 1/2/2019. Members voted and being none opposed, the motion passed. The vote was 5- 0.**

**Article 26 – Water Quality Improvements**

**It was moved by Paul O’Brien and seconded by Brad Harriman to amend Article 26 – Water Quality Improvements according to the amended revision on 1/2/2019. Members voted and being none opposed, the motion passed. The vote was 5- 0.**

**Article 27 – AFSCME Contract Agreement**

Chairman Murray stated we voted on that tonight.

Mr. Sullivan stated correct.

**Article 28 – Police Union Contract Agreement**

**It was moved by Paul O’Brien and seconded by Chairman Murray to approve Article 28 – Police Union Contract Agreement according to the amended revision on 1/2/2019. Members voted and being none opposed, the motion passed. The vote was 5- 0.**

**Article 29- Special Detail Fund**

**It was moved by Chairman Murray and seconded by Paul O’Brien to amend Article 29 – Special Detail Fund according to the amended revision on 1/2/2019. Members voted and being none opposed, the motion passed. The vote was 5- 0.**

**F. To Move Insurance Proceeds to 2014 Waste Water Capital Reserve Fund**

Dave Ford, Public Works Director, addressed the Board. He stated over a year ago we were planning on doing work to the Sludge Building but the snow collapsed the roof so we had an insurance claim. We received a check for $50,000.00 but the check did not get deposited into the right account. We need a vote tonight to get the money moved to the correct account.

Chairman Murray stated the amount is $50,000.00.

Mr. Ford stated it is approximately $50,000.00.

Chairman Murray stated it says $49,654.87.

Mr. Ford stated correct and there is another $5,000.00 once the job is completed.

**It was moved by Chairman Murray and seconded by Dave Bowers to move insurance proceeds received in 2017 in the amount of $49, 654.87 that were deposited into the Sewer Enterprise Fund over to the 2014 Waste Water Treatment Plant Capital Reserve Fund. Members voted and being none opposed, the motion passed.**

 **G. Request to waive burial plot fee for Welfare Department**

Amy Capone Muccio, Welfare Director, addressed the Board. She stated she is requesting that the Town waive the fee for a burial plot in the Town cemetery. The person does not have any family members to take care of this. St. Katherine Drexel will also be helping with the end of life costs for this person.

Mr. Senecal questioned if the plot would be in the new section or old section.

Ms. Muccio stated she was not sure.

Mr. Senecal stated okay.

Ms. Muccio stated she would let him know.

Chairman Murray stated she was pleased with the multiple partnerships. She questioned if the cost was $1,300.00 for cremation.

Ms. Muccio stated the most we paid for cremation is $1,000.00. The church helped paid for this.

Chairman Murray stated the Trustees of the Trust Fund will be asked to provide a basic marker. We are all chipping in.

Ms. Muccio stated St. Katherine Drexel will be providing the obituary and church services.

**It was moved by Dave Bowers and seconded by Dave Senecal to waive the burial plot fee requested by the Welfare Department. Members voted and being none opposed, the motion passed.**

 **H. Taping of Warrant Proposed Date Tuesday, January 15, 2019 3:00 PM**

Chairman Murray stated the tentative date is January 15th. She asked the Board and staff if this would work.

The Board agreed.

Mr. Sullivan stated the staff is ready.

Chairman Murray asked Mr. Sullivan to have the tape available 2 days before so the Board could review it.

Chairman Murray stated the taping of the Warrant will be on January 15, 2019 at 3:00 PM at the Community Television Studio at the High School.

**Old Business**

Chairman Murray stated on December 31th Last Night Wolfeboro took place. The number of participants is as follows:

Balloon Man – 200 participants

Just Bob and Marlo – 100 participants

Tricky Dick the Magician – 224 participants

Bingo – 100 participants

Wildlife Encounters – 300 participants

Contra Dance – 60 participants

Teen Games – 30 participants

Teen Dance – 7 participants

We had approximately 960 participants. It was a great time and beautiful fireworks. It was a real success and it was great to see the Town Hall, Great Hall used as a Community space.

**Other Business**

Mr. O’Brien stated a set of minutes was approved tonight and in the minutes it stated we need to talk about the enterprise allocation methodology and net metering research. He would like to make sure these things are discussed.

Chairman Murray stated we can revisit them in February.

Mr. O’Brien agreed.

**Town Manager’s Report**

Mr. Pineo stated a contract and purchase order was signed with Milestone Construction so the funds could be encumbered for warrant article 15 this year.

We signed a purchase order and contract with White Mountain Cable out of Epsom, NH to decommission the remaining fire alarm cable. The work will be completed by May 10th.

Mr. Pineo thanked Matt Sullivan, Dave Ford and Deb Zabkar for all their hard work with the Town Warrant.

Chairman Murray thanked them as well.

 **Committee Reports**

Mr. O’Brien stated he attended Master Plan Energy Committee Meetings and it looks like they will be finishing up this week. He attended a Police Commission Meeting and a Town Energy Committee Meeting. He attended all the Board of Selectmen Meetings.

Mr. Senecal attended all the Board of Selectmen Meetings and a shelter training program at the Kingswood Art Center. There were 21 participants and it was very educational.

Mr. Harriman attended all the Board of Selectmen’s Meetings. He missed the Hazard Mitigation Meeting in December. On Tuesday, January 15th the Wolfeboro Community Television will hold their annual meeting at 8:00 AM at the studio.

Chairman Murray spent December 31st here at the Great Hall overseeing Last Night in Wolfeboro. She attended all the Board of Selectmen Meetings as well as getting ready for Christmas with her family.

Mr. Bowers attended all the Board of Selectmen’s Meeting and wished everyone a Happy New Year.

**Questions from the Press**

None

**Public Input**

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

Maggie Stier, Chairman of the Heritage Commission, addressed the Board. She stated she wanted the Board of Selectmen to know the Heritage Commission would be going to the Budget Committee asking for $500.00 for 8 preservation planning books at $25 each and $300 for members to attend the spring preservation training conference in Concord.

Chairman Murray stated there is no budget in the 2019 budget for the Heritage Commission. She recommended that the money be added to the Board of Selectmen’s miscellaneous line.

The Board agreed.

Suzanne Ryan, Member of the Heritage Commission, addressed the Board. She stated she spoke with Michelle Clark our representative from DRA. Ms. Clark recommended that since the Heritage Commission was established under a land use provision that the money come from there. Ms. Clark stated the money is minimal so it would not matter where it came from. It would not be seen as any discrepancy. It is not illegal or wrong. Ms. Clark suggested the money be put in #41930 Planning and Zoning.

Chairman Murray suggested the money come from the Selectmen’s budget under miscellaneous.

Mr. O’Brien questioned if Ms. Stier had not received a request to submit a budget.

Ms. Stier stated they did not get a request and they have never been notified.

Mr. O’Brien stated there was another Committee/Commission that did not receive the information as well.

Chairman Murray stated we need to make sure all Committees get the information next year.

Chairman Murray stated she was fine putting the money in either place.

Josephine Amatucci, Resident of Wolfeboro, addressed the Board. She read the following statement:

When I am speaking I am speaking to the public. However, I’m also telling the Selectmen that this is under the right to address my grievances. Now I am wondering if I can read two pages.

Chairman Murray stated 3 minutes is the allowed time.

Ms. Amatucci yelled no, this is readdressing my grievances. You just talked and answered all their questions and you have never answered any of mine. She yelled you have never asked my questions. She yelled louder and spoke over Ms. Murray.

Chairman Murray stated Josephine you have 3 minutes and you are taking up your 3 minutes.

Ms. Amatucci stated this is to let the public know that when you accuse the police of misconduct. In August 2013 I went inside the police station to ask the former Police Chief Stuart Chase to investigate the former Police Officer James O’Brien’s misconduct. I had evidence that O’Brien committed a felony crime. Police Chief Chase refused to investigate and Dean Rondeau was present. On August 22 in retaliation for my accusing a police officer of misconduct Dean Rondeau in a conspiracy with a Wakefield Police Officer accused me of driving erratically at the Lake Wentworth State Park in Wolfeboro and he wrote to the Department of Safety asking that they retest me. He stated that I was a threat to the safety of the public with his intentions of having my license to drive revoked. In retaliation, however, by the grace of God I was able to prove to the Department of Safety that I was not in Wolfeboro that day and I proved that I was in Massachusetts at a Massachusetts Bank at that time. I had a deposit slip to prove it and it was at the same time that I was supposed to be driving erratically in New Hampshire. I did not have to be re-tested. Dean Rondeau committed a criminal attempt crime which says that Dean Rondeau was not successful in having my license to drive revoked. The criminal attempt claim works the same as if he was successful. This is a fourth and fourteenth amendment violation of my civil rights. It is a felony crime of perjury which is a malicious intent to have my license revoked. And they made him a Police Chief. On May 7th I went inside the Police Station and spoke to Police Chief Stuart Chase about filing a complaint against Rondeau and Rondeau was present. I tried to give my written complaint to Chase but he threw it back at me and he would not accept it. I have the video and instead Chase went berserk after I showed him my evidence. Then in retaliation and his finger in my face he threatened me and he stated that if I was to accuse his men of misconduct he would get me and arrest me on the spot. Then he pushed me out the door. I have the video! Before I left I told Chase that I was going to the Town Hall to tell the Selectmen of his threats and assault against me. At the Town Hall I spoke with Anne Marble, the Town Manager’s secretary and I explained to her what Chase did to me at the police station. I told her I was afraid for my safety. I had to tell the Selectmen of the incident. Anne Marble told me that the Selectmen and the Town Manager were in court in Concord and were not available at that time. I must state at this point when I was telling Anne Marble what happened in the Police Station with Chase the Finance Director who has a desk next to Miss Marble was leaving for lunch. He heard the conservation and before going to lunch he had gone into the back of the building of the Town Hall to tell Rob Houseman who was the Acting Town Manager that day about what was going on in the Manager’s office. I was complaining about Police Chief Chase.

Chairman Murray stated Josephine I have just given you 5 minutes.

Ms. Amatucci stated I am going to finish this. I am halfway through.

Chairman Murray stated you have 1 more minute.

Ms. Amatucci continued. I was near the door leaving the office when Houseman appeared and in retilation of my complaining about Chase then Rob Houseman grabbed me by the arm and pushed me into an empty room. This is an assault and a false imprisonment of which Houseman was eventually terminated. I got him!!

Chairman Murray stated Ms. Amatucci you are done. You had 6 minutes so put a line on your paper and come back and tell us next time.

Suzanne Ryan addressed the Board. She stated she knows the Selectmen are limited on what they can say. She would like to let the Selectmen know on 12/20 /2018 she received from a Department Head an email that stated FYI my last day working for the Town will be 12/28/18 going forward please contact my assistance. Then on 12/27/18 she receive an auto reply from the Selectmen’s office that stated please be advised that Becky Merrow is no longer the Wolfeboro Town Manager and the interim is Mr. Pineo. The email stated no longer the Town Manager. It did not state on administrative leave. If there was any confusion it started there. Ms. Ryan stated she is rising in support of the person that the Board unanimously hired 7 or 8 months ago. She is a breath of fresh air and has a great management style from the public’s view. She was good at attention to detail, very polite, determined and hard working. As a citizen and taxpayer she observed a strong management style. Ms. Ryan is asking that when Becky Merrow comes back to let her manage. It is a different style of management then what the Town has been custom to but as a person that observes and is part of committees she welcomed it. Ms. Ryan stated she felt the public is concerned with the short amount of time she worked and then put on administrative leave.

Bring her back as soon as possible and support her different style, support her in different ways and let it be known that there are those that appreciate her hard work to get up to speed. Ms. Merrow came on at a very awkward time. There are other departments that are losing people and having to train new people. Please take this into consideration.

Brenda D, Resident of Wolfeboro. She is a new member to Town and it was her first year as a volunteer for First Night in Wolfeboro. It was wonderful event and an honor to help the committee. We need to find out how many participants were at the lasagna dinner. She heard a lot of people thanking all the volunteers for the wonderful night. She thanked all the sponsors for their support, the EDC Committee and the Parks and Recreation Department.

**It was moved by Dave Bowers and seconded by Brad Harriman to enter into non-public session under RSA 91:3 II (c) to discuss litigation. Roll call vote, Chairman Murray – yes, Dave Senecal – yes, Dave Bowers – yes, Brad Harriman - yes and Paul O’Brien – yes. Being none opposed, the motion passed.**

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

Brad Harriman asked a question regarding the Capital Reserve Spending draft sent to the Board by Deb Zabkar.

The Board agreed to discuss this item on their next Board agenda.

**Brad Harriman moved the Wolfeboro Board of Selectmen to seal the minutes of the January 2, 2019 non-public meeting. Paul O’Brien seconded. Roll call vote, Chairman Murray – yes, Dave Bowers – yes, Dave Senecal – yes, Brad Harriman – yes and Paul O’Brien – yes. Being none opposed, the motion passed**

**It was moved by Dave Bowers and seconded by Paul O’Brien to adjourn at 9:38 PM. Members voted and being none opposed, the motion passed.**

Respectfully Submitted,

Michele Chamberlain