

MINUTES  
**Wolfeboro Board of Selectmen Meeting**  
**Wednesday, March 1, 2023, at 6:30 PM**  
In-Person Session at the Great Hall 2nd Floor, 9 Union St. Wolfeboro

Chairman Dave Senecal calls meeting to order -6:30 PM-Regular Session

Town Manager, Jim Pineo says there are two issues Non-Public Session RSA 91-A: 3, 2 B employment and C, reputation.

Consideration of Minutes – NONE

2. Public Hearing(s)

*Temporary Event Permit applications*

- i. The Wolfeboro Board of Selectmen to consider a temporary event permit for the Wolfeboro Area Chamber of Commerce to host a Chamber Social in Town Park on June 28, 2023 from **4:00 PM to 7:00 PM**. Permit #2023-25.

Chairman Senecal opens the public hearing; and closes the hearing.

Linda Murray, co-chair, begins to explain the Wolfeboro Area Chamber of Commerce event; Mary DeVries arrives and explains the monthly chamber social event open to the public for the upper section of Cate Park June 28, 2023; will celebrate anniversary of Leone, McDonnell and Roberts, P.A. Says she has OK by organizers of Cate Park Band which will be holding its first concert event June 28; they have no concerns; rehearsal starts 7 p.m..

***Motion: Mrs. Murray moves to issue a temporary event permit for the Wolfeboro Area Chamber of Commerce to host a Chamber Social in Town Park on June 28, 2023 from 4:00 PM to 7:00 PM. Permit #2023-25.***

***Second- Brian Deshaies; Approved 5-0***

*Alcohol Permit on Town Property*

- i. The Wolfeboro Board of Selectmen will hold a Public Hearing on Wednesday, March 1, 2023, on or about 6:30 PM at the Wolfeboro Town Hall Great Room, 84 South Main Street, Wolfeboro, New Hampshire to consider the application for an issuance of an Alcoholic Beverages Permit to the Lakes Region Curling Association for their end of season award ceremony on March 19, 2023, at the Abenaki Ski Lodge on 390 Pine Hill Rd from 7:00 PM – 9:30 PM.

Chairman Senecal opens the hearing.

Rich Masse, Board of Directors, Lakes Region Curling explains move to the lodge for this semi-annual (fall + winter) awards and recognition event. They would like have alcohol at the Abenaki for function. Contacted the state as noted.

Ms. Murray notes that group should observe the posted Abenaki Lodge occupancy as noted by the Wolfeboro Fire Department.

Chairman Senecal closes public hearing.

Mr. Deshaies reminds Mr. Masse that attendees can bring only beer/wine for themselves; Mr. Masse acknowledges this has been communicated to participants.

***MOTION- Mrs. Murray.***

***Move to issue an Alcoholic Beverages Permit to the Lakes Region Curling Association for their end of season award ceremony on March 19, 2023, at the***

***Abenaki Ski Lodge on 390 Pine Hill Rd from 7:00 PM – 9:30 PM; insurance has been received by town.***  
***Seconded Mr. Deshaies***  
***APPROVED 5-0***

*Unanticipated Funds/gifts/donations*

i. The Wolfeboro Board of Selectmen will hold a Public Hearing on Wednesday, March 1, 2023 at their meeting, which starts at 6:30 PM in the Great Hall Town Hall, 84 South Main Street, Wolfeboro, New Hampshire for the acceptance of unanticipated funds less than \$10,000 in accordance with RSA 31:95-b III (a), relative to unanticipated donation for a Smartboard valued at \$1,500 from the Governor Wentworth Regional School District to the Wolfeboro Parks and Recreation Department.

Mr. Pineo speaks on behalf of Christine Collins, Wolfeboro Parks and Recreation director (attempted to attend remotely) is getting a donated smartboard for Pop Whalen donated from the school district. It's an electronic display board (TV).  
Chairman Senecal opens the public hearing; closes hearing.

Mrs. Murray concern: wants to be sure town manager speaks with Friends of Pop Whalen to coordinate where the smartboard will be installed so it does not interfere with donor recognition signage.

Mr. Pineo acknowledges.

Mr. Deshaies points out the short life smartboard expectancy (five years); software updates would be costly; smartboard might have a short, useful life. Expresses this is a gracious donation from the school district.

(Member of audience asks questions)

Mr. Pineo answers the smartboard will go into the Pop Whalen conference room; device is 10 years old.

***MOTION: Mr. Deshaies***

***Move to accept a donation for a Smartboard valued at \$1,500 from the Governor Wentworth Regional School District to the Wolfeboro Parks and Recreation Department.***

***Second - Luke Freudenberg***

***APPROVED 5-0***

ii. The Wolfeboro Board of Selectmen will hold a Public Hearing on Wednesday, March 1, 2023 at their meeting, which starts at 6:30 PM in the Great Hall Town Hall, 84 South Main Street, Wolfeboro, New Hampshire for the acceptance of unanticipated funds less than \$10,000 in accordance with RSA 31:95-b III (a), relative to unanticipated donation for additional snow making equipment valued at \$9,658 from the Friends of Abenaki for expanded snowmaking at Abenaki Ski Area located at 390 Pine Hill Rd.

Bill Swaffield, Friends of Abenaki, says more snowmaking equipment was needed during early winter, Dec. and Jan. In consultation with recreation department, portable viper guns, will make more snow in a shorter period of time. Equipment was ordered and delivered by HKD Snowmakers; invoice sent to town; Friends of Abenaki via Mr. Swaffield provided a check to pay for the snowmaking equipment.

Chairman Senecal opens public hearing; closes public hearing,

**MOTION: Mrs. Murray**

**Move to accept a donation of additional snow making equipment valued at \$9,658 from the Friends of Abenaki for expanded snowmaking at Abenaki Ski Area located at 390 Pine Hill Rd.**

**SECOND: Brad Harriman** (off microphone or no sound)

**APPROVED 5-0**

3. Bulk Vote

- A. Weekly Manifests
  - i. February 17, 2023, \$ 426,356.41
  - ii. February 24, 2023, \$ 488,395.66
  
- B. Property Tax Refunds and Abatements
  - i. 53 North Main St 2022 #25 Tax Map 217 Lot 31-6 \$375.11
  - ii. 109 Sewall Rd 2022 #28 Tax Map 229 Lot 19 \$33.05
  - iii. 51 Glendon St. 2022 #20 Tax Map 217 Lot 63 \$8,185.55
  - iv. 84 Church Hill Rd 2022 #30 Tax Map 221 Lot 12 \$41.49
  
- C. Application for Current Use Assessment
  - i. 624 North Wakefield Rd Tax Map 91 Lot 6
  - ii. North Wakefield Rd Tax Map 91 Lot 7
  - iii. 285 North Wakefield Rd Tax Map 91 Lot 8
  
- D. Property Tax Credit/Exemptions
  - i. 495 North Main St Tax Map 173 Lot 2
  - ii. 94 Gov Wentworth Hwy Tax Map 133 Lot 26
  - iii. 3 Eastman Ave. Tax Map 177 Lot 10-47
  
- E. Report of Cut Wood or Timber
  - I. Cowper Rd Tax Map 59 Lot 2 & 3

**MOTION Mr. Harriman TO APPROVE BULK VOTE A-E**

**Second: Mr. Freudenberg**

**APPROVED 5-0**

4. Board/Committee Appointments:

none

5. New Business: **Mrs. Murray makes a MOTION asking chair to ask the BoS whether public input can be allowed; Second Luke Freudenberg.**  
**APPROVED 5-0**

A. Discussion: Permission to use Town Property, Abenaki Hill Climb event (discussion continues from February)

Mr. Pineo says the BoS received more information about the event being proposed. Patrick Duddy speaks on behalf of the event organizers and the program.

Site plan updated to including fuel filling station.

Insurance requirements bumped to \$5 million; still waiting on insurance

Running out of time; this could be put into next winter; acknowledges questions stirring in the town. Hopes to answer questions.

Mr. Deshaies asks whether snow is needed for this event; Mr. Duddy replies snow is necessary. No snow or mud leads to cancellation. Mr. Duddy says they do not want the event to lead to hill damage.

Mrs. Murray asks about 500 attendees projected to attend the hill climb event. She expresses concern about parking at Abenaki.

Mr. Duddy says he and Christine Collins discussed a shuttle bus to bring people from the Nick; he says if the event gets pushed to winter 2024, that could happen. Mrs. Murray replies the Abenaki site may be too small of a site for an event this large.

Mr. Freudenberg expresses concerns about this proposed event and site for this event on the snow/hill and what Friends of Abenaki and other groups have to say about the event.

(Ms. Collins tech issues so not on the remote line to answer questions.)

#### Public comments -

Bill Swaffield, Friends of Abenaki says board discussed the proposed event. Mr. Swaffield reads notes from the board and personal comments. Concerns include:

- Only non-motorized activity has ever been allowed.
- Big decision for BoS to consider – would be unprecedented.
- No use policy in place; this event would set policy for town and parks and recreation.
- Application should be denied.
- Motorized vehicles not allowed on other town sites because of damage caused.
- Letter from Dan Coons – wetlands consulting; indicates land and wetlands, vegetation, etc. could be damaged and long-lasting.
- Course schedule leads to a lot of questions because it's so large. Setup – 8 hours Friday; Race day Saturday – 10 hour day. With nighttime break down, revenue questions, too.
- Parks and rec, public safety, costs – who's paying; Mr. Senecal says organizers would pay; Mrs. Murray expresses concern about the for-profit event; temporary event permit requires non-profit to sponsor event.
- Parking staff issues
- Equipment and operator needed for the race on the hill; who's furnishing what? Profit for town may be quite limited.

Mr. Deshaies agrees and expresses that policy should be in place about motorized vehicles on Abenaki; has environmental concerns about motorcycle damage to hill; any possible long-term trail damage and suggests there should be studies done on conservation land property and town property before we allow things to happen that could change the makeup of the property.

Mr. Swaffield says snow in April is soft and leads to mud and potential damage.

Ed Cooper: Wolfeboro Cross Country Ski Association: informally discussed with the board about this event; backs what Friends of Abenaki expressed about this event.

Adds that cross country trails will still be open and could lead to safety issues.

Non-profits have invested in the trails; trails are crown jewel of the area.

Suggests that it needs to be determined how much snow would be needed in order to run the motorbike event on the hill/mountain.

Christine Collins provides Mr. Pineo with information remotely; Mr. Pineo reads her information – a lot of issues to be worked out in a contract for the event; insurance not established yet.

Chip Maxfield: Speaks against the event; hopes hard thought goes into proposed event. Does not want motorcycle race in his back yard.

John McDonald, resident of Wolfeboro (not speaking as state representative): He spoke to operations manager at Gunstock; only allowed event on old jump part of mountain. Issues included:

- Keeping participants from going on other Gunstock trails
- damage from studded tires and erosion; required that hydroseed sprayed across entire course area.
- Proof of Moto Jam Productions LLC should be provided to town.
- Require bond to cover potential damage.
- Require no overnight camping or alcoholic beverages.

Overall, Mt. McDonald says event should not be approved.

Sarah Silk – speaking as citizen and is a member of Friends of Abenaki – familiar with temporary event permits; questions amount of insurance to cover potential damage mentioned; town has no history with events like this. How is the insurance amount determined?

Mr. Pineo answers: recreation director asked the town's insurer who recommended a \$5 million policy for this type of event based on hazards associated with an event such as this.

Patrick Duddy returns to the microphone: he spoke with the groomer about three weeks ago; with base snow on the hill totals about 4 ½ feet with ice under; We'd be pushing for snow; would cancel if mud. Gunstock climb is not the same; it's on mud/dirt.

Want a snow climb for an Abenaki climb; says there would not be damage; really all for fun; his 6-year-old daughter participates.

Suzanne Ryan: there should not be motorized vehicles on the hill other than handicapped. We've listened to issues pertaining to bike trails. Now the selectmen need to come up with an ordinance on this issue.

Poor Farm Hill – we were ready to sell the town out for pennies on the dollar to put up a cell tower. We have to realize that Abenaki is 25.06 acres and is among the higher valued properties in town at \$1,068,000. Requests that board not go any further on this; we don't need the money for something like this (applause).

Bobbi Boudman -

If this is going to happen with snow on the hill, wouldn't our children be skiing on this hill? What will that do to snow on hill? Snow melts; turns to ice. You just accepted a check to help snow on the hill. Do you really want to take away an opportunity for our children to use the hill?

Patrick Duddy – final thoughts? Just trying to bring another event and create a little more fun in the area. Focusing on the snow hill climb; just about 75 bikes participate; they have fuel reversal valves. They have a half gallon or gallon of fuel in each one.

Mrs. Murray: states Mr. Duddy is looking for direction from BoS; I'm against it. We have prime wetlands down there. I do not believe on the slope we should have motorized vehicles. This is a business, not a non-profit; it's going against our own ordinance. The size (from the information we received) of the event is way too large and over-taxing one of our beautiful, natural assets of the community. I'm against it.

Mr. Freudenberg: Clearly, we need to as a board and town, need to come up with a policy for use of these facilities. A lot of money has been put into both Abenaki and Pop Whalen. Because of those assets, groups are coming to ask us for use of these facilities. Patrick's here because he wants to bring another event to town and figure out the process. The process is not laid out to figure out – other than coming to a meeting like this. It's important as we build these; we'll have people coming to us – hopefully coming to us – to use these facilities. We need to come up with a policy. We're going to have groups asking to use the facility and we may not be comfortable with what certain things they'll be doing. It's a good dialogue. The balance is that people are going to come because of the great facilities and bring new things to Wolfeboro. It's important that people can do that in a positive setting.

Chairman Senecal – The purpose is to see if we want to give permission for them to move forward.

Mr. Deshaies: I'm not against motorcycle racing; I had a dirt bike from the time I was 6. My opinion is I don't think our hill is the right venue. The hill is too small; the parking lot is too small. I wish there was some way for us to help them find another location – even a privately owned location in town where they could do this.

I would say – we're the second-oldest, continuously-operating ski mountain in the United States – did you know that? It's either first or second. It's small; there's really not enough room for an event of that size. I like motorcycles – but I think this is not the location.

***MOTION Mr. Deshaies – That until further policy has been written to allow motorized vehicles to operate on Abenaki that we end this discussion.***

***Chairman Senecal: Second?***

Mrs. Murray: We need to hear from Brad and you – everybody wants to hear.

(a lot OFF microphone) Mr. Harriman: I agree with what the board has said. We need to sit down with our policies; how we determine between temporary event permits and for-profit. Abenaki, I agree with have a policy right now – no motorized vehicles – stay with that. I just want to throw this out for thought anyway: I remember the Lions Club winter carnivals; they sponsored motorcycle races out on the lake; they had ice races out there. It was a different area and another event to do to...I'm not in favor of this at this point; too many questions out there

Chairman Senecal: I'm not in favor of it either; for all the reasons other board members have raised. I think this is not the time.

We need to ask Christine to sit down with us to talk about motorized vehicles is the big thing. We have a motion – do we have a **SECOND?**

**SECOND – Mr. Freudenberg (Chairman Senecal - to NOT move forward)**

**Mrs. Murray asks for clarification – until we came into having policy; Mr. Deshaies responds that his motion was “unless our policy changes that allows motorized vehicles on the hill – that we end this discussion.”**

**Mr. Pineo says the motion was to end the discussion.**

**MOTION APPROVED 5-0**

- B. Approval: Wolfeboro Municipal Electric Department- RGGI Rebate VIII  
Barry Muccio, director of operations, Wolfeboro Electric. Annual reimbursement of RGGI monies collected. We've collected \$264,000 in that money. The agreement is that we collect the money and take it, we have to distribute it back to our ratepayers. I have the plan to reimburse those rate payers for March, April and May. That will account for approximately a 1.5 cents reduction in the rate for the three months. March meters will be read starting next Monday.  
I talked to Brenda LaPointe in the billing office to make this happen.

**MOTION – Luke Freudenberg**

**Move to approve a rebate of \$.015/kWh based upon the attached (Exhibit 1.) spreadsheet which results in the drawdown of the accumulated balance \$264,230 in RGGI monies received. This rebate is proposed for a (3) three-month timeframe and to commence for all meter accounts read during the month of March 2023 and continue through May 2023. The impact of this rebate will result in a billing reduction of approximately \$9/per month for the typical customer.**

**SECOND Mr. Harriman**

**APPROVED 5-0**

- C. Discussion: Historical Society Lease agreement

Jim Pineo:

We have a 99-year lease for properties at Cate Park. Expires July 29, 2026. Working with Christine Collins, myself and Gene and Louise Hoskin.

Need to hear from the BoS on a term on this lease for this moving forward. BoS by RSA are allowed to enter into a lease for up to five years. We've done a couple of leases; 10 years with a 10-year automatic extension. Those have to go before the legislative body – town meeting. We're here to get guidance from you so we can bring it before the voters in as a 2024 warrant.

Gene Denu: Wolfeboro Historical Society

Background: there are five different documents/leases/agreements that discuss how we work with the town to run the museum. They're hopelessly inadequate.

The Clark House deeded to the town, 1916 and first lease 1927; no mention of water, electricity, telephone, digital activity. Many of the leases don't say who mows lawn, keeps inside of the building clean, or how the Historical Society operates them. We've worked successfully with the town through tacit agreement for 96 years.

Barn donated in 2018 gave us the opportunity to negate all previous leases and brings us up to date to where we operate today – by tacit agreement. All services are in the

document you have in front of you. What don't you have is the appendix – Louise – hand this out?

Two pages – documents who owns articles in the museum – items donated to the Historical Society, the town owns the large fire equipment; two pieces of equipment owned by David and Christine Bowers. They have to be our participant in any new lease. We've worked since 2018 because of change in town manager and COVID. We are pretty good with a complete lease which reflects the way we've been operating for decades. There is nothing new in there; everything documented – mowing, maintenance, equipment – and grounds for all four buildings.

Does this cost the town anything? Answer is NO. I have reviewed the budget Christine gave me: item 45892 – Clark House in the 2022 and 2023 budget – covers everything in the lease. No cost involved to town.

The lawyer has seen the document. There are a few comments – that are easily worked out.

Would note that if you read the document in full – there are some 'delete paragraph' – irrelevant comments have been deleted.

Only issue to resolve is length of lease; 99-year is not possible. We'd like to have a long a lease as possible,

Mrs. Murray: concern – describing property – should be described as the original deed spells out. I would like to make sure we have an exact description of the geographic area.

I'm comfortable with a 10-year lease with a 10-year renewal. I think that's reasonable amount of time and we put it out to the voters.

Gene Denu agrees; and agrees that description can be specific. Original deed had [the site] 300-feet from Main Street and it was revised in 1949 – that reduced it to 200 feet.

Mrs. Murray: I'm more interested that we get the angle on the line for what we're leasing to what remains as Clark Park. We've had some issues as to what can go on in Clark Park. I want to have a clean, clear description that somebody can go down there and say, "There's the spot."

Gene Denu: original description – Main Street since 1927 has not changed; straight line, 200 feet from Main Street. Controversial area of park has curve in it. Boundaries hits the gardens.

Mrs. Murray- We need to make sure we understand that. That's why I would like it defined better.

Mr. Pineo: It does lay it out on item 1, page 3 of the property. If we're going into a 20-year agreement, it seems to make sense to get a surveyor to get out there to drop some pins.

Mrs. Murray: I think that's what we want.

Mr. Pineo / Gene That will be fine.

Mr. Deshaies: asks about old lease; keep them?



Gene Denu – New lease will supersede all prior leases. Old leases remain in records – but new lease supersedes them.

Mr. Pineo confirms from board; Historical Society lease to be put before voters via warrant article would be 10-years; 10-year renewal; get a surveyor to the Clark House/museum site.

Gene Denu says we'll flush the lease out in the next few months.

Mr. Senecal -

#### 6. Other Business none

#### 7. Committee Reports

Mr. Harriman : Planning Board

Chairman Senecal: Candidate's night – a few of us were there.

Mrs. Murray: DOT meeting on South Main Street (Route 28) project- well attended; state had three options the state is looking at. I think it went well. End of summer will have another session.

Two library meetings; went to candidate's night. Friends of Pope Whalen meeting; Zoom meeting on Wolfeboro Bay Watershed Management plan.

Mr. Freudenberg: I had a heritage commission meeting; attended part of candidate's night. Tomorrow night the chamber is having a quarterly membership meeting, 5 p.m. town hall – sponsored by Friends of Pop Whalen. I will be presenting some of the warrant articles the chamber has chosen. Opportunity for the public to come out or watch on WCTV.

Mr. Deshaies – no meetings.

#### 8. Town Manager's Report

Action Taken: Mr. Pineo:

- Police Commission – joint meeting with BoS – proposing March 29<sup>th</sup> to discuss parking; time or location preferred? Board members agree library might be good site; 6:30 p.m. proposed.
- Voters' guide in next week's paper – ran behind on that.
- Voting March 14<sup>th</sup>
- Town report on the web site and available at town hall.
- Mr. Pineo not at next meeting – on vacation

#### 9. Questions from the Press

No one from press online

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

Suzanne Ryan: received email about how town bonds warrant articles; finance department goes out early on this; discusses with bond banks so when an article passes? Is that how it goes?

Mr. Pineo: clarifies/answers: Once we have the bond hearing we communicate with the bond bank what bonds got put onto the warrant. We have a follow-up discussion with them; what happens at the deliberative session if there was adjustment.

Then they're ready to go. After the vote, we will have an engagement letter that gets them rolling on the bonding process so we are hopefully ready to secure the bond in the July-August bond sale.

Mrs. Ryan: you get a preliminary sense of approval?

Mr. Pineo: oh, yeah.

Mrs. Ryan: Since the chief is here and since the board is going to meet with the police commission, rumor has it we have retired our ambassador police dog.

Chief Rondeau: the commission voted to end the K-9 program effective March 1<sup>st</sup>. Commission felt the dog had seen its useful life, They wanted the canine to have a life beyond police service; and they felt the program was not getting the results they were looking for. I'm not going to get another canine. Not saying that 3-4 years down the road if I see a need for a K-9 I'll discuss it with the police commission. I have no plans for another canine.

That was a specialty dog, very good at a small number of tasks. Good if you're in the DEA/ATF and you're looking for bombs; has an acute sense of smell. Wolfeboro PD does general law enforcement. Proper K-9 would be for general patrol; that dog does not perform those functions. For the Wolfeboro, a K-9 that provides a number of takes well instead of a few tasks very well.

Dynamic for drug work 5-6 years ago has changed. No longer doing that type of work; State has picked up that work.

11. Non-Public Session RSA 91-A

Action Taken:

**MOTION Chairman Senecal – to go into non-public session.**

**APPROVED 5-0**

7:42 p.m.

March 1, 2023

***Submitted by  
Brenda Jorett***

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Next Meeting dates: March 14, 2023, Town elections

March 15, 2023, Regular Meeting

March 29, 2023, Workshop Meeting with Police Commission