

**Wolfeboro Board of Selectmen
Meeting Minutes
October 19, 2022**

Members present: Chairman Dave Senecal, Vice Chair Brad Harriman, Luke Freudenberg, Linda Murray (virtually), and Brian Deshaies.

Staff present: Town Manager, James S. Pineo, Kathryn Carpentier, Finance Director, Planning and Development Director Tavis Austin, Codes Enforcement Officer Jason Durrance.

Chairman Senecal opened the meeting at 6:30 PM.

Non-Public Session RSA 91 A: 3 e

Mr. Pineo stated a non-public session is needed under Real Estate.

1. Consideration of Minutes

➤ ***September 21, 2022***

Mrs. Murray amended page six, the sixth paragraph down to clarify the Zoning Board overturned the Board of Selectmen's decision.

It was moved by Linda Murray and seconded by Luke Freudenberg to approve the Board of Selectmen's meeting minutes of September 21, 2022, as amended. Members voted, being all in favor, the motion passed.

➤ ***September 28, 2022***

It was moved by Brad Harriman and seconded by Brian Deshaies to approve the Board of Selectmen's meeting minutes of September 28, 2022, as submitted. Members voted, being all in favor, the motion passed.

➤ ***October 5, 2022***

It was moved by Linda Murray and seconded by Brad Harriman to approve the Board of Selectmen's meeting minutes of October 5, 2022, as submitted. Members voted, being all in favor, the motion passed.

2. Public Hearings

Temporary Event Permit(s)

1. The Wolfeboro Board of Selectmen will hold a Public Hearing on Wednesday, October 19, 2022, at approximately 6:30 PM at the Great Hall Town Hall, 84 South Main Street, Wolfeboro, New Hampshire for consideration of a Temporary Event Permit for the Rotary Club of Wolfeboro to host a the annual Christmas Tree sale fundraiser at the Clark House from November 25, 2022 - December 18, 2022 between the hours of 10:00 AM to 4:00 PM, Thursday through Sunday. Permit #2022-72

Chairman Senecal opened the Public Hearing.

Zachary Porter addressed the Board to make the annual requests to sell trees at Clark House complex, outside as the fundraiser for local causes. He stated that they were able to support 13 scholarships last year with fundraising efforts. He stated they do have an outside fire which they have already received permitting for.

Being no others to speak for or against the permit, Chairman Senecal closed the Public Hearing.

It was moved by Brian Deshaies and seconded by Luke Freudenberg to issue a Temporary Event Permit for the Rotary Club of Wolfeboro to host the annual Christmas Tree sale fundraiser at the Clark House from November 25, 2022 - December 18, 2022 between the hours of 10:00 AM to 4:00 PM, Thursday through Sunday. Permit #2022-72. Members voted, being none opposed, the motion passed.

2. **The Wolfeboro Board of Selectmen to hold a Public Hearing on Wednesday, October 19, 2022 at approximately 6:30 PM at the Great Hall Town Hall, 84 South Main Street, Wolfeboro, New Hampshire for consideration of a Temporary Event Permit for the Wolfeboro Historical Society to host the annual Trick or Treat at the Clark House complex on October 31, 2022 from 5:00 PM to 7:00 PM. Permit #2022-73**

Chairman Senecal opened the Public Hearing.

Libby Shannon and Pat Hodder addressed the Board to make the 3rd annual request for Trick or Treat at the Clark House complex, outside only.

Being none to speak for or against the permit, Chairman Senecal closed the public hearing.

It was moved by Brian Deshaies and seconded by Luke Freudenberg to issue a Temporary Event Permit for the Wolfeboro Historical Society to host the annual Trick or Treat at the Clark House complex on October 31, 2022, from 5:00 PM to 7:00 PM. Permit #2022-73. Permit #2022-71. Members voted, being none opposed, the motion passed.

Alcohol Permit

3. **The Wolfeboro Board of Selectmen will hold a Public Hearing on Wednesday, October 19, 2022, on or about 6:30 PM at the Wolfeboro Town Hall Great Room, 84 South Main Street, Wolfeboro, New Hampshire to consider the application for an issuance of an Alcoholic Beverages Permit to the American Legion Post 18 for their Sock Hop fundraiser on November 12, 2022, in the Great Hall at Town Hall from 7:00 PM – 10:00 PM.**

Chairman Senecal opened the public hearing.

Tom Southern addressed the Board to summarize the fundraising event they will be holding in the Great Hall as part of the American Legion Post 18's efforts to raise funds to repair their deteriorating building. He stated this event will be for those that are 21 and over and welcome to dress 50's style and come listen to the tunes of Billy D and the Rockits. There will be a cash bar and concessions by O' Bistro and the event is also sponsored by Eastern Propane & Oil, the Wright Museum and the

Kingswood Press. Tickets are available at the Chamber of Commerce and Blacks Paper store for \$25 or \$30 at the door.

Being no others to speak for or against the request, Chairman Senecal closed the public hearing.

It was moved by Brad Harriman moved Brian Deshaies seconded for the Wolfeboro Board of Selectmen to issue an Alcoholic Beverages Permit to the American Legion Post 18 for their Sock Hop fundraiser on November 12, 2022, in the Great Hall at Town Hall from 7:00 PM – 10:00 PM.

Unanticipated Funds

4. The Town of Wolfeboro to hold a Public Hearing on Wednesday, October 19, 2022, at 6:30 PM for the acceptance of unanticipated funds in an amount more than \$10,000 in accordance with RSA 31:95 b III (a), to accept an amount of a NH Department of Safety for the Wolfeboro Highway Safety Grant in the amount of \$15, 269.59 for fiscal year 2023.

Chairman Senecal opened the public hearing.

Captain Livie addressed the Board to state the department applies for highway safety grants annually and this is more than last year. Last year they received about \$2,000 which has increase to \$15,000.

Being no others to speak for or against the permit, Chairman Senecal closed the public hearing.

Mrs. Murray noted that this grant includes a bicycle patrol, which they did not have last year.

It was moved by Luke Freudenberg moved Brian Deshaies seconded for the Wolfeboro Board of Selectmen to accept unanticipated funds in an amount more than \$10,000 in accordance with RSA 31:95 b III (a), to accept an amount of a NH Department of Safety for the Wolfeboro Highway Safety Grant in the amount of \$15, 269.59 for fiscal year 2023. Members voted, being all in favor, the motion passed.

3. Bulk Vote

- A. Weekly Manifests
 - i. October 7, 2022, \$ 997,520.61
 - ii. October 14, 2022, \$ 468,802.93
- B. Solar Pilot Request-Assessing
 - i. North Wakefield Rd Tax Map 92 Lot 3
- C. Raffle Permit
 - i. Wolfeboro Chamber of Commerce-Dine and Shop Raffle

Mrs. Murray removed the Solar Pilot request and tabled it to the next meeting to review as a item.

It was moved by Linda Murray and seconded by Brian Deshaies to table item B to the next meeting. Members voted, begin none opposed, the motion passed.

It was moved by Brad Harriman moved Linda Murray seconded approving Bulk Vote Items A & C above. Members voted, being all in favor, the motion passed.

4. Board/Committee Appointments:

N/A

5. New Business

A. Approval: Commercial Vessel Landing Permit-Millie B

Chip Bierweiler addressed the Board to request the annual Commercial Vessel Landing permit for the Mille B boat, owned and operated by the NH Boat Museum. He stated that this tour provides an education and fun experience of the lake and its history during the summer season.

Mrs. Murray questioned if they had a good season.

Mr. Bierweiler replied they had the best season yet.

Mr. Deshaies stated that he appreciated their cooperation during the Mt. Washington anniversary this summer.

Mr. Pineo noted as they get closer to the commercial dock upgrade project, he will be sure they have open line of communication with the NH Boat Museum.

Mrs. Murray noted that should they run into any issues, the Board could approve a temporary dock on the recreational docks if needed to interrupt the season.

It was moved by Brian Deshaies and seconded by Linda Murray to issue a Commercial Vessel landing permit to the Millie B for the 2023 season. Members voted, being none opposed, the Motion passed.

B. Discussion: Crescent Point Homeowners Association- River Street speed reduction

Rick Crootof representing Crescent Lake Homeowners Association with a concern of a dangerous intersection on River Street where the Cotton Valley Rail trail crosses. He stated there is a 30 mph speed limit sign 50 feet before this trail crosses the road, which is too fast for that area to stop. He stated that they would like to request a speed limit reduction in that area, a larger stop sign alerting trail users to stop at intersections and a cross walk installed. He understands his request was forwarded to the Public Works Department who concurred these requests were not unreasonable.

Mrs. Murray stated she believes in order to change the speed limit the town would need to hold a public hearing.

Mr. Pineo replied that is correct and there may be similar steps required to install a crosswalk but he would research it.

Mr. Deshaies stated that this trail crosses other roads and if they are going to do this they should look at the other roads.

Captain Livie addressed the Board and noted there are a few town roads it crosses, a few private roads and the state road.

Mr. Harriman stated they would only be able to address the public roadways.

Mrs. Murray agreed that they should take a look at all the roads, have Public Works review them and notice a public hearing for speed limit change.

C. Approval: Foss Field Pickleball upgrades- Tighe and Bond proposal

Mr. Pineo stated the Town has been provided a proposal for feasibility of building an indoor pickle court as well as expanding the current courts. He stated that this document has been forwarded to legal for advice but that opinion came in last evening and he feels the Board may want have more time to digest that document so he recommends tabling this item.

It was moved by Dave Senecal and seconded by Linda Murray for the Wolfeboro Board of Selectmen to table the Tighe and Bond proposal relative to the pickleball expansion dated September 29, 2022 to allow the Board more time to review the legal opinion. Members voted and being all in favor, the motion passed.

D. Approval: Capital Reserve Funding- Fire Truck \$ 146,360

Mr. Pineo introduced the topic and stated that the Board had previously discussed the contract with the ladder truck and the contracted company requesting a surcharge. He stated that staff has negotiated an amended contract that works for both parties and at this point is the best direction they have determined to move forward with.

Chief Zotti addressed the Board and stated that as discuss the manufacturer requested a surcharge in July, the town reviewed all the options and have put for the most cost-effective solution at this point. If the Board accepts this solution, the town will receive the truck in 90 days.

Chairman Senecal clarified for the record, the town will need to authorize and expenditure of \$146,360 of additional funds from Capital Reserves to complete the purchaser of the fire truck.

Mrs. Murray noted that the town will also receive an additional one year warranty on the truck valued at approximately \$20,000 and this total negotiated contract amendment is about half of what the surge requested was.

Mr. Deshaies stated unfortunately they are seeing this everywhere in the auto industry.

Mrs. Murray clarified the plan is to take existing funds from the Capital Reserve account to cover this.

Mr. Pineo replied yes, the account has a balance of \$451,000.

Chief Zotti replied the department is fortunate to have time to recover those funds before the next large purchase.

Mr. Deshaies questioned if it can be in the Christmas parade.

Chief Zotti replied possibly if arrives on time.

It was moved by Brian Deshaies and seconded Luke Freudenberg for the Wolfeboro Board of Selectmen to authorize an expenditure of \$146,360 Capital Reserve Fund and Equipment to complete the purchase of the fire truck and to authorize the Town Manager to sign the amended contract. Members voted, being none opposed, the motion passed.

E. Discussion: Actual vs. Budget September- Finance Director

Kathryn Carpentier addressed the Board to review the monthly report noting that no significant concerns at this time and the town is still awaiting a tax rate. She summarized the report below:

General Fund Appropriations

The attached document is a summary of Appropriations and Revenues for the month ended **September 30, 2022**, for the 2022 approved budget. The General Fund operating budget is currently at **84.3%** which is 9% above the 9-month average of **75%**. We continue to keep a close eye on the fuel line items and we have developed a contingency plan for the escalating costs while Department Heads continue to monitor and manage the usage (see attached document).

General Fund Revenues

The General Fund Revenue is currently at **61%** which is right on track. After the first tax bill Property Tax is 48% collected. Motor vehicle revenue is trending slightly high at 83% collected.

Appropriations for Other Funds

	<u>% Expended</u>
Water Fund	56.9%
Municipal Electric Fund	82.2%
Sewer Fund	46.5%
Pop Whalen Fund	72.3%

Estimated Revenues for Other Funds

	<u>% Collected</u>
Water Fund	95% (Water Charges are at 90%)
Municipal Electric Fund	79%
Sewer Fund	51% (Res Sales are at 60%)
Pop Whalen Fund	84%

I have also included the Donation report and the MS-9 CRF report for your records. Please let me know if you have any questions on the attached documents.

Mrs. Murray questioned the form that transfers funds from the Trustee of the Trust Funds.

Ms. Carpentier replied she fills out and signs the form and attaches the minutes where the vote was taken at the meeting.

F. Approval: Building Permit Fees

Jason Durance addressed the Board and noted at the last meeting the Board discussed the building permit fees increase. He was tasked with checking some other local towns such as Gilford, Ctr Harbor and Meredith. He noted those towns do not have an administrative fee.

Mrs. Murray stated she does not see an issue in the gas/electric permit fee increase to \$50 but she is not sure that she'd like to do the administrative fee since many of the boarding communities do not have one.

Mr. Deshaies stated he prefers to see the increase in cost by square footage for homes over 2,000 square feet.

Mr. Durrance agreed it does take more time to inspect them but in the end it all balances out.

Mr. Austin stated the purpose of the administration fee is to cover the cost of the department's administrative costs.

Mr. Freudenberg stated he does not see an issue with the fee, he stated if you want to look at the smaller home then you need to take a look at the impact fees.

Mr. Pineo stated at this point staff is looking for direction on how to proceed, is the Board reading to move this model to a public hearing.

Chairman Senecal stated he needs more information. He would like to see all the fees outline on sheet of paper.

Mrs. Murray agreed with Mr. Senecal she would feel more comfortable if the information provided in the packet included the comparable to the other towns. She stated that she also feels Mr. Deshaies has good suggestions as well.

Mr. Pineo stated the staff will come back to the November 2nd meeting with an updated draft and plan a public hearing for November 16th.

Mrs. Murray replied she is not comfortable with that, there may be changes needed.

Mr. Pineo stated then they will plan for a public hearing December 7th.

G. Approval: Trash Ordinance

Mr. Austin addressed the Board with regards to the draft provided as part of the previous discussion on the matter. He stated that the only current ordinance relevant to the topic is in Chapter 112 Peace and Good order so there for the recommendation is as follows:

Article I Littering

Article II Town Docks

Article III Trash cans/receptacles

§112-4 No person shall place a trash can or similar receptacles at curb side or roadside overnight.

Mrs. Murray stated this is what they were looking for something simple to the point to address the problem.

Mr. Pineo stated that staff will notice a public hearing for this revision.

H. Approval: CIP Presentation

Kathy Barnard, Chair of the Planning Board addressed the Board to state the Planning Board voted to accept the 2022-2023 Capital Improvement Plan last evening. She stated that the committee is grateful for the support of the staff, administration and the members for the work put into creating this valuable planning tool.

Mr. Austin addressed the Board and noted there are few additions to the report most notably on page 4, page 5 and he noted that schedules did not allow time for Governor Wentworth Regional School district

to attend the meeting, which is why there is not vote to support their project. He stated this document will be posted on the town website.

Mr. Deshaies questioned the request for the electric fund is \$50,000 for engineering.

Mrs. Murray replied that is part of a larger cost project and the director plans to engineer the project in the first year with construction in the second year. She stated the Town Manger did an excellent job presenting the Public Safety Building project and providing options to select from. At this point the project will remain at the original site for expansion and upgrade. She also stated that the process was able to continue smoothly despite some staffing changes.

It was moved by Brad Harriman and seconded by Linda Murray for the Board of Selectmen to move into a Libby Museum Trustees meeting. Members voted being all in favor the motion passed.

Mr. Pineo stated the Trustees have been presented with a draft business plan by the Friends of the Libby Museum (FOLM) and at this point the Trustees should review that document for any changes or suggestions.

Mr. Harriman stated that the FOLM would like to hear the Trustees feedback and or suggestions. He suggested they review the document by item.

Mrs. Murray reviewed her notes attached.

Mr. Harriman stated with regards to the executive summary he agrees that it would be unclear they can guarantee without the direction.

Mrs. Murray stated she is concerned if the FOLM will have the capacity to take on the management and staffing of the museum.

Mr. Deshaies agrees, he also questions what happens after year five.

Mrs. Murray noted another issue is parking, the need to address the parking and feels it will always be an issue as there is limited parking in that area. She also feels the waterfront property stays with the Trustees.

Mr. Deshaies agreed.

Mrs. Murray stated that she also feels that the organizational chart has all reporting the Town Manager including FOLM.

Mr. Pineo agreed and will create an organizational chart with options.

Mr. Deshaies stated that they also need to take a look at the Woodman Museum in Dover as they also have a natural history museum that is comparable to ours. He would be happy to visit if others wished to.

Mrs. Murray noted that the document is referencing the wrong ordinances. She also questioned it annotates a year the museum is not open and she questioned that.

Mr. Deshaies stated that it needs to be clear who is doing what, as maintaining the collection costs more than running the museum.

Mrs. Murray stated they do have plans of an endowment which is great, but she would like to see if the budgets are realistic and think the Finance Director should have a look at them.

Mr. Deshaies stated he would like to see a monthly accounting.

Mr. Pineo replied that he can have her look at them, but it will be a few weeks.

Mr. Harriman stated that if the budget passes the museum will close for construction but if it doesn't they need to be able to operate the museum so they must plan for that.

Being no other discussion on the Libby Museum.

It was moved by Linda Murray and seconded by Luke Freudenberg to move out of a Libby Trustees meeting. Members voted, being all in favor the motion passed.

6. Other Business

Mr. Deshaies stated with regards to trash receptacles at the town docks, he thought maybe getting a few of the compactible type would help with the overflowing of trash.

7. Committee Reports

Mr. Deshaies attended budget meetings, CIP meetings, the EDC meeting and the Rt. 28 PAC meeting.

Mr. Freudenberg attended the Police Commission meeting and the Public Safety Building meeting.

Mrs. Murray attended the Charette follow up committee meeting, Friends of Pop Whalen meeting, Library Trustee meetings, Chamber of Commerce Board meetings, Rt. 28 PAC meeting, Pickleball meeting, EDC meeting and Wolfeboro Waters meeting.

Mr. Senecal attended budget meetings.

Mr. Harriman attended the Planning Board meeting, WCTV meeting and the meeting discussing a policy for private roads.

8. Town Manager's Report

Mr. Pineo reported the following:

- They have many budget meetings so far and its going well.
- The Candidate forum discussed at the last meeting has been canceled.
- Brad Harriman will take the lead on the Libby Museum tree removal project.
- He has had a lot of meetings with vendors discussing various construction projects.
- Friday there is a kickoff meeting to discuss the commercial dock replacement project.
- Pop Whalen plans to have an open house in early December, the project is moving on track.

9. Questions from the Press

Elissa Paquette stated that there will be a candidate's night in both Tuftonboro and Effingham.

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

John Thurston addressed the Board to discuss his concerns with a driveway permit issue on Treadwell Lane and the drainage issues. He read from his statement; page seven provided to the Board of Selectmen.

Mr. Deshaies questioned who pays to maintain the road.

Mr. Thurston replied the residents of the road each pay \$300 for snow removal and a load of gravel each year. Unfortunately some have not paid.

Chairman Senecal stated that it would not be unreasonable to ask both the Code Enforcement office and the Public Works Director to go out and review this complaint.

It was moved by Dave Senecal and seconded by Linda Murray for the Town Manager to direct the Code Enforcement officer and the Public Works Director to review this location in question and take any action. Members voted, being all in favor, the motion passed.

11. Non-Public Session RSA 91-A

It was moved by Linda Murray and seconded by Brad Harriman for the Wolfeboro Board of Selectmen to enter nonpublic session to discuss real estate at 8:32 PM. Roll call vote; Linda Murray-yes, Brad Harriman-yes, Dave Senecal-yes, Luke Freudenberq-yes and Brian Deshaies-yes. The motion passed.

The Board re-entered public session at 9.05 PM.

It was moved by Brian Deshaies and seconded by Luke Freudenberq to seal the minutes of October 19, 2022. Roll call vote: Linda Murray-yes, Brad Harriman-yes, Dave Senecal-yes, Luke Freudenberq-yes and Brian Deshaies-yes. The motion passed.

Being not further business before the Board, Chairman Senecal entertained a motion to adjourn.

It was moved by Luke Freudenberq and seconded by Brad Harriman to adjourn at 9:06 PM. Members voted, being all in favor, the motion passed.