

Wolfeboro Board of Selectmen  
Public Meeting Minutes-Approved  
January 22, 2020

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

**Staff present:** Town Manager Jim Pineo, Public Works Director Dave Ford, Parks and Recreation Director Christine Collins, Planning Director Matt Sullivan, Police Chief Dean Rondeau, Fire Chief Swantze and Recording Secretary Michele Chamberlain

Chairman Senecal opened the meeting at 6:30 PM.

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

Mr. Pineo stated a non-public session is needed to discuss litigation.

**Consideration of Minutes**

Chairman Senecal asked for approval from the Board of the January 2, 2020 Special Meeting Minutes.

**It was moved by Dave Bowers and seconded by Brad Harriman to accept the minutes of January 2, 2020 as written. Linda Murray abstained. Members voted and being none opposed, the motion passed.**

Chairman Senecal asked for approval from the Board of the January 8, 2020 Regular Meeting Minutes.

**It was moved by Linda Murray and seconded by Dave Bowers to accept the minutes of January 8, 2020 as amended. Members voted and being none opposed, the motion passed.**

Ms. Murray stated she did not have the January 15, 2020 meeting minutes.

The Board agreed to approve at the next meeting.

**Public Hearings**

**A. Public Hearing**

- i. Families in Transition-New Horizons/Hope House to host a 5k Run on August 6, 2020 from 2:30 PM to 7:30 PM on the

Bridge Falls Path, Cotton Valley Trail and Foss Field. Permit #2001

Chairman Senecal opened the public hearing.

Michelle Casale, Representative of Families in Transition, addressed the Board. She stated Families in Transition runs Hope House. We are looking for permission to hold our 4<sup>th</sup> 5K Walk/Run which benefits our organization. The event will be on August 6, 2020 on the Bridge Falls Path, Cotton Valley Trail and at Foss Field. She requested the time be changed. Last year it took us a lot longer to set up the trail so we would like to set up between 1:00 - 3:00 PM.

Chairman Senecal closed the public hearing.

**It was moved by Linda Murray and seconded by Paul O'Brien to approve a Temporary Event Permit application for the Families in Transition-New Horizons/Hope House to host a 5k Run on August 6, 2020 from 1:00 PM to 7:30 PM on the Bridge Falls Path, Cotton Valley Trail and Foss Field. Members voted and being none opposed, the motion passed.**

- ii. All Saints Episcopal Church to host the Summer Fair at 258 South Main Street, All Saints Church parking lot on July 18, 2020 to July 19, 2020 from 9:30 AM to 1:00 PM. Permit #2002

Chairman Senecal opened the public hearing.

Paul Dostie, Representative of All Saints Church, addressed the Board. He stated this is our 59<sup>th</sup> annual church fair which is on July 18<sup>th</sup>.

Chairman Senecal closed the public hearing.

**It was moved by Paul O'Brien and seconded by Brad Harriman to approve a Temporary Event Permit application for All Saints Episcopal Church to host the Summer Fair at 258 South Main Street, All Saints Church parking lot on July 18, 2020 to July 19, 2020 from 9:30 AM to 1:00 PM. Members voted and being none opposed, the motion passed.**

Ms. Murray stated an insurance certificate is needed.

Mr. Dostie stated he turned it in already.

Mr. O'Brien stated it was noted in the packet that he had turned it in.

**Bulk Vote**

**A. Weekly Manifests**

- i. January 10, 2020
- ii. January 17, 2020

**B. Property Tax Abatement/refunds**

- i. 128 Center St 2019#9 Tax Map 204 Lot 72
- ii. 510 Pine Hill Rd. Tax Map 128 Lot 2

**C. Intent to Cut Wood or Timber**

- i. Sandstrom Rd Tax Map 110 Lot 8, 110-11 7 110-7
- ii. Willow St Tax Map 204 Lot 23

**D. Elderly & Disabled Tax Deferral**

- i. 1 robin Acres Dr. Tax Map 142 Lot 23

**E. Property Exemptions/Credits**

- i. 3 Lark St Tax Map 126 Lot 49
- ii. 26 Lakeview Dr Tax Map 188-43

**F. Raffle Permit(s)**

- i. The Children's Center-Trivia Night Fundraiser
- ii. Hospital & Community Aid Assn. Inc.-Street Fair
- iii. Wolfeboro Fireman's Relief Association Fundraiser

**It was moved by Brad Harriman and seconded by Paul O'Brien to accept the Bulk Vote Items A - F. Members voted and being none opposed, the motion passed.**

**New Business**

**A. Cate Park Wedding request- Sharby**

Scott Sharby, Father of Bride-to-be and Matt Aldone, Groom-to-be, addressed the Board. Mr. Sharby stated his daughter would like permission to use Cate Park for her wedding ceremony on September 19<sup>th</sup>. We would like access to the park from 2:00 – 5:00 PM. The ceremony will be for 20 -30 minutes starting at 4:00 PM. We would like to be able to use benches instead of chairs. We will need electricity for the speakers and dj after the ceremony. The event will be at the Pickering House.

Mr. Bowers stated the park is open to the public so anyone can come to the wedding ceremony.

Mr. Sharby stated there will be a few elderly people attending so we would like to have 25 chairs in the front.

Ms. Murray requested a layout of the event.

Mr. Sharby stated he could provide a sketch.

Chairman Senecal stated so the Recreation Department knows how it will be set up.

Ms. Murray requested an events insurance policy. Ms. Murray stated Ms. Capone checked with the Town's insurance provider and Primex recommended that it be provided to the Town.

Mr. Sharby questioned if they needed to use a special insurance provider.

Ms. Murray stated no.

Mr. O'Brien stated they would provide a copy of the document needed.

Mr. Pineo stated he would have Ms. Capone reach out to Mr. Sharby with the requirements from our insurance company, Primex.

Mr. Sharby thanked the Board.

**It was moved by Brad Harriman and seconded by Paul O'Brien to approve the use of Cate Park on September 19, 2020 from 2:00 – 5:00 PM for a wedding ceremony for Alyia Sharby subject to an insurance policy and sketch being provided to the Town. Members voted and being none opposed, the motion passed.**

#### **B. Finance Revenue/Expenditure Report- December**

Troy Neff, Finance Director, addressed the Board. He presented the following:



*Board of Selectman Meeting  
Presentation  
January 8, 2020*

December 31, 2019 Financial Overview of Expenditures

Fund Name	Target Budget Funding Rate	Current Expense Rate	Variance
General Fund	100.000%	98.864%	1.136%
Water Fund	100.000%	96.493%	3.507%
Electric Fund	100.000%	68.381%	31.619%
Sewer Fund	100.000%	93.867%	6.133%
Pop Whalen Fund	100.000%	96.777%	3.223
Overall Expend-To-Date Rate	100.000%	87.693%	12.307%

### December 31, 2019 Financial Overview of Revenue YTD

Fund Name	2018	2019	Variance
General Fund	\$35,363,348.25	\$35,833,661.64	\$470,313.40
Water Fund	\$1,774,038.60	\$1,710,604.96	\$63,433.64
Electric Fund	\$10,455,755.94	\$9,834,218.79	\$621,537.15
Sewer Fund	\$1,910,408.99	\$1,704,434.01	\$205,974.98
Pop Whalen Fund	\$260,217.15	\$260,120.56	\$96.59
Total 2018 to 2019 Compare	\$49,763,868.93	\$49,343,039.96	\$420,828.97

### Other Finance Matters

- The Financial Audit for Year-End 2019 is scheduled for the weeks of April 13<sup>th</sup> and April 20<sup>th</sup>. With a presentation to the BOS at the first meeting in July.
- We have made several improvements in the W-2 reporting this year by nearly eliminating manual entries and by updating the mapping fields in the system. This minimizes the chance of input error and reduces the amount of time to produce them.

Ms. Murray stated one of the questions she sent to Mr. Neff was she would like to see the projected revenues for 2020. He is working on getting that information.

Mr. O'Brien stated Ms. Murray emailed him the information that was provided by Mr. Neff. He thanked Mr. Neff for the information. He would like an opportunity to look at the

Enterprise Funds. There seem to be wide variances. We need a work session on how the Enterprise Funds work and how we track this. We need to see where we are and we might have to do something with prices and forecasting.

Ms. Murray agreed. She would like the ability to see the information. Why were we off?

Mr. O'Brien agreed. We need to see why these enterprise funds are showing the variability that they are.

Mr. Neff stated he would love to work with the Board on this. Currently, the packet does not include the enterprise monthly income statement which he felt should be provided.

Ms. Murray stated Ms. LaPointe sends her report to her. This would help some they can see all of the pieces put together.

Mr. Neff stated he appreciates Mr. Pineo and the Board's support allowing him to attend the Finance Government Officers Finance Certificate Program classes which he was already enrolled in from his previous employer. He hopes to complete this by August 2020.

Mr. O'Brien questioned if all the accruals were in.

Mr. Neff stated yes, the accruals are in for 2019.

Mr. O'Brien stated people can not send in invoices for 2019.

Mr. Neff stated the invoices for 2019 were in this last accounts payable run.

Mr. O'Brien questioned if this was factored into the 98.864%.

Mr. Neff stated no, it is not included. There is about \$17,000.00 for the Public Safety Feasibility Study, \$3,400.00 for website hosting and a few other small items.

### **C. Milfoil -2020 Exotic Aquatic Plant Control Grant**

Ms. Murray stated each year NHDES gets a grant to help pay for herbicide treatments and DASH work. We have been granted an award up to \$2,985.00 for herbicide treatments and \$4,500.00 for DASH work. The 2020 Exotic Aquatic Plant Control Grant needs to be signed by the Town Manager.

Mr. Pineo stated he needed authorization from the Board to sign this grant.

**It was moved by Linda Murray and seconded by Paul O'Brien to authorize the Town Manager to sign the 2020 Exotic Aquatic Plant Control Grant in the amount of \$7,7845. Members voted and being none opposed, the motion passed.**

**D. Lakes Region Model Railroad Inc., letter of support**

Mr. Pineo stated Mr. Simms would like to discuss his letter of support which has been provided to the Board in your packets.

John Simms, Representative of the Lakes Region Model Railroad, addressed the Board. He stated we are applying for a \$10,000.00 grant from the National Trust for Historic Preservation. They require a letter of consent if the building is not owned by the museum. He asked for the Board's consent to sign the letter so he can send it with the paperwork for the application for the grant.

Mr. O'Brien questioned if the funds were restricted or non-restricted funds.

Mr. Simms stated the funds are restricted to rehabilitation. It is very similar to the LCHIP grant. The funds will need to be spent in the first six months of the reward and they will require at the twelve months how the funds were spent.

Mr. O'Brien questioned if there were further restrictions on the plan side or the doing side.

Mr. Simms stated nothing on the doing side. We can spend the money as we see fit.

**It was moved by Dave Bowers and seconded by Linda Murray to authorize the Town Manager to sign the letter of support to the National Trust for Historic Preservation. Members voted and being none opposed, the motion passed.**

Mr. Simms stated at the previous meeting for the museum he stated the Lakes Region Model Railroad would be responsible for the repair of the roof. He stated he would like to change that statement because it will depend on the lease. LCHIP wants a stewardship agreement with the Town and the museum that no changes will be done to the building for a period of time. In other words once it has been rehabilitated it needs to be kept that way for a certain length of time. This will involve an agreement with the Town. It will require an annual report that shows things are still the same.

Mr. O'Brien questioned the rationale for the change about the keeping of the sinking fund. It now depends on the lease agreement.

Mr. Simms stated it depends on the lease who is responsible for the fabric of the building. If it is a Town building does the Town have the responsibility to maintain the building or does the museum have that responsibility. He did not want to get ahead of the lease discussion.

Mr. Simms questioned if the Board of Selectmen could attach their vote to the petition warrant article showing their support of the article.

Mr. Pineo stated he had advised the Board not to weigh in on petition warrant articles. The Board is already authorized as an agent to spend the Capital Reserve Fund.



Mr. Simms stated the petition warrant article was submitted for validation with the required signatures and he was told that this act made it go onto the Warrant. He stated if this is a Town regulation or rule he would like it to be changed so that activating signatures does not automatically put it onto the Warrant because this means we lose the endorsement of the Board of Selectmen. He felt that the requirement to get to 2/3 majority will be difficult without the endorsement of the Selectmen. He questioned if he could ask at the Deliberative Session for some language to be added saying that the Board of Selectmen support this warrant article.

Mr. Harriman stated language can not be changed at the Deliberative Session.

Ms. Murray stated she thought it was okay as long as the intent was not changed. The process of turning the petition warrant in is dictated by an RSA. It is not the Town. There is a set process that is defined so that is why it ended up as a petition warrant article.

Mr. O'Brien stated we can not change the wording of your warrant article. He questioned what the problem was that Mr. Simms was trying to fix.

Mr. Simms stated to reach the 2/3 majority. He felt the Selectmen's endorsement would add a significant difference to the support of the petition warrant article. People vote by reading what is endorsed by the Selectmen.

Chairman Senecal stated the Board has been supporting this for a while.

Mr. Simms stated if they are only going by the ballet then they will not know the Selectmen support it.

Ms. Murray stated the Board decided that we were not going to vote on any petition warrant articles so if we do it for this one then she would like to do it for the other two.

Mr. Pineo stated these are submitted to DRA for approval.

Mr. O'Brien suggested some letter writing in the Granite State News. Our minutes show that we have supported this project but he felt this was as far as the Board could go.

Mr. Simms stated we will just have to persuade everyone. He asked for volunteers to help with the \$25,000.00 match.

#### **E. Short Term Rental Committee Appointment Nomination**

Mr. Sullivan stated in the process of planning the 2018/2019 Master Plan the Planning Board formed a short term rental committee to convene in 2020. The Planning Board would like one member of the Board of Selectmen to be appointed to the committee. The committee has not made any by-laws or talked about what its charge should be.

Mr. O'Brien volunteered to be the Board of Selectmen member. He questioned the scope of the committee.

Mr. Sullivan stated the committee will define the definition of a short term rental. They will talk about the platforms that have made short term rentals more attractive. Town staff will be engaged about some of the nuisance issues so there is input from them. There will be 2 members of the public serving on the committee. All of the meetings will be public and public comment will be welcomed.

Mr. O'Brien questioned if the staff will structure some of the reinforcement.

Mr. Sullivan stated the committee may have a recommendation about reinforcement.

Ms. Murray questioned the make-up of the committee.

Mr. Sullivan stated 3 Planning Board members, 1 Board of Selectmen member, 1 Chamber of Commerce member and 2 public members.

Chairman Senecal questioned when the meetings will start.

Mr. Sullivan stated next month.

Chairman Senecal questioned if the meeting time would be during the day or at night.

Mr. Sullivan stated it was not decided yet.

#### **F. Cable Franchise Contract**

Mr. O'Brien stated we sent a letter to Consolidated Communications and to Atlantic Broadband. The purpose of the letter was to have them map our Town and see how many town locations were served by 25 mega bytes of download speed and 3 mega bytes of upload speed. These two numbers are important because they are the minimum threshold redeemed served by Broadband. We received a report from Consolidated Communications. The report talked about how many locations in our Town are served. There is a copy of that report for the entire county. In our Town we have 5,647 locations and out of those locations 5,004 of those locations are unable to qualify for the 3 speeds. We had to remind Atlantic Broadband to provide us with their report. Last Thursday we were visited by the General Manager of the New England Region, Ed Merrill of Atlantic Broad. It was a pleasant meeting. Mr. Merrill shared with us that inside the Town of Wolfeboro there is 144.37 miles of cable plant and 35.37 of fiber in our Town. The cable network passes 4,736 homes or dwellings and they have 3,656 subscribers. Mr. Merrill showed us a map of our Town and where they service. They provided the names of the streets and homes on the streets that they do not serve. Ms. Muccio-Capone receives a lot of phone calls from people that are not served. He listed some of the locations. We are done with mapping our Town. He felt a committee should be set up to review the upcoming Atlantic Broadband agreement. The agreement takes place next March or April. Mr. O'Brien made the following suggestions:

The team should have members who have internet/tech experience, telecom industry leadership, legal (business/utility contracts). We may find volunteers from other towns. He recommended a team size of 6-8.

The team should also seek members from KHS with web programming, math and science interests.

The team should create a project outline and brief the BOS at least every 60 days.

There should be no incumbent discussions without BOS approval.

These are the things we should do with Atlantic Broadband:

1. There should be a thorough review of the current contract. The team should meet together and come to agreement and understanding as to the existing terms and conditions.
2. The team should ensure that both the Town and the incumbent are in compliance on the existing terms of the agreement. In particular, the team should examine and determine if payments due to the Town, as per the contract for WCTV are both accurate and timely. Other items such as reporting requirements and service level commitments should be documented.
3. Given the larger project of the Carroll County Broadband Initiative, the incumbent should provide specific information as to the percentage of our Towns population who are unserved.
4. The team should research and present best practice opportunities for discussion with the incumbent. Those best practice opportunities should be success based efforts, aimed at more deployment, higher network availability and more pricing options.
5. The incumbent should be an active participant in helping to bring internet access and economic development to more people including our kids, and our seniors. The team should create a set of strategies in this area and work with relevant Town committees to prepare and the brief the Board of Selectmen. The focus should be on creating public/private partnerships.

Mr. O'Brien stated he already has 4 volunteers.

Chairman Senecal stated volunteers could contact James Pineo to volunteer.

Mr. O'Brien stated we would like to start the committee soon and have things wrapped up by next January.

#### **G. Us Census Bureau- Use of Great Hall for training**

Mr. Pineo stated the US Census would like to use the Great Hall for training. They are requesting the fee of \$50.00 be waived for the use of the Great Hall. The dates will be March 17, 18, 19, 20, 24, 25, 26, 27, 30, 31 and April 1, 2020 between the hours of 8:00 AM and 4:00 PM. They are having a difficult time finding help in the area and the rate of pay will be \$20.00 per hour.

Ms. Murray questioned if these dates were open.

Mr. Pineo stated the dates are during the day so it should be fine. They will be done by 4:00 PM.

Mr. Bowers questioned where the people were from.

Mr. Pineo stated the field people are from Concord, NH.

**It was moved by Linda Murray and seconded by Paul O'Brien to approve waiving the fee for the use of the Great Hall by the US Census Bureau for job training. Members voted and being none opposed, the motion passed.**

Chairman Senecal asked Mr. Pineo to double check the dates.

**It was moved by Dave Bowers and seconded by Brad Harriman to approve the use of the Great Hall by the US Census Bureau for job training on March 17, 18, 19, 20, 24, 25, 26, 27, 30, 31 and April 1, 2020 as long as the dates were open. Members voted and being none opposed, the motion passed.**

### **Other Business**

Ms. Murray stated she would like to set up some work sessions to discuss Albee Beach access, Parking in relationship to Fourth of July and large events, a petition asking us to do some work on North Main Street about sidewalks, getting a report about capital projects every quarter and setting up a wedding policy. She reminded the public of these dates: February 4<sup>th</sup> 7:00 PM Deliberative Session, February 11<sup>th</sup> 8:00 AM – 7:00 PM Federal Primary Elections and March 10<sup>th</sup> 8:00 AM – 7:00 PM Town Elections in the Town Hall.

### **Committee Reports**

Linda Murray attended the Chamber Executive Board Meeting, a Chamber Social, a bunch of Budget Committee Meetings, an EDC Meeting, a seminar on Election Rules and a Last Night in Wolfeboro Meeting.

Dave Bowers stated he did not have any meetings.

Chairman Senecal attended a ZBA Meeting, the Boston Post Cane, a Budget Committee Meeting, a Police Commission Meeting, a seminar on Elections and the taping of the warrant articles for this year's Town Meeting.

Brad Harriman attended a Wolfeboro Community Television Meeting, a Friends of the Libby Museum Meeting, a Planning Board Meeting and the taping of the warrant articles.

Paul O'Brien attended the taping of the warrant articles, the Boston Post Cane, a Budget Committee Meeting and the Chamber Social with Linda Murray. He agreed with Ms. Murray that it was important about having the work sessions on the items she mentioned.

### **Town Manager's Report**

Mr. Pineo stated the following:

We have to remove the shoreline permit on the seawall at the Libby. This is in process.

Mr. Ford met with some people about the Snowmobile Trail. It is still a work in progress. We may have to move the trail back over to the other side of the street because of some drainage issues.

The Budget and Warrant Articles are loaded into DRA and we are currently waiting for approval.

There was some damage to the building on Monday, January 20, 2020. There was water running in the building and it was determined it was from a coil in the chiller. We were able to isolate the leak but damage had already been done. Servpro came in and completed some insulation and sheetrock work that needed to be done but it will be a while before that room is fully functional. We probably will be asking for some funds out of the building maintenance capital reserve fund to pay for the replacement coil.

Ricky LaPointe, a long term employee of the Town, passed away. There will be calling hours tomorrow from 4:00 – 6:00 PM at Lord's Funeral Home and the funeral is scheduled for Friday at the Calvary Church. We will be closing the Town Offices at 1:30 PM on Friday so staff can have the opportunity to attend the service.

The Voter's Guide has been started and a rough draft will be ready for February 5<sup>th</sup>.

### **Questions from the Press**

Ms. Paquette requested a copy of the final list of warrant articles.

Mr. Pineo stated he would give her a copy.

Ms. Paquette questioned if it would be available online.

Mr. Pineo stated he hoped it would be available online.

Mr. Pineo stated he would send it to Ms. Paquette electronically.

Mr. O'Brien questioned if her deadline was Tuesday.

Ms. Paquette stated yes.

### **Public Input**

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

Suzanne Ryan, Resident of Wolfeboro, addressed the Board. She questioned the deadline of when the Warrant had to be posted.

Mr. Pineo stated Monday.

Ms. Ryan questioned since the 2019 operating budget is closed have all the transfers and encumbrance been done.

Mr. Pineo stated yes.

Ms. Ryan complemented Mr. O'Brien for the committee he wants to see established. She asked if the Selectmen would be setting up there work session for the next year. She would like them to work on a ten year building maintenance plan. She realizes there is not money in the budget to hire a person but we need to start ironing out what the plan will look like.

Ms. Murray stated Mr. Sullivan has started a rough draft.

Mr. Pineo stated we have captured some of this with the work that will be done within the scope of evaluating the Public Works program.

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

The Board re-entered public session at 7:50 PM.

**Linda Murray moved the Wolfeboro Board of Selectmen to seal the minutes of the January 22, 2020 non-public meeting. Chairman Senecal seconded. Roll call vote, Dave Bowers – yes, Linda Murray – yes, Brad Harriman – yes, Paul O'Brien – yes and Dave Senecal – yes. Being none opposed, the motion passed.**

**It was moved by Chairman Senecal and seconded by Paul O'Brien to adjourn at 7:51 PM. Members voted and being none opposed, the motion passed.**

Respectfully Submitted,  
Michele Chamberlain