

**Wolfeboro Board of Selectmen  
Meeting Minutes  
December 1, 2021**

**Members present:** Chairman Linda Murray (virtually), 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.

Vice-Chairman Senecal opened the meeting at 6:30 PM. He announced that Chairman Murray is attended virtually this evening, so he would be chairing the meeting.

**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**

- **November 3, 2021**
- **November 17, 2021**

The minutes were tabled to the next meeting.

**2. Public Hearings**

*Land Swap*

**i. The Wolfeboro Board of Selectmen will hold two (2) Public Hearings on Wednesday, December 1, 2021 at approximately 6:30 PM at the Town Hall Great room, 84 South Main Street, Wolfeboro, New Hampshire and December 15, 2021 at approximately 6:30 PM at the Town Hall Great room, 84 South Main Street, Wolfeboro, New Hampshire pursuant to RSA 41:14-a Acquisition or Sale of Land, Building, or Both.**

**The Board of Selectmen to swap land with Mill Street Investments, LLC at 88 & 96 Lehner Street-Tax Map & Lot 218-8 & 9, boundary line adjustment.**

Vice-Chairman Senecal opened the public hearing.

Mr. Pineo stated that this process of addressing a land swap with the owner of the parcel on Lehner Street began this summer relative to the location of the outdoor dining for the restaurant. This land swap address the sewer lines located on this property without an easement. Norway Plains Associates Inc. was contracted to survey the parcel, the proposal was forwarded to the Planning Board and the minutes of that meeting included in the packet. He stated the final process of this is to hold two public hearings of the Board of Selectmen of which tonight is the first, the second is scheduled for the 15<sup>th</sup>. The Town Attorney has drafted a deed for such that will be forwarded to the Board for signatures.

Mr. Harriman stated the Planning Board reviewed this at the November 2<sup>nd</sup> meeting of which he recused himself from voting since he would be voting on it as a Selectmen. It was approved as a standard approval and the only discussion was about when the entrance to Lehner Street become a one way.

Being no further discussion on the hearing, Vice Chairman Senecal closed the Public Hearing and stated it would be discussed again on the 15<sup>th</sup>.

*Temporary Event Permit*

**i. The Wolfeboro Board of Selectmen to consider a Temporary Event Permit for the Cate Park Band to hold Band Concerts on Wednesdays (weekly) from June 29th to August 31, 2022 from 6:30 PM to 9:30 PM at the Community Bandstand in Cate Park. Permit #2022-3**

Vice-Chairman Senecal opened the public hearing.

Judy Pascal, Cate Park Band, addressed the Board to discuss the annual request for concerts on Wednesday evenings in the summer. This all volunteer program is in the 31<sup>st</sup> year.

Being no further discussion on the hearing, Vice Chairman Senecal closed the Public Hearing.

**It was moved by Luke Freudenberg and seconded by Brian Deshaies to approve the Temporary Event Permit for the Cate Park Band to hold Band Concerts on Wednesdays (weekly) from June 29th to August 31, 2022 from 6:30 PM to 9:30 PM at the Community Bandstand in Cate Park. Permit #2022-3. Members voted, being none opposed, the motion passed.**

**ii. The Wolfeboro Board of Selectmen to consider a Temporary Event Permit for the Friends of the Wolfeboro Community Bandstand to hold Outdoor Concerts on Saturdays (weekly) from July 2nd to September 3, 2022 at the Community Bandstand in Cate Park. Permit #2022-4**

Vice-Chairman Senecal opened the public hearing.

Judy Pascal, Friends of Community Bandstand, addressed the Board to discuss the annual request for summer concert series on Saturday evenings in the summer. This all volunteer program is in the 28<sup>th</sup> year.

Being no further discussion on the hearing, Vice Chairman Senecal closed the Public Hearing.

**It was moved by Brian Deshaies and seconded by Luke Freudenberg to approve the Temporary Event Permit for the Friends of the Wolfeboro Community Bandstand to hold Outdoor Concerts on Saturdays (weekly) from July 2nd to September 3, 2022 at the Community Bandstand in Cate Park. Permit #2022-4. Members voted, being none opposed, the motion passed.**

### 3. Public Comment (limited to 3 minutes per person not to exceed 15 minutes)

None

### 4. Bulk Vote

#### A. Weekly Manifests

- i. November 19, 2021 \$ 494,081.16
- ii. November 26, 2021 (no manifest)

#### B. Property Tax Refund/Abatement(s)

- |                           |                       |          |
|---------------------------|-----------------------|----------|
| i. 883 Center Street      | Tax Map 102 Lot 8-RV6 | \$16.00  |
| ii. 139 Gov Wentworth Hwy | Tax Map 133 Lot 20-F5 | \$187.00 |
| iii. 7 Center Street      | Tax Map 218 Lot 102   | \$169.68 |
| iv. 61 #21 Haines Hill Rd | Tax Map 86 Lot 1-21   | \$84.57  |

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

- |                      |                         |
|----------------------|-------------------------|
| i. Bickford Road     | Tax Map 72 Lot 7        |
| ii. Pork Hill Road   | Tax Map 8 Lot 1-1 & 1-2 |
| iii. Route 28        | Tax Map 148 Lot 11      |
| iv. N. Wolfeboro Rd  | Tax Map 93 Lot 8        |
| v. Wentworth Farm Rd | Tax Map 181 Lot 5       |

#### D. Yield Tax Levy

- |                    |                              |
|--------------------|------------------------------|
| i. 592 Stoneham Rd | Tax Map 120 Lot 5 \$1,099.02 |
|--------------------|------------------------------|

### 5. Board/Committee Appointments:

n/a

### 6. New Business

#### A. Approval: Appointment of Deputy Treasurer

Ms. Carpentier, Finance Director, addressed the Board to state that the Office of the Treasurer is looking to appoint Scott Smith as the deputy Treasurer, for the term January 1, 2022 to December 31, 2024.

Scott Smith addressed the Board and gave a brief overview of his professional background of working as the Finance Director in Wolfeboro for 10 years, to currently the Finance Director and Deputy City Manager for the City of Somersworth. He has met with the new Treasurer, Carl Bagge, who is a great fit for this position and looks forward to working with him.

**It was moved by Brad Harriman and seconded by Luke Freudenberg to appoint Scott Smith as the Deputy Town Treasurer, for the term January 1, 2022 to December 31, 2024. Members voted, being none opposed, the motion passed.**

## **B. Approval: Audit Services bid recommendation-Finance Director**

Ms. Carpentier stated the Town at the direction of the Town Manager, put out a Request for Proposals for Audit Services due November 23<sup>rd</sup>. The Town received a bid from Roberts & Greene, PLCC our current firm, who is the lower bidder and the second bidder was from a previously used firm, Plodzik & Sanderson, PA.

Mr. Senecal stated they have had Roberts & Greene for the last nine years and they have provided the town with professional services.

Mr. Deshaies stated the saying goes, "if it ain't broke, don't fix it."

Chairman Murray stated that Roberts & Greene provided the town with excellent services and worked diligent in assisting the town during our Finance Department transitions. She feels that accepting their low bid is a good choice and would most likely need less hours since they are familiar with our processes.

**It was moved by Linda Murray and seconded by Brian Deshaies to accept the audit services proposal from Roberts & Green, PLCC for year ended December 31, 2021, 2022, 2023 at the fee of \$24,800, \$25,500, and \$25,900 per year respectively with a possible two year extension. Members voted, being none opposed, the motion passed.**

## **C. Discussion: Actual vs. Expenditures October 2021-Finance Director**

Ms. Carpentier addressed the Board to discuss the monthly report for October 2021 actual vs. expenditures summarizing the General Fund is 84.3% expended which is slightly above the 10 month average. The contributing factor is the increase in that the bond debt for the year has been paid. She referred to her memo that summarizes the funds as follows:

**General Fund Revenues** -The current General Fund Revenue is at **57%** with most revenues on target. The second tax warrant will be accounted for in November.

<b><u>Appropriations for Other Funds</u></b>	<b><u>% Expended</u></b>
Water Fund	78.6%
Municipal Electric Fund	90.1%
Sewer Fund	96.2%
Pop Whalen Fund	82.9%

  

<b><u>Revenues for Other Funds</u></b>	<b><u>% Collected</u></b>
Water Fund	75%
Municipal Electric Fund	76%
Sewer Fund	83%
Pop Whalen Fund	123% (*)

(\* which includes a \$100,000 donation)

She does not have any concerns at this time and noted tax bills were mailed November 12<sup>th</sup>.

Chairman Murray thanked Ms. Carpentier for addressing her questions she emailed prior to the meeting.

#### **D. Approval: 2021 Town Report Bid Award**

Mr. Pineo stated that the Board received the copies of both bids for the Annual Town Report and that the recommendation is to go with the large print book this year. It is the most common complaint we get about the print, although it has been better the last few years, we'd like to see if a larger print book will help. He stated if the Board wishes to go with that recommendation, then the bid will be awarded to Country Press, Inc. for \$2,314. He provided a copy of Hudson's annual report that is a large print book for an example.

Vice Chair Senecal stated they have been discussing going with the larger book for a few years, they should try it.

Mr. Deshaies questioned if they could get it in two printings to save cost?

Mr. Pineo replied that would change the nature of the bid, it was bid at 620.

Chairman Murray questioned the number of pages.

Mr. Pineo replied 150.

**It was moved by Dave Senecal and seconded by Luke Freudenberg to accept a bid of \$2,314 from Country Press, Inc. to print 620 copies of the Town of Wolfeboro's Annual Report (8.5 x 11) to be delivered to the Town of Wolfeboro no later than February 18, 2022. Members voted, being none opposed, the motion passed.**

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

Mr. Pineo stated at the last meeting the Board discussed an amendment to the Board's Rules of Procedure to include a new section, H as follows: *Prior Boards of Selectmen approved a procedure on how to receive Town Attorney's opinion. The impetus for developing a procedure was when two BOS members received two different attorney's opinions on the same matter. Because of this, the Board voted to have the Town Manager manage the requests for an opinion from legal counsel. The Town Manager sends an e-mail to seek a legal opinion by asking a question and legal counsel states the question and provides his answer in writing for all Board members. I have placed this on the agenda for discussion and for a vote on how to seek legal opinions. The BOS should also discuss whether it wants to add a section to its rules of procedures.*

Mr. Deshaies questioned if sending the Town Manager an email was a reasonable time frame.

Mr. Pineo replied that it is as he will keep the Board updated.

Ms. Deshaies questioned the definition of a "town matter"?

Mr. Pineo replied any issue that comes before the Board.

Vice Chair Senecal stated they are not going to be able to capture every scenario, the goal is to clarify all legal opinions sought by the Board are done through the Town Manager.

Mr. Harriman agreed, the goal is to ensure legal matters are requested through the Town Manager.

Mr. Pineo stated he will revise the verbiage and bring back on the 15<sup>th</sup>, which will include a definition of a “town matter”.

## **F. Holiday Hours**

Mr. Pineo provided the Board with the following holiday hours schedule for the Town Departments:

### **Town Offices at Wolfeboro Town Hall**

Closed December 24 & 27, 2021 for the Christmas Holiday

Closing at NOON on Dec. 31, 2021 and closed January 3, 2022 for the New Year's Holiday

### **Public Works Department and Water & Sewer**

Closed December 24 & 27, 2021 for the Christmas Holiday

Closing at NOON on Dec. 31, 2021 and closed January 3, 2022 for the New Year's Holiday

### **Solid Waste Facility**

Closed December 24 & 25, 2021 for the Christmas Holiday

Closed January 1, 2022 for the New Year's Holiday

### **Municipal Electric Department**

Closed December 24 & 27, 2021 for the Christmas Holiday

Closing at NOON on Dec. 31, 2021 and closed January 3, 2022 for the New Year's Holiday

### **Parks and Recreation Department (Abenaki & Pop Whalen)**

Closed December 25, 2021

December 26<sup>th</sup> is projected opening day of Abenaki

Will be open on January 1, 2022

### **Wolfeboro Public Library**

Closed December 23-25, 2021 for the Christmas Holiday

Closed December 31, 2021

Closed January 1, 2022 for the New Year's Holiday

## **G. 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 he would like the Board to hold a special meeting on December 8<sup>th</sup> to review these articles in full.

The Board agreed to meet next week, December 8<sup>th</sup> at 6:30 PM to discuss Warrant Articles.

#### **ARTICLE A: Pop Whalen Renovation & Expansion Project (BOND)**

Mr. Pineo stated the goal is to have a figure for this article at the December 15<sup>th</sup> meeting and be able to notice the bond hearing.

#### **ARTICLE B: Port Wedeln Drainage Upgrades (SRF/BOND)**

Mr. Pineo stated this project cost is \$430,000.

Mr. Ford addressed the Board and stated that they received great news on grant funding for this project and the net cost of the project will be \$100,000.

Chairman Murray questioned if the association will be contributing towards the cost of the work.

Mr. Ford replied yes over a seven year time span which will be equivalent to the \$100,000.

Chairman Murray stated that should be included in the project description.

Mr. Ford replied yes they will include all funding sources.

Chairman Murray questioned if this includes work on private property.

Mr. Ford replied it does and they will obtain all necessary easements.

#### **Article C: Sewer Pump Station Upgrade Mill Street (SRF/BOND)**

Mr. Pineo stated this project has a language change coming forward.

Mr. Ford replied that the plans is for the design in 2022, construction in 2023 and this project also qualified for grant funding which includes loan forgiveness.

#### **Article D: Sewer Pump Station Upgrade Lehner Street**

Mr. Ford stated this project will be funded with from proceeds of the lawsuit and they are still waiting on final cost figures from the engineer.

#### **Article E: I/I Sewer System Infiltration Reduction**

Mr. Ford stated this project is not looking as though it will receive any grant funding, but this is an ongoing and critical project.

#### **Article G: Water Treatment Plant and System Upgrades (SRF/BOND)**

Mr. Ford stated the plant has reached the end of its useful life and needs upgrades. He stated that this project is \$1.4 million dollars in upgrades, but they do qualify for grant funding and loan forgiveness program. This project does not have impact on the tax rate and will be paid for by the users. At this point this project is project to stay within the current rate increase of 2%.

Vice Chairman Senecal noted that the numbers on all the articles are the same at \$1.270 million.

**Article H: Seasonal Water Line Replacement (BOND)**

Mr. Ford stated this project did not receive any grant funding and are looking into another possible funding source. He stated this is an important project that needs to be addressed as the lines are very old and liability.

Mr. Deshaies questioned the number of dwellings this project is for?

Mr. Ford replied 220 seasonal customers.

Chairman Murray stated that she would like Mr. Ford to rank his projects and she recalls they have \$50,000 in the Capital Reserve funds for water and this maybe the time to use that.

Mr. Ford agreed and will work out a plan for that for next week.

Mr. Deshaies questioned if this is a project they could implement betterment assessments for?

Mr. Ford replied, the town owns the system it is a replace vs. expansion.

Mr. Deshaies pointed out, but upgrading would make the system usable year round therefor expanding the current service.

Mr. Ford replied that is a good point and can look into it.

**Article I: Water Main Upgrades (SRF/BOND)**

Mr. Ford stated this is a critical project due to the new laws and this project did get grant funding. This project will have major construction on both North and South Main streets and because of the size of the project will lead to more grant funding. This is a high priority project.

**ARTICLE J: Dockside Upgrade Phase III**

Mr. Ford stated this project will not be bonded.

Mr. Ford stated this project has some significant issues with the Smith River revetment work and dock upgrades. He stated they need to discuss the permitting options and the cost estimates need to be updated from Chesterfield.

**Article K: Electric Power Reconstruction of Turtle Island Road**

Mr. Pineo stated that Mr. Muccio will speak to this article on the 8<sup>th</sup>.

**ARTICLE L: Bay Street Sidewalks**

Mr. Pineo stated this article is to address the design and easements.



Mr. Ford replied that the estimates on this project are quite old and need to be updated. There are some potential boundary line issues to address, but the intent of the project is to create a better solution for pedestrians on Bay Street.

#### **ARTICLE M: Operating Budget**

Mr. Pineo stated this project is still pending Budget Committee review.

#### **ARTICLE N: South Main Street Engineering**

Mr. Ford stated this project received grant funding and intended to be in line with the State project and needs further funding discussion.

#### **ARTICLE O: Library Landscaping**

Mr. Pineo stated more information is forth coming on this project that will include donated funds.

#### **ARTICLE P: AFSCME Contract Agreement**

Mr. Pineo stated that Union negotiations are winding down and this should be coming to a close soon.

#### **Article Q: Town Road Upgrades**

Mr. Pineo stated this funding has been from a blended source of water funds, taxpayer funds and unassigned fund balance to keep the expense down.

Mr. Ford stated this article is going to be confusing and is working on how to keep it simple with the funding sources. He stated currently this project is out for requests for proposals and will have more information after the 9<sup>th</sup>.

#### **ARTICLE R: Dockside Parking Lot Capital Reserve Fund**

Mr. Ford stated that \$100,000 will come from Capital Reserve Funds.

Mr. Ford stated that they will need to revisit this article due to the storm water treatment, pedestrian space and the plans are still in the development stage. The intent of the article is for engineering and getting the electrical installed.

Vice Cahirman Senecal clarified the request is for \$100,000?

Mr. Ford replied yes, for this year but that number will change for next year.

**It was moved by Dave Senecal and seconded by Luke Freudenberg to move to add \$100,000 to the Dockside Parking Lot Capital Reserve Fund.**

Discussion:

Chairman Murray stated the she prefers to wait until they have more information and the whole package, they may not have all the money they need for this project.

**Dave Senecal withdrew the motion, Luke Freudenberg withdrew the second.**

**Article S: Water Resources Non-Capital Reserve Fund**

Mr. Pineo stated this fund was established last year to address watershed management.

Mr. Ford stated that Mr. Austin put in an application for assistance with the Wolfeboro Bay management plan and was recently notified that the Town will received a \$100,000 grant.

**ARTICLE T: Bridge Falls Path Lighting Replacement**

Mr. Pineo stated that Ms. Collins and Mr. Muccio are working together on this project, it is \$250,000 proposed with \$110,000 in cash. This project is necessary, we own this property and the old lighting has become a safety hazard.

**Article V: Wastewater Treatment Plant Capital Reserve Fund**

Mr. Ford stated no grants were received for the Treatment plant upgrades so should fund the Capital Reserve as the current balance is \$175,000.

**Article W: Public Works Vehicles and Equipment Capital Reserve Fund**

Mr. Ford stated this fund will need an increase due to escalation.

**Article X: Building Maintenance Capital Reserve Fund**

Mr. Pineo stated this will have the standard fund at \$50,000.

**Article Y: Abenaki Ski Area Capital Reserve Fund**

Mr. Pineo stated this will have the standard fund at \$20,000.

**Article Z: Fire Trucks and Apparatus Capital Reserve Fund**

Mr. Pineo stated this will have the standard fund at \$160,000.

**Article AA: Dispatch Equipment Capital Reserve Fund**

Mr. Pineo stated that this funding will top off this account for replacement.

### **Article AB: Heritage Commission Survey**

Mr. Pineo stated this is an article from the Heritage Commission.

### **ARTICLE AD: Hire New Highway Employee and Purchase a New Plow Truck**

Mr. Pineo stated this article is pending more information regarding the number for the vehicle.

Mr. Ford stated they also need to include the comparison of a contract service.

Mr. Pineo replied that information is forthcoming.

### **ARTICLE AC: Solid Waste Site Upgrades**

Mr. Pineo this is a result of recommendation from the Budget Committee to remove this from the operating budget and put as a Warrant Article.

Mr. Ford noted that they also removed the funds for the sidewalks as well.

Mr. Deshaies stated the Budget Committee felt that it seems they fund the sidewalks every year, but then they never get repaired.

Mr. Ford replied that is an incorrect statement.

Chairman Murray stated there is a lot of Warrant Articles and they really need to get a spreadsheet that outlines the grants, the funds available and the priorities of these projects to make a informed decision.

Mr. Pineo stated currently what is proposed is \$3.2 million dollars, plus \$ 1 million in fund balance which brings it down to \$2.8 million dollars in projects, this does not include AFSME and DPW employee/truck article.

## **7. Other Business**

None

## **8. Committee Reports**

Mr. Deshaies stated he attended an Ad Hoc Dock Committee meeting and several Budget Committee meetings.

Mr. Freudenberg stated he attended a Heritage Commission meeting and Lighting Committee meeting.

Chairman Murray stated she attended Friends of Pop Whalen meetings and Special Events Committee meeting for Last Night Wolfeboro.

Mr. Senecal stated he attended some union negation meetings and Conservation Commission meeting.

Mr. Harriman stated he has had a quiet week with no meetings.

## **9. Town Manager's Report**

Mr. Pineo reported the following:

- A new Code Officer has been hired and he will start on December 13, 2021
- At the Board's 12/8 meeting members of the Bike Trail Committees will be in attendance to present their vision of the trail system. Both Bella Terra and Single Track Alliance will be in attendance.
- The Pop Whalen Committee will have a site visit and plans to have a cost for the Board's 12/15 meeting.
- Union Negotiations with AFSME is winding down with hopes to have an agreement Monday.
- Due to some COVID cases at the Library a Budget Committee meeting was canceled, but has since been rescheduled.
- The Board will need to hold one additional meeting before the end of the year to approve encumbrances.

## **10. Questions from the Press**

None

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

Suzanne Ryan, resident, believes the Town has to have Town Reports available for each resident at the polls.

Mr. Pineo replied he would check into that.

## **12. Non-Public Session RSA 91-A**

None.

*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 8:07 PM. Luke Freudenberg seconded. Being none opposed, the motion passed.**

Respectfully submitted,  
**Amelia Capone-Muccio**