

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

Members present: Chairman Linda Murray, Dave Senecal, Brad Harriman, Luke Freudenberg and Brian Deshaies.

Staff present: Town Manager, James S. Pineo, Amanda King Library Director, Michele Chamberlin Humane Resources Coordinator, Public Works Director Dave Ford, and Recording Secretary, Amelia Capone-Muccio.

Chairman Murray opened the meeting at 6:30 PM.

Non-Public Session RSA 91 A: 3 e

Mr. Pineo stated a non-public session is needed to compensation promotion or dismissal of employee.

1. Consideration of Minutes

December 1, 2021

Chairman Murray amended page 10, the \$196,000 not \$160,000.

It was moved by Brad Harriman and seconded by Dave Senecal to approve the minutes of December 1, 2021 as amended. Members voted, being all in favor the motion passed.

2. December 15, 2021

Chairman Murray amended page 13, under Committee reports, to correct the Public Safety Building Committee to Luke Freudenberg.

It was moved by Brad Harriman and seconded by Dave Senecal to approve the minutes of December 15, 2021 as amended. Members voted, being all in favor the motion passed.

3. December 28, 2021

It was moved by Brian Deshaies and seconded by Luke Freudenberg to approve the minutes of December 28, 2021 as written. Members voted, being all in favor the motion passed.

4. January 5, 2022

Chairman Murray noted there are some discrepancies in the Warrant Article discussion with duplication and discussed with the secretary fixing that, she suggested tabling these minutes.

It was moved by Linda Murray and seconded by Dave Senecal to table the minutes of January 5, 2022. Members voted, being all in favor the motion passed.

5. Public Hearings

None.

6. Public Input

None.

7. Bulk Vote

A. Weekly Manifests

i. January 1, 2022	\$ 35,000.00	booked to 2022
ii. January 7, 2022	\$175,296.03	booked to 2021
iii. January 7, 2022	\$421,335.73	booked to 2022
iv. January 14, 2022	\$158,478.37	booked to 2021
v. January 14, 2022	\$1,609,263.46	booked to 2022 (SAU payment)

B. Property Tax Refund/Abatement(s)

i. Kingswood Golf Course 2019 #3 Tax Map 232 Lot 2, 4 & 5

C. Intent to Cut Wood or Timber

i. Kingswood Golf Club	Tax Map 2325 Lot 5
ii. North Line Rd	Tax Map 115 Lot 8

D. 2022 Standard Mileage reimbursement rate 58.5 cents per mile

E. 2022 Town Holiday schedule observed as follows:

- New Year's Day – January 3, 2022 (Monday)
- Martin Luther King/Civil Rights Day – January 17, 2022 (Monday)
- Presidents Day – February 21, 2022 (Monday)
- Memorial Day – May 30, 2022 (Monday)
- Fourth of July – July 4, 2022 (Monday)
- Labor Day – September 5, 2022 (Monday)
- Columbus Day – October 10, 2022 (Monday)
- Veterans' Day – November 11, 2022 (Friday)
- Thanksgiving Day – November 24, 2022 (Thursday)
- Day after Thanksgiving Day – November 25, 2022 (Friday)
- Day before Christmas – December 23, 2022 (Friday)
- Christmas – December 26, 2022 (Monday)
- New Year's Day 2023 – January 2, 2023 (Monday)

F. To accept donations for the Last Night Activities in the total amount of \$3,486 from the following:

• Blacks Print Shop	\$750
• Brewster Academy	\$100
• Yum Yum Shop	\$200
• Kevin Lawlor at Ed Jones	\$500
• Hunter's Shop n Save	\$500
• Leone, McDonnell & Roberts	\$500
• Avery Insurance	\$500
• Windrifter Resort	\$300
• Cash donations at event	\$136

It was moved by Brian Deshaies and seconded by Dave Senecal to approve the Bulk vote items A – D. Members voted, being none opposed, and the motion passed.

5. Board Appointments

i. Wolfeboro Energy Committee -resignation Alt. James Nupp term expires 2023

It was moved by Brian Deshaies and seconded by Luke Freudenberg for the Board of Selectmen to regretfully accept James Nupp resignation as an Alternate member of the Wolfeboro Energy Committee for the term to expire March of 2023. Members voted, being all in favor, the motion passed.

6. New Business

A. Presentation: Retirement Gift Cynthia Scott as Director of the Wolfeboro Public Library

Chairman Murray read the accommodation for her 20 years of service as Library Director for the Town of Wolfeboro Public Library and the Board presented her with a Boston rocker from Standard Chair out of Gardner, MA as a retirement gift.

B. Discussion: Introduction of Amanda King the new Director of the Wolfeboro Public Library

Mr. Pineo introduced the new Library Director, Amanda King, who relocated to Wolfeboro from Texas.

Ms. King addressed the Board and stated she moved here from Dallas Fort worth area of Texas. She came here from Fort worth where she worked in a Library that had a population of 8, 000. She has worked in small communities before.

C. Approval: Joint Loss Safety Committee updates and funds request

Mr. Pineo stated the Joint Loss Safety Committee is made up of a mix of employees from management and staff (10). This committee meets monthly to review incidents and look at

prevention measures. Some things brought up by this committee is building and work place quality of work environment and safety issues within the work space. Some things they help was to get the staff helmets with communication devices which came out of a very serious accident that happened. Tonight he is here to report the committee's good work of \$8,704 savings to the town and this committee meets during their lunch hour. The committee is looking for \$600 to provide lunch at these meetings and feels it would be prudent to acknowledge this committees good work and commitment.

Chairman Murray stated she would like this to come from the Board of Selectmen's miscellaneous fund, this is an area the Board should support the good efforts of the staff.

It was moved by Linda Murray and seconded by Brian Deshaies for the Board of Selectmen to authorize a \$600 expenditure from the miscellaneous budget to cover the expense of lunch for the Joint Loss Safety Committee. Members voted, being none opposed, the motion passed.

D. Discussion: Rust Pond North Inlet Hydrology Evaluation

Bob Hartzell from Comprehensive Environmental Inc. addressed the Board virtually representing the Town of Wolfeboro, Planning and Development Department. He provided a brief overview of the north inlet tributary of Rust Pond as outlined in the attached document. (See attachment #1)

Chairman Murray clarified that the Town has been stopping the sediment coming in this area.

Mr. Hartzell replied yes, and he believes the release of at least one or two beaver dams has helped as well as improvements at Cross Road as well.

Chairman Murray clarified that essentially adding a pipe will help.

Mr. Hartzell replied yes, the breakdown is much less likely.

Mr. Pineo questioned if work at Cross Road could be considered "in kind" work.

Mr. Hartzell replied no, can count other work the Department of Public Works is doing.

Chairman Murray questioned how often DES grants permits to dredge.

Mr. Hartzell, not often and mostly because those are expensive projects. DES has been a partner and understand this project. The parameters were set in 2010 to stop the sources, and what the town had done has proven improvement.

Chairman Murray stated this is informational and clarified the plan will be to report back to him.

Mr. Pineo replied yes.

E. Discussion: Permission to use Town Land/Peter Ford

Mr. Pineo introduced this request that Mr. Ford has presented a plan to the Town Planner where he would like to work with the town to develop a plan to bury a propane tank in Cate Park, the possibility of an enclosed trash disposal location and outdoor seating along Mr. Ford's building.

Peter Ford addressed the Board to summarize that a year ago he purchased the Latchaw Building (Jo Greene's) with his partner Tom Wachsmuth. He stated the purpose of the purchase was to improve the physical appearance of the building both on the street side and the dockside of the building and also to reposition the building as a Wolfeboro eatery with three different restaurants in the building. Over the past year the two decks have been rebuilt and expanded for Marker 21. The second phase of the project is to renovate the first floor into two restaurants, one on water side with a deck and street side will be grab and go style. In developing the renovations, they realized the inadequacies of the building having zero lot line. There has been 12-15 garbage cans on the dockside and they feel that is not an acceptable solution for the dockside appearance. Their second issue is with the gas and the increase in usage that will not work with the current set up, the site plan discovered that there is no other place to locate the gas tanks. In discussions they propose to install a 1,000 gallon tank underground in Cate Park to supply the gas for all the restaurants in the building. He stated the second request is to construct a building as depicted on the plan provided for the trash. They reviewed several options and feel that the best option is for a contained structure to store the trash and hide it. This will be used by their building and the restaurant next door. Lastly they would like to have some outdoor seating and propose to eliminate three parking spaces to do that as listed on the plan, about 30-40 seats. He stated this works well with the flow of the town dock area and the work there. There has been some discussion about the parking and cramp space in the boat launch area.

Mr. Senecal does not have an issue with the underground propane tank, but he does have an issue with the trash container. The Dock Committee is trying to beautify the area and he feels that is not esthetic for the area. They have discussed the parking and he doesn't have an issue with that area.

Mr. Freudenberg agreed with Mr. Senecal, the trash is an issue and something needs to be done but he not sure what. He is fine with seating idea and the burying of the tank, but the trash is an issue.

Mr. Deshaies agrees with the issue with the trash, and the dumpster stink there is nothing to help that but it is too close to the park. He is not sure what the solution is. His concern with the parking is what if the Avery Building wants to add seating, how will they address that. He suggested the Committee look at this.

Chairman Murray stated she is not interested in giving any of the tax payers land away. There is a small space and prime location. She feels if a shed is needed that they could remove the back deck. She requested a copy of the survey and was surprised the areas that were thought to be owned by the buildings, but did not. She stated that based on what she has reviewed, they have already provided this building with three boundary line adjustments and one for the Downtown Grille. This is town land, she does not feel they should be giving public land to private businesses. She is against any of that and she is fine with burying the tank as long as

the Dock Committee reviews it and it is not going to be used for any kind of drainage. She is not in favor of the garbage storage, the park is a beautiful spot. It holds concerts, church services and is even used as a cover to the annual report because it is significant to this community. She stated that they need to look to preserve the area for the community, they have discussed motorcycle parking on that side and she prefer to do that vs. taking spots away for private business who purchased a building with no land. They have already provided a boundary line adjustment to come out further and now they want to come out even further, she stated she is not in favor of that. She stated if they considered doing anything like this, they need to hold a public hearing. She stated that they have had problems with things happening on town land and at this point, she would like the design of this area to stop until they have time to review it. She could not print it and had to have the Executive Secretary print it for her late today. She stated in looking at this land we didn't know was ours on here.

Mr. Harriman agrees with Chairman Murray. He is okay with the propane tank but the not the trash containers. They do have a Hawker & Peddler space there too. With regards to the parking spaces he suggested some changes to dockside in the congested area. Parking is a premium and would hate to lose prime parking space. He agrees with Chairman Murray this is public land he is reluctant to give away public land.

Mr. Freudenberg suggested working with the other businesses in the area with regard to the trash. He understand it is town land and they need to hold a public hearing. Trash is a problem.

Mr. Deshaies questioned how they got rid of trash this summer.

Mr. Ford replied the restaurant was not open this past summer. The location of the gas tank is very specific and appreciates the feedback. He stated they have looked at many spots for the trash and they are flexible with location. They did look at Dockside and it does not smell. He feels if they maintain the dumpster it shouldn't be a problem. Every restaurant has things that are not attractive but unfortunately the back of their building is the town docks, they are working hard to make that small area nice and felt this was the lesser of two evils and worked for all the restaurants vs. 20 garbage cans.

Mr. Deshaies asked how many times the trash can be picked up, he suggested looking into multiple pick-ups in order to keep the cans minimal if it is cost effective. He also likes the idea of partnering with Dockside restaurant too.

Mr. Ford replied that would be ideal to partner and expand it or empty more often. He stated this will be an over 300 seat restaurant so there will be a lot of trash produced. Realistically it looks like one would need to be emptied every day.

Mr. Deshaies suggest he reach out to Dockside to address that.

Chairman Murray stated Dockside and the property is owned by the town and will get reviewed as well. She understands the dilemma and feels they bought the building knowing the land they had, she suggested adjusting their building to make space for the dumpster. It is a beautiful area for the public and she does not want to take away from the peace and the beauty.

Mr. Ford stated their purpose in purchasing the building was to make the area beautiful. Their hope this is an improvement to the dock area and because of the pandemic there is some value to the outdoor seasoning and Wolfeboro only has a few places that are able to do that. There is no place to sit and look at the water while you are eating. He could take away the lower deck but he feels there is a benefit to that space. He has heard from people there is no place to eat lunch in town. That is the goal of the grab and go. This is a large capital investment and it is difficult without offering a place to sit. He understands it is town land, but feels that it is the roll of the town to utilize that.

Mr. Freudenberg stated the building does look great and thanked him for the plans. Although we may not all agree he appreciates it. He suggests discussing with Dockside they are seasonal and you are year round. He noted they did add more benches/tables during COVID-19 for seating.

Chairman Murray stated she has no problem with town benches available for anyone. We have put more picnic tables around so maybe they should do more seating. I think the building looks lovely and done a great job. She only has a problem with giving up public land for private use, not shared by the public. Appreciated him bringing this to them to discuss.

Mr. Deshaies suggested talking to the Dock Committee as well.

Mr. Ford stated he has discussed the area with the abutters and Dave Ford even about burying the power lines.

Chairman Murray stated the town and Electric Department has been discussing the power lines. She would like the Board to get copies of these plans provided as in looking them over it shows an area in back of the Avery, shows as Town land. She stated the town just spent funds on conceptual plans and this is information they have been trying to get for a year.

It was moved by Linda Murray and seconded by Brian Deshaies that the conceptual plan for Dockside is put on hold until this Board of Selectmen gets a copy of the survey depicting the Town owned land. Members voted and being none opposed, the motion passed.

Mr. Pineo stated this information just came to the Public Works Director this week and he has been working to get this tied up. He stated it was slow to get going but once it did there was a lot more research that thought.

F. Discussion: Bolding of Warrant Articles

Chairman Murray stated she had bolded the articles, but in discussion with the Secretary of State we cannot bold on the ballot, even though we have been doing it quite a few years. The bolding will be in the presentation version.

Mr. Pineo stated it will be bolded in the presentation, the Town report and voters' guide, but it will be not bold on the ballot. The Secretary of State's office was pretty clear that RSA 669: 23 ballot shall be uniform.

J. Discussion: Town Report- Final BOS submission, cover choices

Chairman Murray provided pictures for clarity and park is on the front and sunset on the back.

7. Other Business

Chairman Murray stated that she made some contacts with Wolfeboro Single Track and the Chamber for the Bike Trial Committee. She stated the following will be on the committee with the Board:

- Lynne Palmer, Chamber
- Dan Coons, Conservation Commission
- Cris Dow, Wolfeboro Single Track
- Rudy Meyer, Wolfeboro Single Track
- James Nupp, Cotton Valley Trail Committee

Chairman Murray set a work session date? She suggested 1/26th next week to get moving.

The Board agreed to January 26th at 6:30 PM Work Session.

Chairman Murray addressed the petition warrant article for the ZBA as follows:

I would like to address the petition warrant article that is asking the voters to change how the ZBA members are placed on the Zoning Board of Adjustment.

The BOS as a whole does not take a position on petition warrant articles. But this petition is asking the BOS to take a role in choosing ZBA members.

I am not in favor of the Board of Selectmen appointing members to the ZBA.

I am opposed to this petition warrant article for the following reason:

1. In 2018 the voters change the way the ZBA members were approved from the BOS appointments to elected officials by a 68.9% approval rate. I supported this change and think it has been an improvement.
2. I believe that the citizens of Wolfeboro should choose who will serve them on the ZBA not the selectmen.
3. By electing ZBA members, these ZBA members are accountable to the citizens and voters not to the five members on the Board of Selectmen.
4. It is the voters (legislative body) that approves the Town zoning ordinances and therefore the voters should evaluate the performance Zoning Board of Adjustment members who make decision that waive sections of the zoning ordinance.
5. The ZBA elections have had more than one candidate on a few occasions similar to other Town elected positions.
6. I disagree that these positions have been hard to fill. A new alternate was appointed at the last ZBA meeting.
7. As I look at the present ZBA members, I disagree with the statement that because these positions are elected qualified people are not running.
8. I believe the members of the present ZBA have been diligent in there evaluation of the criteria an applicant needs to meet in order to get a variance or special exception.

8. Committee Reports

Mr. Deshaies reported he attended budget meetings and milfoil meeting.

Mr. Freudenberg stated he has Police Commission and EOC meeting tomorrow.

Chairman Murray attended Friends of Pop Whalen meetings, budget committee meetings, Chamber meeting, Wolfeboro Waters meeting and a Milfoil meeting.

Mr. Senecal attended a ZBA meeting.

Mr. Harriman attended a Planning Board meeting, Friends of Libby Meeting and Wolfeboro Community TV meeting.

9. Town Manager's Report

Mr. Pineo reported that NH DRA reports the Warrant is about ready to go, the Default Budget is ready to be signed, and the proposed budget is ready for signature. The budget process is over and the Deliberative Session is scheduled for Feb. 8th at the Kingswood Art Center. There were only a few contentions but mostly all was supported by the Budget Committee. He stated he is meeting with the Fire Department tomorrow to discuss the Public Safety Building project.

10. Questions from the Press

None

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

None

12. Non-Public Session RSA 91-A

To discuss personnel.

Chairman Murray entertained a motion to enter into non-public session to discuss reputation.

It was moved by Dave Senecal and seconded by Brad Harriman to enter into non-public session at 7:52 PM to discuss personnel. Roll call vote Brad Harriman—yes, Linda Murray—yes, Luke Freudenberg—yes, Dave Senecal—yes, and Brian Deshaies—yes. Being none opposed, the motion passed.

It was moved by Luke Freudenberg and seconded by Brian Deshaies to seal the minutes of January 19, 2022. Roll call vote Brad Harriman—yes, Linda Murray—yes, Luke Freudenberg—yes, Dave Senecal—yes, and Brian Deshaies—yes. Being none opposed, the motion passed.

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 8:32 PM. Luke Freudenberg seconded. Being none opposed, the motion passed.

Respectfully submitted,
Amelia Capone-Muccio