

Wolfeboro Board of Selectmen
Public Meeting Minutes-Approved
May 4, 2016

Members present: Chairman Brad Harriman, Linda Murray, Dave Bowers, Luke Freudenberg and Dave Senecal

Staff present: Town Manager David W. Owen, Police Captain Dean Rondeau, Fire Chief James Pineo and Recording Secretary Michele Chamberlain.

Chairman Brad Harriman opened the meeting at 6:30 PM.

Non-Public Session RSA 91-A: 3, II (c)

Mr. Owen stated a non-public session is needed to discuss a matter concerning the reputation of a person due to the inability to pay their taxes.

Consideration of Minutes

Chairman Harriman asked for approval from the Board of the April 20, 2016 Regular Meeting Minutes.

It was moved by Dave Bowers and seconded by Dave Senecal to accept the minutes of April 20, 2016 as amended. The first amendment was on page 11 under section B titled Conservation Commission. The amendment stated the following: Linda Murray asked if Mr. O'Donnell would be in town so he can attend the meetings. The second amendment was on page 15 under section C titled Monthly Budget Expenditures and Revenues Report. The amended stated the following: It was moved by Linda Murray and seconded by Dave Senecal to approve to use the 2016 Asset Management funds of \$25,000 for the Town Hall. The last amendment was on page 16 under section C titled Monthly Budget Expenditures and Revenue Report. The amendment stated the following: It was moved by Linda Murray and seconded by Luke Freudenberg to amend the prior motion to use part of the 2016 Asset Management funds of \$25,000 for Town Hall. Members voted and being none opposed, the motion passed.

Public Input

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

None

Public Hearings

A. Temporary Outdoor Event Permits

- i. **Hospital & Community Aid Association, Inc. to hold spring fundraisers on May 6 & 7, 13 & 14, 20 & 21, 27 & 28, June 3 & 4, and 10 & 11, 2016 from 10:00 AM – 2:00 PM at 65 Pine Hill Road.**

Chairman Harriman opened the public meeting.

Jane Wass, Volunteer for Huggins Hospital Street Fair, addressed the Board. She stated it is a spring fundraiser that raises money to purchase equipment for patient care for Huggins Hospital. She stated all equipment and medical supplies that are donated are brought to the barn and anyone is entitled to take them.

Linda Murray stated that their insurance binder runs out on May 29, 2016 so a new one would be needed and that since their name changed that should also be reflected on the new binder.

Chairman Harriman closed the public meeting.

It was moved by Luke Freudenberg and seconded by Dave Senecal to approve the issuance of a Temporary Outdoor Event Permit to the Hospital & Community Aid Association, Inc. to hold spring fundraisers on May 6 & 7, 13 & 14, 20 & 21, 27 & 28, June 3 & 4, and 10 & 11, 2016 from 10:00 AM – 2:00 PM at 65 Pine Hill Road. Members voted and being none opposed, the motion passed.

- ii. **First Congregational Church to hold the Crop Walk on May 22, 2016 from 1:00 – 4:00 PM starting at the Church to Bridge Falls Path to Cotton Valley Trail and return.**

Chairman Harriman opened the public meeting.

Susan Fuller, Member of the First Congregational Church, addressed the Board. She stated it is a walk-a-thon that raises money for church service and some of the money is used for local agencies such as End 68 Hours of Hunger. The Crop Walk starts at First Congregational Church then to Bridge Falls Path and then to Albee Beach and Cotton Valley Trail and returning to the First Congregational Church.

Chairman Harriman closed the public meeting.

It was moved by Linda Murray and seconded by Dave Bowers to approve the issuance of a Temporary Outdoor Event Permit to the First Congregational Church to hold the Crop Walk on May 22, 2016 from 1:00 – 4:00 PM starting at the Church to Bridge Falls Path to Cotton Valley Trail and return. Members voted and being none opposed, the motion passed.

Bulk Vote

A. Weekly Manifests April 29, 2016

May 6, 2016

**B. Property Tax Credits/Exemptions:
Approvals:**

- | | |
|----------------------------|-----------------------|
| i. 17 Old Lakeview Terrace | Tax Map 202 Lot 38 |
| ii. 20 Goodrich Road | Tax Map 231 Lot 49 |
| iii. 49 Orchards Road | Tax Map 236 Lot 10 |
| iv. 14 Kenyann Drive | Tax Map 177 Lot 10-71 |

C. Raffle Permit – Wolfeboro Area Farmers Market

It was moved by Dave Senecal and seconded by Dave Bowers to approve items A through C in the Bulk Vote. Members voted and being none opposed, the motion passed.

New Business

A. Request for a Wedding in Cate Park

Ryan Dodd addressed the Board. He stated my fiancé, Abaigeal Burbank, and I would like to have our wedding ceremony at Cate Park on September 10, 2016. He stated it would be for about an hour because they would only be using the park for their ceremony.

Chairman Harriman reminded him that it is a public park so other people could be using the park at the same time.

It was moved by Luke Freudenberg and seconded by Dave Senecal to approve the request of Ryan Dodd and Abaigeal Burbank to use Cate Park and Wolfeboro Community Bandstand for their wedding at 3 PM on September 10, 2016. Members voted and none being opposed, the motion passed.

B. Amended Petition-Cate Trust

Dave Owen addressed the Board. He stated it is an existing Trust that was set up by Edward Cate. Edward Cated died on March 5, 1917. The Trust was originally set up to leave money to take care of the streets in Town and now we have other ways to take care of our streets like Public Works. He stated the Trustees of Trust Funds are requesting that the Board of Selectmen consent to their Amended Petition to amend the terms of the Trust created under the will of Edward F. Cate.

Chairman Harriman asked if the Board had discussed this before.

Mr. Owen stated it has been around for a while.

Linda Murray stated the Trust has not been used and the change will be that the Board of Selectmen will set up a Committee. The Committee would allow the money to be spent on equipment, concerts, lectures or other entertainment in the Town and these events would be free to the public.

Chairman Harriman read from Edward Cate's Last Will and Testament:

3. Subsequent to the death of said Edward F. Cate's wife, Florence B. Cate, the Town of Wolfeboro has used the income from the Trust created under paragraph Fifth of said Edward F. Cate's Will to make the specific payments set forth in said paragraph, as follows:

- One Hundred Dollars (\$100) to the Lakeview Cemetery Association;
- Two Hundred Dollars (\$200) to the Congregational Church of Wolfeboro;
- Two Hundred Dollars (\$200) to Huggins Hospital;
- Two Hundred Dollars (\$200) to the Wolfeboro Town Library; and
- Three Hundred Dollars (\$300) for concerts, lectures or other entertainment.

10. However, because income has not been expended for the repair of the Town's highways for many years and because the income of the Trust has been greater than One Thousand Dollars (\$1000), said Trust as of July 31, 2015 consisted of principal of One Hundred Thirty-Five Thousand Five Hundred Forty-Two Dollars and Sixty-Four Cents (\$135,542.64) and income of One Hundred Eighteen Thousand Three Hundred Forty-Two Dollars and Seventy Two Cents (\$118,342.72), totaling Two Hundred Fifty-Three Thousand Eight Hundred Eighty-Five Dollars and Thirty-Six (\$253,885.36). The income account does not now and will not in the future include any of the realized or unrealized principal of the Cate Trust.

Linda Murray asked Chairman to read #15 since it also is important.

Chairman Harriman read:

15. In light of the substantial accumulated income in the Cate Trust, the Trustees propose that they be allowed to distribute from income the sum of One Hundred Thousand Dollars (\$100,000), to be paid on a one-time basis upon the approval of this Petition, for the five specified charitable purposes set forth in paragraph Fifth of the Cate Trust as follows:

- Ten Thousand Dollars (\$10,000) to the Lakeview Cemetery Association;
- Twenty Thousand Dollars (\$20,000) to the Congregational Church of Wolfeboro;
- Twenty Thousand Dollars (\$20,000) to Huggins Hospital;
- Twenty Thousand Dollars (\$20,000) to the Town Library; and

- Thirty Thousand Dollars (\$30,000) to the Committee appointed by the Board of Selectmen, as referenced in the immediately preceding paragraph of this Petition.

Dave Bowers stated Mr. Edward Cate was one of the top ten beneficiaries to the Town and Cate Park was named after him.

It was moved by Linda Murray and seconded by Dave Bowers to approve the Amended Petition to amend the terms of the will of Edward F. Cate, and to authorize the Board's Chairman, Brad Harriman, to sign the Consent to Amended Petition. Members voted and none being opposed, the motion passed.

C. Disposition of a Small Parcel of Land on Wood Avenue

Linda Murray stepped down.

Dave Owen stated the Board had the two required Public Hearings and is ready to vote.

Town Counsel, Mark Puffer revised the motion and it is in your packets.

Mr. Murray gave the check in the amount of \$1.00 to Mr. Owen.

It was moved by Luke Freudenberg and seconded by Dave Senecal that the Town convey to the Sawmill Marina Boating Club, by quitclaim deed, in consideration of the payment of \$1.00 , a 16 square foot potion of land as shown on plan entitled "Sketch of Proposed Boundary Line Adjustment Involving Lands of Sawmill Marina and the Town of Wolfeboro" dated January 19, 2016 by White Mountain Survey & Engineering, Inc. Said conveyance shall be on the condition that Sawmill Marina shall continue to maintain the grassy portion of Wood Avenue, beyond the paved portion of Wood Avenue as shown on the aforementioned plan, for non-vehicular public access to the waterfront of Back Bay; and further conditioned upon Sawmill Marina at its expense maintaining at least one picnic table in the grassy portion for use by the public during the period May 1 – October 15 each year. Members voted and none being opposed, the motion passed.

D. Renewal of Discretionary Easement Agreement with Kingswood Golf Club

Mr. Owen gave background information related to this agreement which stated:

The Kingswood Golf Club has applied for renewal of its Discretionary Easement Agreement which allows the property to be assessed for taxation at a value less than its full market value. The RSA allows properties to be assessed anywhere between the current use value and 75% of full market value in these types of agreements. The old Discretionary Easement Agreement, which was approved prior to my tenure here in Wolfeboro, established a value of \$765,946.35 for the Golf Club's lands. The Golf Club attorney has proposed a value of \$785,186 for the new Discretionary Easement Agreement. While this value may be fine for this agreement if acceptable to the Selectmen, contract assessor Todd Haywood advices that the Golf Club's

properties subject to this agreement have a full fair market value, including the greens the holes, of \$2,104,100, which would result in assessing these properties at 37.3 % of their value.

Mr. Owen stated Jennifer Haskell's agreement could be used for tonight's discussion. Jennifer Haskell is representing Kingswood Golf Club.

Mr. Owen stated the Town Assessor, Todd Haywood, is here if we have any questions.

Mr. Owen stated he would not recommend going with automatic renewal of this agreement but rather to look at the agreement every ten years.

Mr. Owen stated the draft had a Tax Year date of April 1, 2015 but it should read April 1, 2016.

Mr. Owen stated current use was discussed when evaluating the property.

He stated the big question is how we assess this land.

Mr. Haywood stated the land was assessed at 2 million dollars.

Mr. Owen stated the statute allows recreational lands such as the golf course to be assessed at something less than the whole value.

Linda Murray stated the golf course is an important part of the Wolfeboro Community and we should be able come to some kind of agreement. If they are willing to give us their financial documents it could help us decide.

Attorney Haskell stated she would let her client know.

Dave Senecal asked what New Durham's and surrounding towns' golf courses are assessed at.

Chairman Harriman stated we need some questions answered and more information before we can make a decision.

Linda Murray stated she did not want an automatic renewal because time can change circumstances.

Linda Murray stated the Board needed more information about the financial problems that the golf course is experiencing and that they need to look at surrounding towns.

Attorney Haskell stated she tried to get in touch with Tim Sullivan but he was out of Town. Tim Sullivan was the gentlemen that developed the first formula on how the golf course would be assessed.

The Board decided they needed more work to answer some questions before proceeding any further.

E. Conference with Pathways Committee

Peter Cole, Chairman of Pathways Committee, addressed the Board. He stated the Pathways Committee has a proposal for center line painting on Main Street, Railroad Avenue and Central Avenue to create shared auto-bike lanes as an experiment between Memorial Day and early July of this summer.

Mr. Cole discussed the proposal he gave the Board of Selectmen. (see attached sheet)

Linda Murray asked Captain Dean Rondeau or Fire Chief James Pineo if they had any concerns.

Captain Police Dean Rondeau stated the Wolfeboro Police Department did have some concerns. Captain Rondeau discussed the plan with Mr. Housemen and stated the plan had a lot of merit. Captain Rondeau asked that education be provided for motorists as well as bicyclists.

The Board discussed.

Mr. Owen advised the Board the motion could be approved with the condition of approval from the New Hampshire Department of Transportation.

It was moved by Dave Senecal and seconded by Linda Murray to approve the six week trial period of the Pathways Proposal for Safe Biking Downtown with the condition of getting it approved by the New Hampshire DOT to start Memorial Day and to continue for six weeks after that day. Members voted and being none opposed, the motion passed.

Old Business

None

Other Business

None

Town Manager's Report

Mr. Owen stated the following:

There are still Town vacancies on Boards, Commissions and Committees.

Mr. Owen read the vacancies. (see attached sheet)

Dave Senecal stated he would be an Alternate for three years on the Zoning Board.

Mr. Owen stated Mr. Senecal's Appointment was all set.

Mr. Owen stated we received communication this week from the Department of Revenue Administration about the Town's total equalized valuation of 2015. The Community was assessed at just over 2 Billion Dollars. The exact amount was \$2,000,728,481.

Mr. Owen stated he heard from the Tax Collector on April 29, 2016 that the total balance of unpaid property taxes for 2015 was \$248,706.41. She pointed out that this amount is less than last year.

Mr. Owen stated next week some of us will be going to Concord, New Hampshire for an Awards Ceremony. Linda Murray, Chairman Harriman and Dave Senecal stated they would be unable to attend due to prior commitments. Luke Freudenberg and Dave Bowers planned on attending.

Mr. Owen stated yesterday was the deadline for the bids to be submitted for the new power supply contract for the Wolfeboro Electric. We received bids from six suppliers. The suppliers were BP Constellation, EDF, Next Era Energy, PSEG and Shell. The bids will be evaluated and a recommendation is forth coming.

Mr. Owen stated the Board was sent a summary of the Pay & Classification Study Proposals last Friday. There were four proposals. He could recommend Thornton & Associates or MRI.

The Board indicated that they preferred MRI.

Mr. Owen stated because of the weather paving of Beach Pond Road and Old Lakeview Terrace was postponed until next week.

Mr. Owen stated the Town Employees Appreciation Day Event has been set for September 9, 2016.

Committee Reports

Dave Senecal attended two exercises with Carroll County Coalition for Public Health. One event was held in Ossipee, NH and the other was held at Kennett Middle School. He also attended the Zoning Board of Adjustment last night which lasted from 7:15 PM till 11:00 PM and it was postponed until next Tuesday.

Linda Murray attended a Milfoil Joint Board Meeting yesterday.

Chairman Harriman attended the Planning Board Meeting and that the meeting will be continuing next Tuesday.

Questions from the Press

Tom Beeler asked why there was a continuation of the hearing. He stated he sent a reporter and will have to check with her.

Chairman Harriman stated everyone had a chance to speak but there are some questions raised that needed to be answered. The Board decided they needed more information and time to discuss because they didn't want to be rushed to make a decision.

It was moved by Dave Bowers and seconded by Dave Senecal to enter into non-public session under RSA 91 A:3, II (c) to discuss a matter concerning the reputation of a person

due to the inability to pay their taxes. Roll call vote, Linda Murray – yes, David Bowers – yes, Dave Senecal – yes, Luke Freudenberg – yes and Chairman Harriman – yes. Being none opposed, the motion passed.

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

The Board re-entered public session at 8:02 PM.

Linda Murray moved the Wolfeboro Board of Selectmen to seal the minutes of the May 4, 2016 non-public meeting. Dave Senecal seconded. Roll call vote, Chairman Brad Harriman – yes, Linda Murray – yes, Luke Freudenberg –yes, Dave Senecal – yes, and Dave Bowers – yes. Being none opposed , the motion passed.

It was moved by Chairman Harriman and seconded by Linda Murray to adjourn at 8:03 PM with a roll call vote, Brad Harriman – yes, Linda Murray – yes, David Bowers – yes, Dave Senecal – yes and Luke Freudenberg – yes. Being none opposed, the motion passed.

Respectfully Submitted,
Michele Chamberlain