

Wolfeboro Board of Selectmen  
Public Meeting Minutes-Approved  
August 2, 2017

**Members present:** Chairman Luke Freudenberg, Brad Harriman, Linda Murray, Dave Bowers (by telephone) and Dave Senecal

**Staff present:** Town Manager David W. Owen, Police Chief Dean Rondeau, Town Clerk Pat Waterman, Human Resources Coordinator Jeff Urquhart, Public Works Director Dave Ford and Recording Secretary Michele Chamberlain

Chairman Freudenberg opened the meeting at 6:30 PM.

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

Mr. Owen stated a non-public session is needed to discuss litigation and a personnel item.

**Consideration of Minutes**

Chairman Freudenberg asked for approval from the Board of the July 19, 2017 Regular Meeting Minutes.

**It was moved by Chairman Freudenberg and seconded by Linda Murray to accept the minutes of July 19, 2017 with amendments to pages 5, 6 and 7. Brad Harriman abstained. Members voted and being none opposed, the motion passed.**

**Bulk Vote**

**A. Weekly Manifests**

July 28, 2017

August 4, 2017

**B. Property Tax Refunds/Abatements Approvals**

- |      |                              |                     |
|------|------------------------------|---------------------|
| i.   | Abatement/Refund #101 (2015) | Tax Map 258, Lot 22 |
| ii.  | Abatement/Refund #29 (2016)  | Tax Map 258, Lot 22 |
| iii. | Abatement/Refund #102 (2015) | Tax Map 259, Lot 29 |
| iv.  | Abatement/Refund #22 (2016)  | Tax Map 259, Lot 29 |
| v.   | Abatement/Refund #103 (2015) | Tax Map 259, Lot 21 |

- |       |                              |                     |
|-------|------------------------------|---------------------|
| vi.   | Abatement/Refund #32 (2016)  | Tax Map 259, Lot 21 |
| vii.  | Abatement/Refund #106 (2015) | Tax Map 259, Lot 15 |
| viii. | Abatement/Refund #25 (2016)  | Tax Map 259, Lot 15 |
| ix.   | Abatement/Refund #108 (2015) | Tax Map 266, Lot 9  |
| x.    | Abatement/Refund #30 (2016)  | Tax Map 266, Lot 9  |
| xi.   | Abatement/Refund #113 (2015) | Tax Map 258, Lot 28 |
| xii.  | Abatement/Refund #24 (2016)  | Tax Map 258, Lot 28 |
| xiii. | Abatement/Refund #91 (2015)  | Tax Map 129, Lot 19 |
| xiv.  | Abatement/Refund #23 (2016)  | Tax Map 259, Lot 19 |
| xv.   | Abatement/Refund #4 (2017)   | Tax Map 220, Lot 24 |

**C. Property Tax Credits/Exemptions Approvals**

- |     |                                 |                        |
|-----|---------------------------------|------------------------|
| i.  | 22 Berrywood Drive              | Tax Map 201, Lot 71    |
| ii. | 38 Birch Hill Road Estates Road | Tax Map 177, Lot 10-52 |

**D. Notices of Intent to Cut Wood or Timber**

- |      |                       |                     |
|------|-----------------------|---------------------|
| i.   | Route 28-Oakwood Road | Tax Map 266, Lot 10 |
| ii.  | 757 South Main Street | Tax Map 267, Lot 4  |
| iii. | 733 South Main Street | Tax Map 267, Lot 3  |

**E. MS-1 Extension Form**

**It was moved by Dave Senecal and seconded by Linda Murray to approve the items listed on the agenda in the Bulk Vote in A through E above. Members voted and being none opposed, the motion passed.**

**Appointments**

- |    |  |
|----|--|
| i. | Ad-Hoc Committee on Rural and Scenic Roads |
|----|--|

Mr. Owen stated the Board has now received names of several individuals who are interested in serving on this new committee, the Board can proceed to appoint residents to the Committee. The Board has already designated two of its own members, Luke Freudenberg and Brad Harriman, to the Committee, which would leave 5 vacancies to fill if the Committee is to be limited to 7 members in total as previously discussed. In addition, Scott Pike is being assigned as a staff member to work with the Committee.

Linda Murray stated there are more than 5 residents signed up for the Committee so we need to make some choices. Ms. Murray stated it was decided at the last meeting that we wanted a mix of residents that live in different areas of Town. Ms. Murray stated Brad Harriman will be Chairman of the Committee so she asked for his recommendations.

Brad Harriman recommended Paul O'Brien and Blair Moody to serve on the Committee.

Dave Senecal recommended Ben Ladd since he has lived on Sandstrom Road for over fifty years.

Dave Senecal stated Roger Murray lives on Brackett Road off Pleasant Valley Road and it is on the other end of Town.

Dave Senecal stated one more resident is needed and he felt that since Claude Roessiger had come forward to have the Committee put together then Mr. Roessiger should be included.

The Board agreed with Mr. Senecal.

**It was moved by Brad Harriman and seconded by Dave Senecal to approve the residents Paul O'Brien, Blair Moody, Ben Ladd, Roger Murray and Claude Roessiger as members of the Ad-Hoc Committee on Rural and Scenic Roads. Linda Murray abstained. Members voted and being none opposed, the motion passed.**

## **ii. Alternate Members of the Library Board of Trustees**

Pat McLaughlin, resident of 20 Old Lakeview Terrace, addressed the Board. She stated she has been an Alternate Member of the Library Board of Trustees for the last two years and would like to continue serving. Ms. McLaughlin stated she would like to help with the project of building a new library. Ms. McLaughlin stated Tom Madden would also like to be reappointed as well.

**It was moved by Chairman Freudenberg and seconded by Linda Murray to approve the appointment of Pat McLaughlin and Thomas Madden as Alternate Members of the Library Board of Trustees for a term to expire July 31, 2018. Members voted and being none opposed, the motion passed.**

## **New Business**

### **A. Proposed Revised Sewer Ordinance – Set Date for Public Hearing**

Dave Ford, Public Works Director, addressed the Board. He stated the current Administrative Order by Consent (AOC) contains the requirement that the Town must update its Sewer Use Ordinance. Mr. Ford stated the fats, oils and grease (FOG) program manual has been suggested to be used as a guidance document because of its cost to implement the program. Mr. Ford stated he would like to be proactive with all the restaurants in Town.

Linda Murray stated that the new Ordinance is going to have to fit into the old Ordinance numbering system. She stated the new Ordinance talks about articles so it needs to be put in proper format at some point.

Mr. Ford agreed.

Linda Murray questioned the date of September 1, 2017 on page 18.

Linda Murray read from the revised Sewer Ordinance. She stated on page 18 it states: Grease Interceptors shall be required at all restaurants, nursing homes, hospitals or cooking establishments and other facilities from which grease can be expected to be discharged, as required by the State of New Hampshire. Nonconforming systems must be compliant with these regulations by September 1, 2017.

Ms. Murray stated that means that the restaurants are expected to meet the State requirements by September 1, 2017. She questioned if the date was going to be included because it sounded like a State requirement.

Mr. Ford stated that it is a building code and it does not have to be included.

Ms. Murray stated we are saying we are not implementing the manual but we are stating the date so it creates confusion.

Mr. Ford agreed and stated it needs to be removed.

Linda Murray stated also in the manual our sewer connection fees are listed separate from this. She questioned if all the fees would be in place and if it was only the FOG section that would not have the fines implemented.

Mr. Ford stated we don't want to confuse people so we will take that out of the manual.

Ms. Murray stated on page 17 it states: A Dental practice which manages dental amalgam shall install and maintain an amalgam separator in accordance with federal and /or state regulations. Ms. Murray stated this was not in the old Ordinance.

Mr. Ford stated it is new and the State made the Town put it in the new Ordinance. Linda Murray stated the amended date of January 2017 would need to be corrected as well.

Mr. Ford asked Mr. Owen how many public hearings were required.

Mr. Owen stated one with a timeframe of September.

Mr. Ford stated the manuals are available for review on the Town Website for anyone who is interested.

**It was moved by Chairman Freudenberg and seconded by Brad Harriman to approve scheduling a public hearing on the proposed new Sewer Use Ordinance at the September 6, 2017 meeting of the Board of Selectmen. Members voted and being none opposed, the motion passed.**

#### **B. Use of Additional Highway Block Grant Funds**

Dave Ford, Public Works Director, addressed the Board. He stated the Town received a share of Highway Block Grant Funds totaling \$153,088 and a public hearing is required. The State wants towns to use these funds for something above and beyond what they were planning on doing this year. Mr. Ford stated he had discussed with Mr. Owen the ways the funds could be used. North Wolfeboro Road was suggested since a lot of people consider it the worst road. Mr. Ford stated the funds would not be enough to reconstruct the entire 4008 foot length road but he felt the worst section (3,400 feet) of it could be reconstructed with the funds. Mr. Ford stated when reclaiming the road rocks would be pulled up and an under drain would be installed four feet below the road. He stated crushed gravel would be used and some trees would probably have to be removed so a public hearing would be needed. Mr. Ford suggested finishing the rest of North Wolfeboro Road in 2019.

Mr. Owen stated we need to schedule a public hearing to accept these additional grant funds.

Linda Murray told Mr. Ford it was a great idea to replace the road with a wonderful gift from the State.

Dave Senecal suggested holding the public hearing on September 6, 2017.

**It was moved by Chairman Freudenberg and seconded by Brad Harriman to approve scheduling a public hearing to accept the additional Highway Block Grant funds at the September 6, 2017 meeting of the Board of Selectmen. Members voted and being none opposed, the motion passed.**

#### **C. Town Employees Appreciation Day Proposal**

Jeff Urquhart, Human Resources Coordinator, addressed the Board. He stated a small committee of Town employees consisting of him, Amy Capone-Muccio, Christine Collins, and Pat Waterman was established and we are proposing to expand this year's Town Employees Appreciation Day event to a full day. We typically have done this event the week of Labor Day but considering that it was already a short work week it has made participation difficult for some employees. We are requesting the closing of departments on Thursday, September 14, 2017. We switched the day to a Thursday to encourage participation from solid waste. He stated the reason we would like to have the event as an all day event is because there are many personnel from various departments that are unaware of other Town employees. He stated we are proposing a fun filled team building day with breakfast being served from 6:30 am - 8:30 am at Abenaki Ski Lodge, a scavenger hunt with Molly the Trolley from 8:30 am – 12:00 and we will finish with a luncheon and games at Abenaki Ski Lodge from 12 pm – 3 pm.

Pat Waterman, Town Clerk, addressed the Board. She stated she thought it was also a morale issue. She expressed her concern about Town employees being able to interact with other Town employees from different departments. She stated closing the Town offices will allow her employees the chance to participate in the event. She asked the Board of Selectmen to seriously consider the request and those employees that do not participate in the event will be required to take a leave day.

Chairman Freudenberg stated he would not mind giving it a try this year.

Linda Murray asked Mr. Owen if we could require those employees that do not participate to take a leave day as Ms. Waterman suggested. She questioned if it could be done in that manner.

Mr. Owen stated yes.

Mr. Senecal stated union contracts are very clear.

Mr. Senecal asked if Mr. Owen was comfortable with the arrangement.

Mr. Owen stated he felt it was hard to engage employees for half a day so he thought a full day would be difficult.

Mr. Urquhart stated they would be keeping track of attendance during the day with different check in stations.

**It was moved by Linda Murray and seconded by Dave Senecal that the Board of Selectmen approve on a trial basis for one year closing the Town Offices on Thursday, September 14, 2017 for the day so staff can participate in Employees Appreciation Day but if a staff member chooses not to take part that they must use their leave time. Members voted and being none opposed, the motion passed.**

#### **D. Josiah W. Brown Scholarship Awards**

Mr. Owen stated the deadline for the Josiah W. Brown Scholarship was July 15<sup>th</sup>. We received only four applications and all of them are continuing students who have previously been assisted. There were no new applicants for these scholarship funds. All four returning applicants have maintained the required grades of a “C” average and none of their families’ financial circumstances have changed.

Mr. Owen questioned what the amount of the scholarship should be. He stated in the last round we awarded \$8,000. If we award 4 scholarships at \$1,500 each, that would amount to only \$6,000. If the Selectmen wish to exercise some discretion and increase the amount of the scholarship awards to \$2,000 during this application cycle, it would have little impact on the financial health of the Josiah W. Brown scholarship fund going forward to the next scholarship funding cycle.

Linda Murray stated she felt it made sense to up the amount of money since they had enough and suggested looking at the income guidelines so they might get more applicants. She stated she was comfortable with the Board awarding the \$2,000 per applicant but would like the Board to review the income requirements to see if they should be changed.

Mr. Owen stated we increased the amount six months ago.

Mr. Owen stated the four applicants are as follows: Maria Hendrickson, Lily Greene, Calysta Jacobs and David Moore.

**It was moved by Linda Murray and seconded by Dave Senecal to award \$2,000 scholarships to the four applicants listed above. Members voted and being none opposed, the motion passed.**

#### **Old Business**

Linda Murray stated Mr. Owen will be retiring this spring. In preparation of the Town Manager recruitment process Ms. Murray made copies for everyone of the last recruitment package which included an applicant’s profile, essay questions, the fee amount from MRI and the ad that went in the newspaper. She asked for this to be put on the agenda next month so it would give the Selectmen time to review the material to see if that is still how they would like to proceed with the recruitment process.

Linda Murray stated she would like to see how much MRI would charge them since some of the work is already done. This amount will need to go into the budget.

Linda Murray stated she would also like to put on the agenda for next month for the Board to discuss a date to do the Town Manager’s evaluation.

#### **Other Business**

Chairman Freudenberg suggested revoking Christina Fay's group kennel license.

**It was moved by Chairman Freudenberg and seconded by Linda Murray to revoke Ms. Fay's group kennel license and any other licenses that the Town may have issued to her. Members voted and being none opposed, the motion passed.**

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

Mr. Owen stated the following:

He wanted to report that the Town Planner and the Chairman of the Board walked the site at Warren Sands Road on Monday and the Notice to Vacate was removed after the inspection of the property. The Town's attorney and Ms. Fay's attorneys will be meeting tomorrow to discuss issues.

The Budget Committee cancelled its August meeting. The fire hydrant fees need to be discussed.

The sewer line that backed up in the Town Hall last week was repaired Monday and is working fine now.

He stated we are minus two equipment operators in the Department of Public Works, one resigned and the other was called for active duty by the National Guard. The PWD is advertising for the position.

The Middleton Road cemetery construction work is completed except the fencing still needs to go up. We will be selling cemetery plots soon.

The Town website under Community Links allows the public to access the websites of the Town churches from the Town website.

The Police Department has a new police officer, Michael Fenton, and he was sworn in yesterday. He served for the Wakefield Police Department for 9 years and also served as a seasonal officer Downtown for Wolfeboro so he has previous experience here.

We received communication from the 2020 Census and Matt Sullivan; the Town Planner, will be the liaison.

Mr. Owen stated he will be out of the office on Friday, August 11 and Monday, August 14 due to the passing of his sister-in-law. Also, he will be taking a vacation August 18<sup>th</sup> through August 22<sup>nd</sup>.

### **Committee Reports**

Dave Senecal stated he has a ZBA Meeting next week.



Linda Murray stated she attended the 10 am Library presentation. She stated she liked the procedure that was handed out explaining the layout of the new library. She stated the architect was well spoken and there were color slides so you could see what was added and to what section it was added to. She stated they have a wonderful architect and he could answer all the questions that were asked. Ms. Murray stated she will be attending a CIP Meeting this Friday and next Tuesday she will be attending the New Durham Planning Board Meeting on the gravel pit.

Chairman Freudenberg attended the Library Ice Cream Social

Brad Harriman attended the Library Ice Cream Social, a Wolfeboro Community Television Meeting and a Planning Board Meeting.

Dave Bowers expressed via through a conference call that he has a concern about the handicap sign at the Town Docks. He stated its placement is confusing to people.

Chairman Freudenberg stated the Town workers could move the sign to avoid further confusion.

Mr. Owen stated he wanted to remind everyone that next Thursday, August 10<sup>th</sup> at 7 pm at the Town Hall is the Public Hearing for the Town Docks.

### **Public Input**

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

Meg Beston, resident of Warren Sands Road, addressed the Board. She stated she is here tonight to represent the residents of Warren Sand Road. She stated they are asking that the petition with Tina Fay include the repair to a damaged culvert on their road. She stated it was in weak condition before but it was damaged by the weight of vehicles of employees from the Town, the Humane Society, and the clean-up contractor.

Mr. Owen stated it was possible and he would provide the estimate to Town Counsel and see if the cost could be added in.

Ms. Beston stated Ms. Fay was registered as a business and questioned what could have been done to stop this from happening in a residential area.

Linda Murray stated when Ms. Fay first went in and she was questioned she told the Town that she had fifteen dogs that were her pets.

Ms. Beston stated there was no follow up. Ms. Beston wanted to know what could be done so another business is not started.

### **Questions from the Press**

Tom Beeler stated the Town should be informed by the State when someone files to open a new business in Town.

Chief Rondeau addressed the Board. He stated an arrest is not the end of a case but usually the beginning of a criminal case. He stated two standards that need to be focused on are probable cause and proof beyond a reasonable doubt. He stated when Ms. Fay arrived here a few years ago and she was questioned she stated these dogs are my pets. Chief Rondeau stated the first job of any government is the protection of the citizens and we don't distrust our citizens when they tell us something but take them at their word until they are untruthful or the evidence shows proof of something else. We don't want to be wrong and in this particular case we couldn't take action until Ms. Fay did something wrong. We needed solid evidence and we have to follow the law. It is important that the government takes people at their word. We had one person who did not follow the law and there will be consequences for her actions.

**It was moved by Dave Senecal and seconded by Chairman Freudenberg to enter into non-public session under RSA 91:3 II (d) to discuss personnel and litigation. Roll call vote, Chairman Freudenberg – yes, Linda Murray – yes, Brad Harriman – yes, Dave Senecal – yes, and Dave Bowers – yes. Being none opposed, the motion passed.**

The Board re-entered public session at 8:00 PM.

**Linda Murray moved the Wolfeboro Board of Selectmen to seal the minutes of the August 2, 2017 non-public meeting. Chairman Freudenberg seconded. Roll call vote, Chairman Freudenberg – yes, Linda Murray – yes, Brad Harriman – yes, Dave Senecal – yes, and Dave Bowers – yes. Being none opposed, the motion passed.**

**It was moved by Chairman Freudenberg and seconded by Linda Murray to adjourn at 8:04 PM. Members voted and being none opposed, the motion passed.**

Respectfully Submitted,  
Michele Chamberlain