

**Wolfeboro Deliberative Session 02/03/2009**

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**TOWN OF WOLFEBORO  
DELIBERATIVE SESSION**

**February 3, 2009**

**MINUTES**

**Board of Selectman Present:** Linda Murray, Chairman, Sarah Silk, Vice-Chairman, Dave Senecal, Kristi Ginter, Dwight Devork, Members.

**Budget Committee Present:** John MacDonald, Chairman, Scott Smith, Vice-Chairman, Allan Bailey, Fergus Cullen, Ned Giroux, John Burt, Robert Moholland, Brian Black, Jim Eisenhower, Members.

**Staff Present:** David Owen, Town Manager, Mark Puffer, Town Counsel, Pete Chamberlain, Finance Director, Pat Waterman, Town Clerk, Rob Houseman, Director of Planning & Development, Dave Ford, Director of Public Works, Barry Muccio, Director of Operations, MED, Ethan Hipple, Director of Parks & Recreation, Stu Chase, Police Chief, Phil Morrill, Fire Chief, Brenda LaPointe, Tax Collector.

*Moderator Randy Walker opened the Deliberative Session at 7 PM. He stated Article 1 is related to the election of Town Officials & Selectmen. He stated Articles 2 through 10 are related to the Town of Wolfeboro's Planning & Zoning Ordinance; noting the Planning Board held the statutory public hearings required for such. He reviewed the SB2 process for the Deliberative Session and informed the public of the Town vote on March 10, 2009.*

Moderator Walker read Article 11 as follows;

***ARTICLE 11: Repairs and Improvements at Brewster Memorial Town Hall***

*To see if the Town will vote to raise and appropriate the sum of Seven Hundred Fifty Thousand Dollars (\$750,000) for the purpose of carrying out essential maintenance, repairs and improvements to the Brewster Memorial Town Hall facility, including ADA accessibility improvements to key public areas and related design and construction supervision services, so as to prevent further deterioration of the building and minimize potential legal action against the Town, and further to authorize the issuance of not more than seven hundred fifty thousand dollars (\$750,000) of bonds or notes for these purposes in accordance with RSA Chapter 33, Municipal Finance Act, and to authorize the Board of Selectmen to issue and negotiate such bonds or notes and to determine the rate of interest, maturity, and other terms for this purpose.*

*(Recommended by Board of Selectmen)*

*(Recommended by Budget Committee)*

*(3/5 vote required)*

Referencing Articles 11 & 21, Linda Murray stated that after the defeat of the Brewster Memorial Hall restoration and renovation warrant article, the Board of Selectmen (BOS) established the Town Hall Options Committee (THOC). Its mission was to conduct a thorough examination and evaluation of all the options available to the Town to achieve the goal of attaining modern, safe, cost effective, energy efficient, ADA compliant Town Offices to accommodate the needs of the Town departments and the public. In the event Brewster Memorial Hall is not selected as an option, a reallocation plan for the property (land &

building) would be developed. The THOC recommended the following; give further consideration to the concept of constructing new Town Offices at the Community Center / Electric Plant sites and adjoining lands (Lehner Street project), give further consideration to the concept of a reduced scope / lower cost renovation / restoration of Brewster Memorial Hall based on the original design work of McGinley Kalsow & Associates and initiate actions for immediate essential maintenance and repairs on Brewster Memorial Hall. If Brewster Memorial Hall is not chosen for the location of the Town Offices, retaining the Brewster Memorial Hall on the National Historic Registry is believed to be a major factor in maintaining the Wolfeboro image as The Oldest Summer Resort in America and reinforces efforts to maintain Wolfeboro's wide spread reputation as an attractive tourist destination.

Prior to any decision to permanently move the Town Offices from Brewster Memorial Hall to any other location, a fiscally sound plan / proposal for long term use of Brewster Memorial Hall must be finalized. Failing this, the Town will be faced with the burden of an inherently valuable historic town focal point sitting abandoned in its midst. The importance of this step cannot be overstated.

***It was moved by Dwight Devork and seconded by Sarah Silk to amend Article 11 as follows; strike "\$750,000" and replace with "\$524,000" and insert "life safety" between "and improvements" (lines 2 & 3).***

*Discussion of the amendment:*

Dwight Devork noted the following tax rate impact; \$0 in 2009 and 6 cents per thousand in 2010. He noted the following proposed repairs; installation of life safety sprinkler system throughout the building, installation of new forced hot air heating systems, fire alarm system, ADA ramp at front entry, installation of new floor in the meeting room, insulate first floor ceiling and basement ceiling, add storm window inserts on first floor, replace 6 exterior doors and repair gutter and slate roof. CCI Construction provided the estimate for the improvements under the assistance of Richard O'Donnell. At the time of the submittal deadline for warrant articles, a placeholder number was needed because an estimate had not been received.

Henry Maxfield stated he is against any amendment that implies any hope of the Town Hall being what it is now. The Town Hall is a symbol of the old Wolfeboro.

Bob Lemaire stated the lower cost was done outside the public's view and questioned whether a construction bid was received.

Linda Murray stated it is a cost estimate.

Bob Lemaire stated the cost estimate includes \$200,000 that are marked for allowances and questioned whether such would be adequate for the proposed improvements. He questioned how an overrun would be covered.

Linda Murray stated that once the BOS received an email from Tom Zotti stating the life safety issues need to be addressed, the BOS began working on such in addition to repairs that would maintain the building estimate for costs related to such. On December 29, 2008, Sarah Silk discussed the issue in public in addition, the BOS released the information to the public. She stated she believes the amount will be enough.

Bob Lemaire questioned what other improvements beyond the sprinklers and fire alarms required by the Fire Department were included from the McGinley Kalsow plan; noting that it is being implied to the people that CCI's estimate is based on the preliminary work congruent with such. He stated he does not see any similarities.

Richard O'Donnell stated the Town paid \$500,000 for the plans from McGinley Kalsow which provided a guideline for the cost estimate for the repairs. He reviewed the proposed improvements.

Dwight Devork stated the proposed improvements are not a replication of the efforts of McGinley & Kalsow plans rather; it's a repair and improvement to the efficiency of the building to make it habitable for the immediate future.

Richard O'Donnell stated the masonry work, flashing and gutters were identified on the plan; noting the article reflects a repair of the building versus a replacement.

Bob Lemaire questioned whether the copper flashing would be replaced.

Richard O'Donnell replied no, the copper flashing would be repaired.

Barbara Jackson questioned the length of the bond and what would happen to the employees during the repairs.

Linda Murray stated the demolition work is proposed to occur Friday – Sunday with the Town Offices closed on Friday. The BOS have not discussed the length of the bond and stated that regardless of such, the improvements add to the value of the building. The building is an asset and no repairs have been done to date.

Henry Maxfield questioned whether upon completion would the improvements accommodate the present functions.

Linda Murray replied yes.

***It was moved by Dwight Devork and seconded by Sarah Silk to amend Article 11 as follows; strike "\$750,000" and replace with "\$524,000" and insert "life safety" between "and improvements" (lines 2 & 3). The motion passed.***

Joyce Davis stated she is in favor of Article 11. The THOC reached consensus and near unanimity in favor of the proposed improvements and recommendation for Brewster Memorial Hall. The proposed improvements improve the working conditions for the employees in the short term and buys time until a final decision is made.

A member of the public questioned how the impact of the tax rate could be estimated if the length of the bond is unknown.

Dave Owen stated the estimate was based on a 20 year bond however, noted the BOS has not taken a position on the length of the bond.

Kathy Eaton questioned whether the improvements would bring the building up to code in every way and would the improvements alleviate the dreadful working conditions currently being endured by Town employees.

Linda Murray stated the improvements would meet the life safety codes however, would not address all ADA issues for the Annex.

Richard O'Donnell stated the improvements would address the code violations directly related to the life safety of the employees.

Bob Lemaire stated that during the restoration, industrial hygienists determined the levels of lead, mold and asbestos in the building; noting the estimate to remove all the asbestos was \$20,000. The improvements proposed three independent hot air heating systems placed in the basement of the building and questioned whether one of the systems would be installed in the room with the asbestos contamination and, if so, would it not be more prudent to remove the asbestos.

Richard O'Donnell stated there is a budget item for removal of asbestos; noting the location of the old boiler would be isolated and the asbestos on the old pipes would be removed when the employees are not in the workplace.

Sarah Silk stated there is no need for total removal if the area where the asbestos is located is not being accessed.

Dwight Devork stated the Annex building is the location of the old boilers and such has been sealed off for many years with no admittance to regular usage and is not in use by employees. The new heating system includes duct work wrapped in fiberglass and is shielded from the existing area in basement.

***It was moved by Dwight Devork and seconded by Sarah Silk to not reconsider Article 11. The motion passed.***

***It was moved by Bob Lemaire and seconded by Alan Kasiowicz to revise the order of the Articles; move Article 15 to Article 12.***

*Discussion of motion:*

Peter Roessiger stated the request is to revise the order of the Articles; move Article 15 to be placed directly after Article 11 thus becoming Article 12 on the warrant and ballot and to renumber the other articles as necessary.

Bob Lemaire stated Article 15 competes with Article 11 and to segregate the articles would do the voters a disservice if separated.

Linda Murray stated Article 21, the second recommendation by THOC, addresses the Lehner Street site and feasibility study for such. The warrant article is not bonded therefore, cannot be moved up in order due to State statute. She requested the order be kept as is.

Suzanne Ryan expressed support of the amendment.

Kristi Ginter stated she is in favor of the amendment.

Kathy Eaton questioned the rationale for the request for secret ballot.

Bob Lemaire stated the issue is controversial within the Town and felt it would be the fairest way to protect the anonymity of Town employees and residents present.

***It was moved by Bob Lemaire and seconded by Alan Kasiowicz to revise the order of the Articles; move Article 15 to Article 12. Hand count: 111 voted in favor, 81 opposed. The motion passed.***

Moderator Walker read Article 15 (now Article 12) as follows;

***ARTICLE 15: Petition Article for Town Office Facilities***

*To see if the town will vote to raise and appropriate the sum of \$895,000. for the purpose of acquiring new town office facilities, as follows: to purchase for the sum of \$360,000. land and a building owned by Ocean Bank at 12 Varney Road, identified as Tax Map 203, Lots 80 & 81, to be used for town offices, with an additional sum not to exceed \$60,000. to fit-up this property to better serve as town offices and to move certain employees, records, and equipment from the current town offices at Brewster Memorial Hall to this location; further, to purchase for the sum of \$375,000. properties now owned by the Eastman Family Trust on Varney Road, identified as Tax Map 203, Lots 82, 85, 86, 87, and 90, which together comprise approximately 1.48 acres, for development as additional town office facilities, with an additional sum not to exceed \$100,000. for researching real estate title, land surveying, site engineering, architectural design, and other preliminary expenses reasonably associated with the purchase and development of these properties. Finally, to authorize the issuance of not more than \$895,000. of bonds or notes to fund this appropriation in accordance with the provisions of the Municipal Finance Act (RSA 33) and to authorize the Board of Selectmen to issue and negotiate such bonds or notes and to determine the rate of interest thereon, maturity, and other terms and conditions of such borrowing.*

*(Submitted by Petition)*

*(Not Recommended by Board of Selectmen)*

*(Not Recommended by Budget Committee)*

*(3/5 Vote Required)*

***It was moved by Bob Lemaire and seconded to amend Article 15 as follows; strike "\$895,000" (lines 1 & 12) & replace with "\$870,000", strike "\$375,000" (line 7) & replace with "\$350,000", strike "90" (line 8) and strike "1.48 acres" (line 8) and replace with "1.1 acres".***

*Discussion of the amendment:*

Bob Lemaire stated the amendment removes for consideration one of the five original lots therefore reduces the price. As the deadline approached the Eastman's requested to include Lot 90 so that the Town would own all of the land that had rights to the original 19<sup>th</sup> century pass way however, it was determined that the adjacent lot on North Main Street also has deeded rights to Lot 90.

Henry Maxfield stated he is opposed to the amendment.

Suzanne Ryan stated the Moderator has a request for secret ballot.

Moderator Walker reviewed the process for secret ballot; noting the following voters requested such; Bob Jones, Peter Roessiger, Bob Lemaire, Alan Kasiowicz and Suzanne Ryan.

***It was moved by Bob Lemaire and seconded to amend Article 15 as follows; strike "\$895,000" (lines 1 & 12) & replace with "\$870,000", strike "\$375,000" (line 7) & replace with "\$350,000", strike "90" (line 8) and strike "1.48 acres" (line 8) and replace with "1.1 acres". Hand count: 141 voted in favor, 71 opposed. The motion passed.***

Bob Lemaire reviewed the history of the formation of TOCAG. He stated TOCAG researched activities of municipal and commercial buildings in the area, negotiated with land owners to obtain fair prices, publicized information, commissioned UNH Survey Center to conduct a mail survey; noting 95% of Wolfeboro voters want to do something now with the condition of Brewster Memorial Hall and 60% of voters feel that spending money on the building is not considered an acceptable solution. The BOS have produced a competing

warrant article with no expressed solution for the building. He reviewed the current conditions of the Ocean Bank building.

Alan Kasiowicz stated the majority of responses of the survey held the Varney Road option as the one they valued the most. There is a residual concern with what would be done with Brewster Memorial Hall relative to investment and preservation.

Jeff Kingman, Chocorua Group, has a concept for Brewster Memorial Town Hall; rehab and restore through private investment. Such would create 30+ jobs, place the property back on the tax roll and restore the second floor to a performing arts center, meeting space and second release movie venue.

Bob Jones stated he is in favor of the article.

Dick Hamilton noted negative publicity regarding the Town Hall and questioned the unbiased nature of the UNH survey in that the survey is noted as the basis for the Varney Road proposal. He stated he is opposed to the article.

Richard O'Donnell stated the Lehner Street option was the only option submitted by the THOC that was supported by TOCAG; noting that neither the BOS nor the Budget Committee supports the Varney Road proposal. He reviewed unknown costs associated with such (wetland issues, feasibility of ability for new construction and Right-of-Way issues). He reviewed White Mountain Survey Co. Inc.'s review of the proposal. He stated he is opposed to the article.

***It was moved by Kathy Eaton and seconded by Chris Ginter to amend Article 15 to strike "870,000" to "\$420,000" (lines 1 & 12), place a period after "employees" (line 5) and strike lines 5 through 12 beginning with "records" & ending with "properties".***

Moderator Walker asked whether the intent is to bond the article.

Kathy Eaton questioned the tax impact.

Pete Chamberlain replied 21 cents every \$1,000 of value; \$63 increase in taxes.

***It was moved by Kathy Eaton and seconded by Chris Ginter to amend Article 15 to strike "870,000" & replace with "\$420,000" (lines 1 & 12), place a period after "employees" (line 5) and strike lines 5 through 12 beginning with "records" & ending with "properties" and not require a bond.***

*Discussion of the amendment:*

Kathy Eaton stated the amendment would provide a compromise and flexibility until a long term plan is determined.

Bob Lemaire stated the ownership of Avery Lane is known and an estimate was received from Brown Engineering relative to the wetland issue and wetland survey.

Peter Goodwin stated if wetlands are an issue, then it becomes a State issue and not a Town issue.

Bob Lemaire reviewed the wetland status.

Bob Jones stated the Varney Road site would not have any issues with parking.

***It was moved by Curt Pike and seconded to terminate debate of the amendment to Article 15. The motion passed.***

***It was moved by Kathy Eaton and seconded by Chris Ginter to amend Article 15 to strike "870,000" & replace with "\$420,000" (lines 1 & 12), place a period after "employees" (line 5) and strike lines 5 through 12 beginning with "records" & ending with "properties" and not require a bond. The motion failed.***

***It was moved by Noreen MacDonald and seconded to amend Article 15 to insert "for Phase 1" (line 1) following "\$870,000".***

*Discussion of the amendment:*

Bob Lemaire stated TOCAG is not trying to hide anything and that the organization has been public regarding Phase 1 & Phase 2. He stated he is opposed to the amendment.

***It was moved by Noreen MacDonald and seconded to amend Article 15 to insert "for Phase 1" (line 1) following "\$870,000". Hand count: 105 voted in favor, 74 opposed. The motion passed.***

Bob Smart expressed concern for the tax impact of a degrading or failing Downtown than the tax impact of a couple of dollars to fix Brewster Memorial Town Hall. He stated he is opposed to the Varney Road proposal.

Dick Mosher stated to rid the article would do a disservice to the voters; let the voters decide.

Curt Pike recommended voting for both articles to buy time for a long term solution.

Henry Maxfield stated he is opposed to the article.

Suzanne Ryan questioned whether the words / caption in bold lettering appear on the ballot.

Mark Puffer replied yes.

***It was moved by Suzanne Ryan and seconded to amend Article 15 as follows; insert "New" in the title between "for" & "Town" and insert "on Varney Road" at the end of the title. The motion passed.***

***It was moved by Suzanne Ryan and seconded to terminate debate on Article 15. The motion passed.***

***It was moved by Linda Murray to not reconsider Article 11 and Article 15. The motion passed.***

***It was moved by Linda Murray to move the order of Article 21 for discussion only. The motion passed.***

Moderator Walker read Article 21 as follows;

***ARTICLE 21: Site Evaluation of Lehner Street Lots***

*To see of the Town will vote to raise and appropriate the sum of seventy-five thousand dollars (\$75,000) to undertake a feasibility study to include, but not limited to: an environmental site assessment, survey, wetlands delineation and preliminary site design of a building, pedestrian access, parking, and all necessary improvements for storm water*

*management, of Tax Map 217, Lot 71, and Tax Map 218, Lot 2 and other land surrounding Town-owned property on Lehner Street for a town hall building or another municipal use.  
(Recommended by Board of Selectmen)  
(Recommended by Budget Committee)*

Linda Murray reviewed the history of land purchases by the Town (RIB site, Moody property and the Library). The feasibility study would include a survey, wetland delineation, pedestrian access, parking, preliminary site design of the building, environmental site assessment, cost of demolition of Community Center and Electric building, necessary improvements for storm water management and additional land purchase for building.

***It was moved by Suzanne Ryan and seconded to strike all of the language of the article; the article to read "To see."***

*Discussion of the amendment:*

Suzanne Ryan stated TM #218-2 is private property, trustee being James Walgreen and expressed concern for said property being included in the survey noted in the article with no written agreement between the Town and the owner to conduct the study or purchase the property. She questioned spending taxpayer money on\for a study on private property and noted the Walgreen property is not currently managed by NH DES however, is scheduled for such this coming spring. The Town would be taking on another polluted site and the article is not the best use of taxpayer's money and would confuse the voters of the Town Hall options and other municipal uses. As President of the Wolfeboro Citizen and Taxpayer's Association, she does not support the article.

Kristi Ginter stated she is in favor of the amendment as the article dilutes the options to the voters.

John Foster verified the amendment renders the article useless. He stated the article should be voted on as written.

Alan Kasiowicz stated he supports the amendment and believes the rationale for the article is to dilute the vote.

Dick Hamilton stated the article should stand as is.

Linda Murray stated the article is one of three options recommended by the THOC.

Richard O'Donnell stated Lehner Street was TOCAG's first choice.

Bob Lemaire stated TOCAG did not have a first, second or third choice and that no given article was favored.

Suzanne Ryan stated it was not the intent of the THOC to have two competing warrant articles on the ballot. She stated she is against work being done on the Walgreen lot of which the owner has not conveyed any written authorization to do so.

***It was moved and seconded to terminate debate on the amendment. The motion passed.***

***It was moved by Suzanne Ryan and seconded to strike all of the language of the article; the article to read "To see." The motion failed.***

***It was moved by Suzanne Ryan and seconded to strike "75,000" (line 2) & replace***



**with “\$25,000” and strike “Tax Map 218, Lot 2” (line 5).**

*Discussion of the motion:*

Steve Buck questioned the legality by the Town to spend taxpayer money to conduct improvements on private property.

Linda Murray stated the Town would speak to Mr. Walgreen prior to anything being done.

Mark Puffer stated the article speaks to a feasibility study and not to do improvements therefore, it is legal.

Bob Lemaire stated the article is premature.

Fred Stephens stated he spoke with Jim Walgreen and discussed the interest of the THOC and possibility of using his land and abutments to the Town's land for the Town Hall. He stated Mr. Walgreen stated he was willing to speak to the Town regarding such and is hopeful he could be of help.

Suzanne Ryan stated such is hearsay.

***It was moved by Suzanne Ryan and seconded to strike “75,000” (line 2) & replace with “\$25,000” and strike “Tax Map 218, Lot 2” (line 5). The motion failed.***

***It was moved by Linda Murray and seconded to not reconsider Article 21. The motion passed.***

Moderator Walker read Article 12 as follows;

***ARTICLE 12: ADA Improvements-Phase II***

*To see whether the Town will vote to raise and appropriate the sum of two hundred fifty thousand dollars (\$250,000) for the purpose of designing and constructing Americans with Disabilities Act (ADA)-compliant entrances and restrooms at the following Town facilities: Carry Beach bathhouse; Brewster Beach bathhouse, and Pop Whalen arena, and further to authorize the issuance of not more than two hundred fifty thousand dollars (\$250,000) of bonds or notes for these purposes in accordance with RSA Chapter 33, Municipal Finance Act, and to authorize the Board of Selectmen to issue and negotiate such bonds or notes and to determine the rate of interest, maturity and other terms for this purpose. The portion of principal and interest on said bonds or notes which is allocable 50% of the improvement at the Pop Whalen Arena shall be paid from the Pop Whalen Enterprise Fund.*

*(Recommended by the Board of Selectmen)*

*(Recommended by the Budget Committee)*

*(3/5 vote required)*

***It was moved by Dave Senecal and seconded to amend Article 12 by striking the last sentence of the article and insert the following in place of such; “Without impairing the status of these bonds or notes as general obligation of the Town, it is intended that the portion of principal and interest on said bonds which is allocable to 50% of the cost of the improvements at the Pop Whalen Arena shall be paid from the Pop Whalen Enterprise Fund.”***

*Discussion of the amendment:*

Dave Senecal stated the Bond Council recommended the amendment.

Moderator Walker read Article 13 as follows;

### **ARTICLE 13: Replace Water Lines in Union and School Streets**

To see if the Town will vote to raise and appropriate the sum of two hundred sixty thousand dollars (\$260,000) to replace the water mains and appurtenances in Union and School Streets in downtown Wolfeboro, and further to authorize the issuance of not more than two hundred sixty thousand (\$260,000) of bonds or notes for these purposes in accordance with RSA Chapter 33, Municipal Finance Act, and to authorize the Board of Selectmen to issue and negotiate such bonds or notes and to determine the rate of interest, maturity and other terms for this purpose. Payment of all principal and interest on said bond or note shall be from the Water Enterprise Fund. This project will not cause any increase in tax rates.

(Recommended by Board of Selectmen)

(Recommended by Budget Committee)

(3/5 vote required)

***It was moved by Sarah Silk and seconded to amend Article 13 by inserting “and other streets” in between “Streets” & “in” (line 3).***

Sarah Silk stated the existing water lines were installed in the 1890's; noting there are considerable issues with such. The article proposes the replacement of 1,000' of water main with 8" cement lined ductile iron.

Dave Ford stated the amendment is related to an economic stimulus package and the article is part of the Downtown Streets Project. Due to the desire of the BOS and the economic conditions, the project has been down scaled to only water lines on Union and School Street.

Doug Cady questioned the exclusion of sewer lines.

Dave Ford stated the sewer lines on Union Street are in decent condition however, noted that work is necessary on School Street to reduce inflow and infiltration. Money was appropriated at last Town Meeting for the latter; noting said work would be done in conjunction with the improvements noted in Article 13.

***It was moved by Sarah Silk and seconded to amend Article 13 by inserting “and other streets” in between “Streets” & “in” (line 3). The motion passed.***

***It was moved by Sarah Silk and seconded by Joyce Davis to not reconsider Article 13. The motion passed.***

Moderator Walker read Article 14 as follows;

### **ARTICLE 14: Repairs and Improvements to the Railroad Station**

To see whether the Town will vote to raise and appropriate the sum of One Hundred Forty Five Thousand Dollars (\$145,000) for the purpose of making needed repairs to the Town-owned Railroad Station facility, where repairs will include, but not be limited to, replacing the roof, repairing or replacing rotten wood, insulating the building, and scraping and painting the building, and further to authorize the issuance of not more than One Hundred Forty Five Thousand Dollars (\$145,000) of bonds or notes for these purposes in accordance with RSA Chapter 33, Municipal Finance Act, and to authorize the Board of Selectmen to issue and negotiate such bonds or notes and to determine the rate of interest, maturity, and other terms for this purpose.

(Recommended by the Board of Selectmen)

(Not Recommended by the Budget Committee)

(3/5 vote required)

Dwight Devork stated Town buildings have not been well maintained over the years and the goal of the BOS is to conduct repairs and improvements to buildings. He stated the proposed improvements include a new roof, repair/replace rotten wood, insulate and scrape and paint the building. The Wolfeboro Nursery School and Wolfeboro Area Chamber of Commerce have difficulty heating the space due to lack of insulation.

Kurt Dietzer questioned why the article was not supported by the Budget Committee.

Scott Smith stated the Committee felt the article was premature and conflicted with Article 20. It was explained to the Committee that the improvements noted in the article could be just the start of the repairs and more repairs are to come.

Member of the public, Wolfeboro Nursery School, stated she supports the article; noting the need for immediate repair as the school has to close down because the State requires the school to maintain a temperature of 65 degrees however, they are unable to maintain such in order to operate.

Dave Ford stated the Railroad Station is an old historic building and was purchased in 1950 for \$5,000 for the purpose of demolishing the building. The roof is leaking and additional funds may be necessary to address mechanical or structural issues.

Judy Breuninger stated she is in favor of the article.

Joyce Davis stated the building repairs have become an emergency situation and need to be done. Town buildings have been sorely neglected for years and applauded the efforts by the BOS to address the issue.

Barbara Jackson questioned the length of the bond and requested a short term bond or to be paid this year to cover the duration of the improvements.

Dave Owen stated the assumption for the interest for the tax rate is a 20 year bond however, noted the BOS have not determined the length of the bond.

Steve Buck questioned whether it would be possible for the Budget Committee to reconsider their recommendation.

Scott Smith stated it was explained to the Committee that there could be potential structural issues therefore, the Committee supported the Town Buildings Evaluation. He stated the Committee is supportive of the roof repair.

***It was moved by Suzanne Ryan and seconded to amend Article 14 as follows; strike "\$145,000" and replace with "\$25,000 "(lines 2 & 6), strike "insulating the building, and scraping and painting the building, and further to authorize the issuance of not more than One Hundred Forty Five Thousand Dollars (\$145,000) of bonds or notes for these purposes in accordance with RSA Chapter 33, Municipal Finance Act, and to authorize the Board of Selectmen to issue and negotiate such bonds or notes and to determine the rate of interest, maturity, and other terms for this purpose." (lines 4 through 9) and insert "in relation to the repairs of the roof and applying new architectural shingles" following "wood," (line 4).***

Bob Jones stated he is in favor of the amendment.

Steve Buck recommended the amendment include insulation.

Dave Ford stated he retrieved quotes for the roof in addition to three quotes for the painting of the building. He noted many layers of paint exist on the building and stated he is unsure if there are issues with lead paint.

Suzanne Ryan questioned the need for architectural services.

Dave Ford stated there is a need for a qualified person for bid specification.

Dick Hamilton stated Mr. Ford is more than capable of managing the improvements; noting opposition to the amendment.

Bob Smart agreed with Mr. Hamilton.

Kathy Eaton stated the improvements need to be done.

***It was moved by Suzanne Ryan and seconded to amend Article 14 as follows; strike “\$145,000” and replace with “\$25,000” (lines 2 & 6), strike “insulating the building, and scraping and painting the building, and further to authorize the issuance of not more than One Hundred Forty Five Thousand Dollars (\$145,000) of bonds or notes for these purposes in accordance with RSA Chapter 33, Municipal Finance Act, and to authorize the Board of Selectmen to issue and negotiate such bonds or notes and to determine the rate of interest, maturity, and other terms for this purpose.” (lines 4 through 9) and insert “in relation to the repairs of the roof and applying new architectural shingles” following “wood,” (line 4). The motion failed.***

***It was moved by Joyce Davis and seconded to not reconsider Article 14. The motion passed.***

Moderator Walker read Article 16 as follows;

**ARTICLE 16—Petition Article**

To see whether the Town will vote to raise and appropriate the sum of Two Hundred Fifty Thousand Dollars (\$250,000.00) for the purpose of acquiring Wolfeboro Tax Map Parcel 218-1, directly adjacent to the Glendon Street parking lot, said parcel of land to be used for public parking, and further to authorize the issuance of not more than Two Hundred Fifty Thousand Dollars (\$250,000.00) of bonds or notes for the purpose in accordance with RSA Chapter 33, Municipal Finance Act, and to authorize the Board of Selectmen to issue and negotiate such bonds or notes and to determine the rate of interest, maturity, and other terms for this purpose.

(Submitted by Petition)

(Recommended by Board of Selectmen)

(Recommended by Budget Committee)

(3/5 Vote Required)

Roger Murray, Co-Chair of the Master Plan Greater Downtown Chapter Committee, stated the article / proposal is an outgrowth of that Committee. In the last thirty years the population of the Town of Wolfeboro has more than doubled however, the need for parking to accommodate the growth has not been addressed. The article would meet the recommendations of the Master Plan and provide long term parking (more than 2 hours) opportunities for visitors.

Chip Maxfield stated the parcel is well located, well priced; noting the size of the parcel in the Downtown area is unusual. The parcel is a five minute walk to either the Center Street

area or the Downtown area. He reviewed recent sale prices of Downtown properties.

Mike Cooper, President, Wolfeboro Area Chamber of Commerce, expressed support of the article.

Suzanne Ryan stated she supports the article however, does not support the price for the purchase of the land.

***It was moved by Suzanne Ryan and seconded by Bob Jones to amend Article 16 as follows; strike "\$250,000" & replace with "\$176,000" (lines 2 & 5).***

*Discussion of the amendment:*

Chip Maxfield stated he has had several conversations with Victor Drouin, owner, regarding the purchase price and noted that Mr. Drouin will not sell the property for less than the price noted in the article. Mr. Drouin would not be willing to sell the property for \$176,000.

Suzanne Ryan stated the Town is buying the liability to the property and questioned whether the price is negotiable.

Chip Maxfield replied no.

Kathy Eaton stated the Town needs parking and noted such is a bargain to the business community to pay \$250,000 for 80 parking spaces. She expressed support of the article, not the amendment.

***It was moved by Suzanne Ryan and seconded by Bob Jones to amend Article 16 as follows; strike "\$250,000" & replace with "\$176,000" (lines 2 & 5). The motion failed.***

***It was moved by Suzanne Ryan to amend Article 16 as follows; insert "owned by Green Mountain Realty Corp." following "218-1," (line 2). There being no second, the motion failed.***

***It was moved and seconded to not reconsider Article 16. The motion passed.***

Moderator Walker read Article 17 as follows;

**ARTICLE 17: 2009 Operating Budget**

Shall the Town raise and appropriate as an operating budget, not including appropriations by special warrant articles and other appropriations voted separately, the amounts set forth on the budget posted with the warrant or as amended by the vote of the first session, for the purposes set forth therein totaling \$24,167,116. Should this article be defeated the operating budget shall be \$23,705,337, which is the same as last year, with certain adjustments required by the previous action of the Town or by law; or the governing body may hold one special meeting, in accordance with RSA 40:13, X and XVI, to take up the issue of a revised operating budget only.

NOTE: This Operating Budget warrant article does not include appropriations contained in ANY other warrant articles.

(Recommended by Board of Selectmen)

(Recommended by Budget Committee)

John Burt reviewed the 2009 Operating Budget.

Noting the decrease in interest rates, a member of the public questioned the efforts by the

Town to reacquire lower interest bonds that have not met maturation.

Pete Chamberlain stated occasionally the Bond Bank will refinance debt however, he is unaware whether Rural Development would allow for such.

***It was moved and seconded to not reconsider Article 17. The motion passed.***

Moderator Walker read Article 18 as follows;

**ARTICLE 18: AFSCME Contract Agreement**

To see if the Town will vote to approve the cost items included in the collective bargaining agreement reached between the Board of Selectmen and Local #534 of the American Federation of State, County, and Municipal Employees (AFSCME) which calls for the following increases in salaries and benefits at the current staffing levels:

<u>Year</u>		<u>Estimated Increase</u>
2009	Salaries	\$60,011
	Benefits	<u>\$21,490</u>
	Total 2009	\$81,501
2010	Salaries	\$43,152
	Benefits	<u>\$ 9,371</u>
	Total 2010	\$52,523

these increased costs of salaries and benefits to be offset in part by savings in health insurance benefits estimated at \$51,640 in 2009 and \$55,255 in 2010, and further to raise and appropriate the sum of \$81,501 for the upcoming fiscal year, such sum representing the additional costs attributable to the increase in salaries and benefits over those of the appropriation at current staffing levels paid in the prior fiscal year.

(Recommended by Board of Selectmen)

(Recommended by Budget Committee)

Linda Murray stated in 2007 the BOS established a Health Insurance Task Force which determined the Town would offer 3 health insurance policies as opposed to 6 policies. In 2008 the Town hired Thornton & Associates to conduct a Pay & Classification Study which included an external market study and development of a compensation program. The study provided the Town with updated job descriptions for employees. Based on such, the Town negotiated new contracts with the AFSCME Unit #534 and the NEPBA Unit #39. The employees received health insurance savings and would receive a 2% raise in 2009 and a 2.5% raise in 2010.

Moderator Walker read Article 19 as follows;

**ARTICLE 19: Police Union Contract Agreement**

To see if the Town will vote to approve the cost items included in the collective bargaining agreement reached between the Board of Selectmen and Local #39 of the New England Police Benevolent Association (NEPBA) which calls for the following increases in salaries and benefits at the current staffing levels:

<u>Year</u>		<u>Estimated Increase</u>
2009	Salaries	\$18,754
	Benefits	<u>\$ 3,854</u>
	Total 2009	\$22,608
2010	Salaries	\$23,375
	Benefits	<u>\$ 4,827</u>
	Total 2010	\$28,202

and further to raise and appropriate the sum of \$22,608 for the upcoming fiscal year, such sum representing the additional costs attributable to the increase in salaries and benefits over those of the appropriation at current staffing levels paid in the prior fiscal year.

(Recommended by Board of Selectmen)

(Recommended by Budget Committee)

Linda Murray stated the employees in 2009 would receive a 2% raise and in 2010 would receive a 2.5% raise; all employees transferred onto the new health plans in 2008.

Moderator Walker read Article 20 as follows;

**ARTICLE 20: Public Buildings Evaluation & Capital Assets Management Plan**

To see whether the Town will vote to raise and appropriate the sum of Eighty Thousand Dollars (\$80,000) for the purpose of obtaining a professional evaluation of the conditions of the following Town Buildings: Railroad Station, Dockside, Community Center, Library, Libby Museum, Public Safety Building, Highway Garages and the Solid Waste Facility, such evaluations to assess building conditions, identify and prioritize issues of concern and list required upgrades and their costs to protect the Town's assets, make them more energy efficient and to develop a long-term Building Facilities Capital Assets Management Plan.

(Recommended by the Board of Selectmen)

(Recommended by the Budget Committee)

Dave Senecal stated many Town buildings have not been evaluated and the evaluation results would assist with future maintenance and repairs.

Richard O'Donnell questioned why Clark House was not included on the list of Town buildings to be evaluated.

Dave Senecal stated work was conducted on the school house two years prior.

Judy Breuninger questioned why the Town Hall was not included.

Linda Murray stated the Town spent \$500,000 on architectural drawings that outline the deficiencies of the building.

Bob Lemaire questioned whether the proposal contains a professional energy audit.

Dave Senecal replied no.

Bob Lemaire questioned vapor control and infrared imaging to determine heat loss.

Dave Ford stated a RFQ would detail the scope of work and such could be included in the RFQ.

Chuck Farrell questioned whether the Railroad Station has been evaluated.

Dave Ford replied no. The evaluation would provide a baseline for an asset management plan for all facilities for the next 10-20 years noting the article came out of the recommendation of the energy audit (Energy Committee).

Moderator Walker read Article 22 as follows;

**ARTICLE 22: Upgrade Town Roads**

To see whether the Town will vote to raise and appropriate the sum of four hundred

thousand dollars (\$400,000) for upgrading Town roads and drainage systems.

(Recommended by Board of Selectmen)

(Recommended by Budget Committee)

Dave Ford stated the article includes finishing North Line Road and rebuilding culverts on Varney Road and Trask Mountain Road.

Suzanne Ryan stated \$400,000 is not enough money to adequately maintain roads and questioned when the amount would be increased.

Dave Ford stated the figure noted in the CIP has been raised by 20%.

Moderator Walker read Article 23 as follows;

**ARTICLE 23: Purchase Replacement Bucket Truck for Electric Department**

To see whether the Town will vote to raise and appropriate the sum of one hundred ninety thousand dollars (\$190,000) from the Electric Enterprise Fund for the purpose of replacing ME-2, a 1996 bucket truck. This acquisition will not result in any increase in the tax rates.

(Recommended by the Board of Selectmen)

(Recommended by the Budget Committee)

Barry Muccio stated the truck to be replaced was purchased in 1996, has 94,031 miles and was down 15 days in 2008 due to needed repairs, noting repair costs, to date, totaling \$34,422.

Suzanne Ryan questioned what would be done with the old truck.

Barry Muccio stated the Town would bid it out and sell it.

Moderator Walker read Article 24 as follows;

**ARTICLE 24: Replace HD-12, a One-Ton Plow Truck with Sander**

To see whether the Town will vote to raise and appropriate the sum of sixty thousand dollars (\$60,000) for the purpose of replacing HD-12, a 2000 one-ton truck for use by the Highway Division of the Department of Public Works.

(Recommended by the Board of Selectmen)

(Recommended by the Budget Committee)

Dave Ford stated the truck would replace the foreman's vehicle which has considerable miles and has had increased costs related to maintenance in the past two years. He stated the sander would be sold separately.

Moderator Walker read Article 25 as follows;

**ARTICLE 25: Armory Roof Replacement**

To see if the Town will vote to appropriate the sum of fifty thousand dollars (\$50,000) from the Electric Enterprise Fund to replace the leaky and deteriorated roof on the Armory Building, which houses the Electric Department at 133 Middleton Road. This project will not result in any increase in tax rates.

(Recommended by Board of Selectmen)

(Recommended by Budget Committee)

Dave Senecal noted the following proposed improvements; strip asphalt roofing as required, replace and repair broken and rotted decking as required, install 24 gauge standing seam roof system, install fascia drip edge to all eaves and rakes, re-lead and flash chimney and all roof penetrations. Such to be paid by the Enterprise Fund having no impact on the tax rate.

***It was moved by Joyce Davis and seconded to not reconsider Articles 18, 19, 20, 21,***



**22, 23, 24 & 25. The motion passed.**

Moderator Walker read Article 26 as follows;

**ARTICLE 26: Design Plan for a New Foss Field Building**

To see whether the Town will vote to raise and appropriate the sum of sixty five thousand dollars (\$65,000) toward the purpose of constructing a new Foss Field Building to house the Parks and Recreation Dept's summer programs and youth athletic programs at Foss Field, and demolition of the current Foss Field "Hut"; said sum to consist of \$15,000 to conduct additional study and design of the project, and \$50,000 to be transferred to the Parks & Recreation Foss Field Capital Reserve Account (balance currently \$79,056), to be under the care and control of the Trustees of the Trust Funds.

(Recommended by Board of Selectmen)

(Recommended by Budget Committee)

Kristi Ginter stated the building is an older building that is heavily used for the summer Parks & Rec program and is not well suited for its purpose; noting issues with flooding and capacity.

Ethan Hipple stated the building is in serious disrepair with significant flooding and rot issues and noted the building is partially on an abutting lot. Following review of existing plans (6 years old), the plans did not appear to be sufficient for the use of the summer recreational program (100+ children) as the plans allow for a maximum capacity of 35 people. The article addresses a site assessment (soil tests and samples are proposed) and revised plans to accommodate the programs.

Moderator Walker read Article 27 as follows;

**ARTICLE 27: Wind-Power Generation Feasibility Study**

To see if the Town will vote to raise and appropriate the sum of fifty thousand dollars (\$50,000) from the Electric Enterprise Fund to fund a wind-power generation feasibility study to determine the potential for generating a portion of the Town's electric supply needs from wind turbines on existing Town-owned properties; said study to include meteorological tower, site wind resource study, environmental impacts, land use and community acceptance; air space and FAA notification, wildlife impacts, wind plant configuration options, wind energy production, economic analysis, operation and maintenance, sound study and federal and local permitting analysis. This study will not cause any increase in tax rates or electric rates.

(Recommended by Board of Selectmen)

(Not Recommended by Budget Committee)

Barry Muccio reviewed the scope and funding of the project; noting the article provides a green energy option.

Dwight Devork stated the article looks at the Town of Wolfeboro becoming partially energy independent by generating its own power.

***It was moved by Jim Nupp and seconded to amend the article as follows; insert "/solar/hydro" following "wind-power" (line 2) and "wind" (line 3).***

*Discussion of the amendment:*

Barry Muccio stated he received three set prices on only wind generation study and expressed concern that adding two additional sources of energy would add additional cost to the study.

Dwight Devork stated Fairhaven, CT conducted a comprehensive study; noting such is labor intensive.

Bob Lemaire stated he is in favor of the study; noting there is no need for a year long study for solar and the couple of hydro opportunities that exist in Wolfeboro do not have the potential or scale as the wind generation.

Jim Nupp stated that 90% of the Lakes Region is not adaptable to wind; noting a wind resource map is available for review. Solar can be done at minimal cost.

***It was moved by Jim Nupp and seconded to amend the article as follows; insert “/solar/hydro” following “wind-power” (line 2) and “wind” (line 3). The motion failed.***

Suzanne Ryan questioned why the Budget Committee voted to not recommend the article.

Fergus Cullen stated the Committee felt it could be best handled by the private sector / industry or private land owner. The Committee is not opposed to the concept.

Moderator Walker read Article 28 as follows;

**ARTICLE 28: Funding Development of Economic Development Strategic Plan**

To see whether the Town will vote to raise and appropriate the sum of twenty-four thousand five hundred dollars (\$24,500) for the purpose of funding the development of an Economic Development Strategic Plan for the Town of Wolfeboro, as requested by the Town's Economic Development Committee and as recommended by the Town's new Master Plan.

(Recommended by Board of Selectmen)

(Recommended by Budget Committee)

Frank Giebutowski stated the article is recommended by the Economic Development Committee (appointed by the BOS) and flows from the Master Plan for the Town to look at economic development; noting an opportunity to increase the tax base. He reviewed the intent of the study.

Moderator Walker read Article 29 as follows;

**ARTICLE 29: Public Works Vehicle and Equipment Capital Reserve Fund**

To see if the Town will vote to raise and appropriate the sum of ninety-five thousand dollars (\$95,000) to be transferred to the Public Works Vehicle & Equipment Capital Reserve Fund, to be under the care and control of the Trustees of Trust Funds.

(Recommended by Board of Selectmen)

(Recommended by Budget Committee)

Dave Ford stated the article reflects an ongoing program to grow the fund for vehicle replacement on an ongoing basis.

Moderator Walker read Article 30 as follows;

**ARTICLE 30: Establish New Fire Truck and Apparatus Replacement Capital Reserve Fund**

To see if the Town will vote to establish a new Capital Reserve Fund under the provisions of RSA 35:1 for the purpose of purchasing fire trucks and apparatus, and to raise and appropriate the sum of seventy five thousand dollars (\$75,000) to be placed in this fund, to be under the custody of the Trustees of Trust Funds and to designate the Board of Selectmen as agents to expend.

(Recommended by Board of Selectmen)

(Recommended by Budget Committee)

Sarah Silk stated in 1990 Article #4 was for the purpose of purchasing one fire truck however, to date, two trucks have been purchased. The article reflects a housekeeping item to start a new Capital Reserve Fund.

***It was moved by Sarah Silk and seconded to not reconsider Articles 26, 27, 28, 29 and 30. The motion passed.***

Moderator Walker read Article 31 as follows;

**ARTICLE 31: Land Acquisition Capital Reserve Fund**

To see if the Town will vote to establish a capital reserve fund under provisions of RSA 35:1 for the purpose of funding the acquisition of land needed for municipal purposes and to raise and appropriate the sum of ten thousand dollars (\$10,000) to be transferred to the Land Acquisition Capital Reserve Fund, to be under the custody of the Trustees of Trust Funds and to designate the Board of Selectmen as agents to expend.

(Recommended by the Board of Selectmen)

(Not Recommended by Budget Committee)

Dwight Devork stated the Town currently does not have a land acquisition fund and noted the purpose would be to incrementally fund the account each year for the opportunity to purchase land.

Suzanne Ryan stated such reflects the tool as a savings account for green space.

Moderator Walker read Article 32 as follows;

**ARTICLE 32: Establish Agricultural Commission**

To see if the Town will vote to establish an Agricultural Commission as permitted by RSA 674:44-e, f, and g. The word "agriculture" shall include the entirety of RSA 21:34-a, which is the definition of farm, agriculture, and farming. And Agricultural operations will be protected by RSA 432:33, which is the right to farm or immunity from suit. The Commission members shall be appointed in conformance with RSA 673:4-b, specifically, not less than 7 members with 5 alternates. All shall be residents of Wolfeboro, and may serve on other boards and commissions.

(Recommended by Board of Selectmen)

Sarah Silk stated in the spring of 2008 a group of citizens requested the BOS to establish an Agricultural Commission.

Josh Arnold stated he supports Article 32.

Moderator Walker read Article 33 as follows;

**ARTICLE 33: Use of Conservation Fund to Purchase Property Interests in Land Outside of Wolfeboro Town Boundaries**

To see if the Town will vote to adopt the provisions of RSA 36-A:4-a, I(a) to authorize the Conservation Commission to expend funds to purchase interests in land outside the boundaries of our municipality, subject to the approval of the local governing body.

(Recommended by Board of Selectmen)

Sarah Silk stated the article reflects a housekeeping item relative to changes made in the State statute.

Suzanne Ryan questioned why the Town would want to purchase land outside the boundaries of Wolfeboro.

Sarah Silk stated the article allows for the Conservation Commission to make a donation to a land trust to protect a piece of property within the State that may not be in the Town.

John Burt stated he is opposed to Article 33 and questioned the definition of “qualified organization”. He is not against conservation and reviewed the 2006 Warrant Article that allows for all Current Use funds to be placed into the Conservation Fund rather than the General Fund.

Sarah Silk stated the Conservation Commission, per RSA 36A allows the Commission to expend funds and referenced an example when the Commission expended funds to protect Knight’s Pond; noting such is located outside of the Town (Alton) but, contiguous to Wolfeboro.

Mark Puffer stated the statute defines qualified organization.

Roger Murray stated the article allows the Town to purchase property of interest that has significant impact on the Town; noting he supports Article 33.

***It was moved by Noreen MacDonald and seconded by Suzanne Ryan to amend Article 33 as follows; strike “outside” and replace with “abutting” (line 2).***

*Discussion of the amendment:*

Sarah Silk stated the article reflects a standard boiler plate warrant article provided to the Commission at the annual NH Association for Conservation Commission meeting. She stated she is opposed to the amendment.

***It was moved by Noreen MacDonald and seconded by Suzanne Ryan to amend Article 33 as follows; strike “outside” and replace with “abutting” (line 2). The motion passed.***

Moderator Walker read Article 34 as follows;

**ARTICLE 34: Use of Conservation Fund for Purchase of Property Interests by Other Organizations**

To see whether the Town will vote to adopt the provisions of RSA 36-A:4-a, I(b) to authorize the Conservation Commission to expend funds for contributions to “qualified organizations” for the purchase of property interests, or facilitating transactions related thereto, where the property interest is to be held by the qualified organization and the Town will retain no interest in the property.

(Recommended by Board of Selectmen)

Sarah Silk stated the article would protect wildlife, drinking water supplies and aquifers that may cross Town lines.

John Burt stated he is not in favor of Article 34.

***It was moved by Noreen MacDonald and seconded by Suzanne Ryan to amend Article 34 as follows; insert “within the boundaries of the Town of Wolfeboro or abutting the Town of Wolfeboro. The motion passed.***

Moderator Walker read Article 35 as follows;

**ARTICLE 35: Petition Article**

To see if the Town of Wolfeboro will vote to maintain Albee Beach Road, leading to the town-owned Albee Beach, on a year round basis for the following reasons. Even off-season most of the traffic using Albee Beach Road is a result of the public accessing either Albee Beach or the tracks for recreational purposes i.e. swimming, canoeing, kayaking, picnicing, fishing, hiking, biking, cross country skiing, snowshoeing, ice fishing, or just relaxing and enjoying the scenery. Also, although the Town of Wolfeboro owns substantial frontage on Albee Beach Road, maintenance becomes the responsibility of the other abutters when the Town Beach is closed.

(Submitted by Petition)

Sarah Silk stated the Town has a Right-of-Way and as primary users of the Right-of-Way, currently does repairs to such. The owners have requested the Town to make repairs to the road due to the high usage associated with Albee Beach by the citizens.

Suzanne Ryan stated the Town cannot keep up with the existing roads currently; noting she is not in favor of Article 35.

Sarah Silk stated it is not a private road currently being maintained by the Town and noted the extraordinary amount of traffic created by the Town's beach.

***It was moved and seconded to not reconsider Articles 31, 32, 33, 34 and 35. The motion passed.***

Moderator Walker read Article 36 as follows;

**ARTICLE 36: Petition Article**

Are you in favor of abolishing the Historic District and the Board of Selectmen. This petition is in accordance with RSA 674:47.

The full text of the petition reads:

*"We the undersigned, being registered voters in the Town of Wolfeboro, NH, do hereby petition the Historic District Commission, under title LXIV – Planning and Zoning, Section 674:47, to abolish the Historic District. And the Board of Selectmen"*

*"The Historic District Commission shall hold 2 public hearings at least 15 days apart on this proposal to abolish the Historic District, At which Hearings citizens shall have an opportunity to be heard. Notice for each public hearing shall be as provided in RSA 676:7.F Following which a warrant article shall be placed on the ballot."*

***It was moved by Kristi Ginter and seconded to amend Article 36 as follows; insert "s" on "District" (lines 1 & 7) and strike "and the Board of Selectmen" (lines 1 & 7). The motion passed.***

Kristi Ginter stated the Petition Warrant Article was circulated within and out of the Historic Districts and came about through difficulties with communication between the Historic District Commission and people who reside within the Districts. The issues have become complicated and costly.

***It was moved by Richard O'Donnell and seconded by Suzanne Ryan to amend Article 36 as follows; strike "abolishing" (line 2) and strike the remainder of the article following "Districts" (line 1).***

*Discussion of the amendment:*

Kristi Ginter stated she is opposed to the amendment and noted it is important for the entire town to vote; recommending the article move forward on its own merits.

Richard O'Donnell stated the problem Ms. Ginter has is with the Committee members and urged the BOS and the Ginters to meet and deal with the existing conflict; noting the issue is with some of the residents within the Districts that disagree.

Bob Lemaire stated he is not in favor of the amendment.

Chuck Farrell stated he is not against the Historic District and hopes the article will lay the foundation for further discussions. The Historic District Commission is arrogant and cross the line between their authority and property owner's rights.

***It was moved by Richard O'Donnell and seconded by Suzanne Ryan to amend Article 36 as follows; strike "abolishing" (line 2) and strike the remainder of the article following "Districts" (line 1). The motion failed.***

***It was moved and seconded to not reconsider Article 36. The motion passed.***

Moderator Walker read Article 37 as follows;

**ARTICLE 37: Petition Article**

Are you in favor of abolishing the Historic District?

The full text of the petition reads:

WE THE UNDERSIGNED, BEING REGISTERED VOTERS IN THE TOWN OF WOLFEBORO, NH, DO HEREBY PETITION THE SELECTMEN (under RSA 39:3) AND HISTORIC DISTRICT COMMISSION UNDER TITLE LXIV-PLANNING AND ZONING, RSA 674:47, TO ABOLISH THE HISTORIC DISTRICT.

(Notice shall be as provided in RSA 675:7)

FOLLOWING THE PUBLIC HEARINGS A PROPOSAL TO ABOISH THE HISTORIC DISTRICT SHALL BE INSERTED IN THE WARRANT OF A REGULAR TOWN MEETING AS PROVIDED IN RSA 39:3 TO READ:

ARE YOU IN FAVOR OF ABOLISHING THE HISTORIC DISTRICT?

(Submitted by Petition)

***It was moved and seconded to amend Article 37 as follows; following the word "undersigned," strike the remainder of the language in the article.***

***Discussion of the amendment:***

Ken Perry stated that for more than 30 years, the Historic District Commission or Historic Districts have not cost the Town more than a couple of hundred dollars. It's only been the last 2-3 years that this issue has developed. The HDC held four public hearings last month; at the first public hearing, the Petitioners outnumbered those opposed 14-3. At the second public hearing, none of the Petitioners appeared. At the third hearing, the Petitioners had two people present in favor and ten people were present that opposed. At the fourth public hearing, it became clear that there was no solid reason voiced for the abolishment of the HDC. The Petitioners stated there are no issues with the Historic Districts but, with the HDC.

Kristi Ginter stated the cost is related to other issues involving the Commission itself rather than the District. The purpose of eliminating the text is to not confuse the voters.

Bruce Fichter stated he is in favor of the amendment.

Sue Poirier questioned the number of Historic Districts in the Town.

Moderator Walker replied two.

Sue Poirier questioned which District the article is referring to.

Moderator Walker replied Article 36 was amended to include both Districts.

Sue Poirier stated Article 37 only speaks to one District.

Suzanne Ryan questioned the need for two Petition Warrant Articles and why Article 37 exists other than to circumvent enforcement. The Petitioner is under enforcement orders from the Town; all of which have been adjudicated.

Moderator Walker stated Article 37 is duplicative of Article 36.

***It was moved and seconded to amend Article 37 as follows; following the word "undersigned," strike the remainder of the language in the article. The motion passed.***

Moderator Walker read Article 38 as follows;

**ARTICLE 38—Petition Article**

To see whether the Town will vote to raise and appropriate the sum of One Hundred Thousand Dollars (100,000.00) for the purpose of a conceptual engineering plan for Downtown Street Project Area One, Union, Lehner, School and Glendon Street, for Downtown Street Area Two, South Main Street Pickering Corner to Library, and for Downtown Street Project Area Three, Friend Street to Pickering Corner for the purpose of acquiring costs for burying conduit and utility wires in these areas.

(Submitted by Petition)

(Not Recommended by Board of Selectmen)

(Not Recommended by Budget Committee)

Tod O'Dowd stated the goal of Article 38 is to increase the value of the community as an economic attraction as other major tourist destinations have accomplished. The Master Plan includes such as an action plan to investigate the cost of placing underground utility lines. The streets will be dug up with the implementation of the Downtown Streets Project; undertaking both at the same time would provide minimum disruption and maximum cost benefit. If the conceptual engineering plan is not completed, the Town will never know the actual costs. There is a need to invest in the gateway and scenic beauty of the Town.

Suzanne Ryan questioned the cost per mile to implement such.

Tod O'Dowd stated the study is needed to determine accurate figures.

Suzanne Ryan stated the Department of Public Works provided estimated figures and questioned the range in cost associated with such.

Tod O'Dowd stated the numbers have been changed and he has not been provided the figures. He stated the figures are necessary in order to make an educational decision.

Dave Ford stated the Downtown Streets Project includes Union Street, Lehner Street, Glendon Street and School Street. He stated the figure estimated for Project Area #1 is \$5.5 million (Lehner, School, Union, Glendon Streets, \$6.4 million for Project Area #2 (Pickering Corner to Library) and \$2 - \$3 million for Project Area #3 (Downtown).

Tod O'Dowd stated the study is needed to retrieve firm numbers; noting the Master Plan and Downtown Committee are calling for it. Tamworth received \$1 million from the State.

Bob Lemaire stated he is opposed to the article.

Linda Murray thanked Dwight Devork for his years of service.

Pat Waterman requested a moment of silence in memory of Howard Bean.

***It was moved by Roger Murray and seconded to adjourn the February 3, 2009 Town of Wolfeboro Deliberative Session. The motion passed.***

*There being no further business, the Deliberative Session adjourned at 12:14 AM.*

Respectfully Submitted,

Lee Ann Keathley