

MINUTES

Wolfeboro Board of Selectmen Meeting

September 20, 2023

In-Person Session at the Great Hall, 2nd Floor, 9 Union St. Wolfeboro

6:30 PM-Regular Session

Chairman Brad Harriman calls meeting to order.

BoS members present: Mr. Harriman, Linda Murray, Luke Freudenberg, Brian Deshaies. Absent, David Senecal

Staff: Town Manager, James Pineo; Christine Collins, Director Wolfeboro Parks and Recreation; Amy Capone Muccio, Welfare Director; Kathryn Carpentier, Finance Director, Steve Randall, Director, Department of Public Works.

Mr. Harriman: Mr. Pineo, need for non-public?

Mr. Pineo: Yes. Non-Public Session RSA 91-A:3 II (a) employment.

1. Consideration of Minutes

i. August 2, 2023, Regular Meeting

MOTION to accept the Aug. 2 minutes as written by Mrs. Murray; Second Mr. Freudenberg. APPROVED 4-0.

ii. September 6, 2023, Regular Meeting

Mr. Harriman: BoS received the Sept. 6 minutes today. Has everyone had a chance to read; or read online? Can table to next meeting,

ii. September 6, 2023, Regular Meeting

MOTION to table consideration of Sept. 6, 2023 minutes Mr. Freudenberg. Second Mr. Deshaies. APPROVED 4-0.

2. Public Hearing(s)

Unanticipated Funds/Donation

i. The Wolfeboro Board of Selectmen will hold a Public Hearing on Wednesday, September 6 [20th], 2023 at 6:30 PM at the Great Hall Town Hall, 84 South Main Street, Wolfeboro, New Hampshire for the acceptance of unanticipated funds for an amount donated that is over \$10,000 in accordance with RSA 31:95-b III (a), relative to donation of funds in the amount of \$25,000 from the Wolfeboro Senior Center and Meals, Inc. to the Wolfeboro Parks and Recreation.

Amy Capone Muccio, President Wolfeboro Senior Center and Meals since 2014; Issue tabled at last BoS meeting. Spent a lot of time talking with parks and recreation to coordinate more programs for seniors. Since COVID, The three-day-a-week meal program has been difficult since there's no location to prepare the meals. Experimented with catered meals which will continue.

Problem: small board; difficult to get people to join. Spent a lot of time managing an employee. Since June, experimenting using part-time parks and rec staff to host coffee social two days a week. Would like to take funds normally request through the agency program and donate to parks and recreation department to use for senior programming. We will not ask for that in the future. Will partner with the former Senior Citizens Club which was a membership-based group; will support that with fundraising and other things

instead vs. trying to plan programs and manage staff. I have a letter I wrote. Christine Collins here to explain how she'll put in the budget.

Christine Collins, Parks and Recreation Director: Conversations with Amy; asking for support. Able to free up time to do that. [Lists some program events]

- Yesterday was first senior trip: Went to Hart's Turkey Farm and Winnepesaukee Playhouse; 26 people.
- First Bingo luncheon took place at Abenaki which food can be handled.
- Tuesday and Thursday Coffee + Conversation events at Wolfeboro Community Center. 10 a.m. – noon. Always stayed open since there's been a new senior coming every time. Very successful.

Started up slowly since there were no events previously in the summer. Now five-10 people coming all the time; senior events calendar up; Events include - having at least one meal a month; one breakfast a month; upcoming VNA Flu Clinic; Keeping Seniors Safe online presentation; Have been doing Mahjong.

Looking at options for the seniors. Community Center is home-base; Abenaki is OK – but parking and incline can be a challenge and further walk to door.

Have entered this in the 2024 budget - Wolfeboro Senior Center and Meals funds; helps with part-time staff, meals and programming.

Mr. Harriman: Opens the public hearing; no public comments in person or online; closes public hearing.

Mrs. Murray: Asks where the funding will go – in a donation account for special programs or the Town Budget general fund to be re-funded to the taxpayers? And assuming they [Parks and Recreation] will put \$25,000 worth of programs in the 2024 budget.

Mr. Deshaies: Would accept the funds in a donation fund.

Mrs. Murray agrees; has a motion prepared to that effect.

Mr. Harriman: Christine and Amy said funding for the agencies will not be requested; moved to an 'ask' in the operating budget moving forward. It's a wash on the dollars.

Mrs. Murray: If they wanted to do a special Christmas dinner; they could have money; Thanksgiving; Use it for a meal situation.

MOTION by Mrs. Murray to accept donation of funds in the amount of \$25,000 from the Wolfeboro Senior Meals, to be placed in a donation account for senior programs. SECOND Mr. Deshaies. APPROVED 4-0

3. Bulk Vote

A. Weekly Manifests

- i. September 8, 2023, \$ 50,656.89
- ii. September 15, 2023, \$ 408,389.08

B. Land Use Change Tax

- i. 575 Beach Pond Rd. Tax Map 54 Lot 18-12

C. Abatement/ Refund

- i. Stonehenge Rd #4 2023 Tax Map 260 Lot 4 \$484.95
- ii. 85 Center St. #5 2023 Tax Map 204 Lot 57 \$26.92

D. Betterment Assessment- Westwood Drive

i. 2019-2028 \$26,754.33 per year

E. Betterment Assessment- Stonehenge Rd.

i. 2016-2025 \$484.95 (2023) \$474.27 (2024) \$187.45 (2025)

MOTION Mr. Freudenberg to approve the Bulk Vote items A-E; Second Mr. Deshaies. APPROVED 4-0

4. Board/Committee Appointments: *N/A*

5. New Business

A. Discussion: Actual vs. Budget through August 2023- Finance Department

Kathryn Carpentier, Finance Director: Actual vs. budget reports before the BoS ending August 2023. [Submitted to BoS]

Ending August 2023; 8-month average would be 67%. We're running at 72%. We've prepaid some items and funded projects.

Spoke with most department heads; Town Manager met with most going over the 2024 budget and discussed 2023 actuals.

Two areas trending high -sewer fund and Pop Whalen. Trying to watch spending in those two accounts.

General fund revenue at 78%.

Motor vehicles trending at 71%; both of those are above the 8-month average

Water fund expended at 77%

Electric: 70%

Sewer fund 90%

Pop Whalen fund 92%

Revenues

Water: 86%

Electric revenues: 69%

Sewer fund: 81%

Pop Whalen: 41%

Not much to review; holding the line. Working on 2024 budget. Received draft audit and should turn that around in a few weeks. Questions?

Mrs. Murray: How is fuel and overtime?

Mrs. Carpentier: Fuel a little below average; Overtime is high; first quarter of year was high; hopefully 4th quarter will be lower overtime; cannot predict that now. Gas and diesel a little below average; 4th quarter will sway all those numbers. We'll keep watch. Town Manager will freeze other spending because those are things we cannot control.

B. Appointment: John Sikich- NH Selects Hockey program- use of Pop Whalen [Mr. Sikich statement to BoS is attached]

Mrs. Murray steps down with a conflict on this issue.

John Sikich: resident/certified professional hockey coach for amateur players/retired deputy sheriff
Issue is claim of conflict of interest with newly hired Director of Pop Whalen Ice and Arts Center and relationships with Back Bay Hockey and Friends of Pop Whalen. *[refer to attached statement provided by Mr. Sikich to BoS for the record]*

[End of statement] Thanks BoS for the jobs they do.

Calls for action ASAP.

Adam Genunzio, Hooksett, NH: sat on board of directors for non-profit groups; school board member; budget committee. Has deep understanding of community; do whatever it takes when it comes to children. With similar experiences, respects time it takes to serve public – [referring to BoS] and others. Situation has risen to affect people outside Wolfeboro. Has spoken with elected officials around the state concerning this situation. He says not one has been able to understand “lack of flexibility of compromise for ice times for kids in the community.”

Talked with officials from rinks regarding ice time; says other rinks have more demand for ice time than Pop Whalen. Other rinks were flexible with scheduling ice time. Defies logic that minimal work not done to get kids on the ice at Pop Whalen. States his facts:

- There are kids who want to play hockey for another organization. True
- There’s a rink in this community. True
- Several teams play at the rink. True
- No effort at Pop Whalen to get these kids on the ice; True and defies logic. Claims there have been actions to prohibit use of the ice by Pop Whalen.

Speaks about budget and that allowing these kids to have ice time could generate revenue for Pop Whalen.

Wants to set up meeting with chair of the Wolfeboro budget committee to discuss Pop Whalen and ice time for the group.

Issue has generated statewide interest. Wants BoS to answer questions:

- Why is the organization not able to rent the ice?
- Why has there been no flexibility in scheduling to make any ice time available?
- Why is there a person who is booking the ice who has a clear conflict of interest?

BoS has obligation to act. Thank you.

Mr. Harriman: This is not a public hearing. But department heads are here; Mr. Pineo is here; Victor Drouin. Statements made regarding Pop Whalen/Back Bay Hockey. Mr. Pineo- would you like to comment at this time?

Mr. Pineo: There are some inaccuracies with what Mr. Sikich has said. I did implore Mr. Sikich to reach out and discuss this option with the other youth hockey program that uses the arena to see if they could come to a compromise. He initially told me he would pursue this; which was followed up with a statement from him that it would be a fruitless conversation.

While I understand the point of view from Mr. Sikich. There are some fundamental disagreements in some of his statements. Other than that, you have a document from me outlining some of this history which you can compare to what Mr. Sikich has said based on what I have from history. I would also state that one of the provisions of Mr. [Chuck] Smith’s appointment as director of operations was to step down as a board member of Back Bay Hockey which he has done.

Mr. Harriman: Thank you. Board members – any questions/comments/thoughts? A lot of information has come here.

Mr. Deshaies: I’ve been looking at the contract we use for renting ice. I think it needs to be looked at and cleaned; especially with regard to billing cycle; how ice is paid for and if ice is allowed to be transferred once its billed out/rented/reserved by an organization. They shouldn’t have the ability to transfer it to another organization or be reimbursed by giving it back to the town if they can’t use that ice time. Should be looked at- especially billing cycle: should be paid for when its booked in advance of that month so everybody knows the ice is booked/paid for/cannot be transferred/can’t come back to us.

Mr. Pineo: There is a signature line on that document by the town manager, correct?

Mr. Deshaies: Yes. I think we need to look at this; clean up this one piece. That might free up some ice time; it's a possibility.

Mr. Harriman: One comment made about Brewster Academy [by Mr. Sikich]. I sit on the Planning Board; Brewster came in for approval for their permanent ice rink. That is to be used for the development of a junior varsity program at Brewster. Varsity team will use Pop Whalen for its games and most practices. Brewster rink will be used for free skate time for Brewster students., Not intended to be used to draw the Brewster varsity team away from Pop Whalen facility. Those were statements made by Brewster during their public hearings for their approval process. Wanted to put that out there.

Mr. Deshaies: My opinion – Brewster will transition to a closed-in rink; been in their master plan for years.

Mr. Harriman: Yes.

Mr. Deshaies: It's something as a town we should be watching. Some of their ice time could be drawn away from Pop Whalen.

Mr. Freudenberg: That's contrary to what I've heard. I think Brewster has a vested interest in a continuing relationship with the town and ice arena. And we are working towards an agreement with them; they're showing a lot of interest in keeping a presence at the Pop.

Mr. Deshaies: I know they're looking at locker room investment; but I do think there is the potential for them to pull some ice away from us. It'll be years before they get their facility to that point.

We should make sure that our ice is available so every block of it can be rented because that supports the rink and its expenses.

Mr. Freudenberg: I appreciated the comments made and taking the time to present to us. We just got done building this phenomenal facility with a lot of help from many groups. We have a new director of operations that manages the ice time and his role includes managing the entire Abenaki facility. It's something the town looked at. As the facility expanded and we added more programs and events that we all enjoy here in town it was the logical decision to hire someone that was dealing with the Abenaki facility directly. Chuck [Smith] does not just deal with scheduling ice time and youth hockey, he manages the entire facility which brings so much value to the town.

I will read all of the information I have here and consider what was said today. We'll talk about this more in the future.

Mr. Harriman: This will be a conversation we'll have for a while. Want to point out that one of our goals in this project of expanding and rebuilding Pop Whalen was to expand and make more ice time available for the community; for free skate; get family time there. That's not a money-making part of ice time, it's the taxpayers that foot the bill for the facility. That's important to us when doing this project.

Mr. Deshaies: It's good to have someone running the facility. Hope that the groups that are at odds now can put aside their animosities and work together so all the kids have the ability to play hockey there. My son played there; watch the number of teams/kids dwindle. The program got smaller as kids got older. If some local kids had different avenues, more would stay and play in our facility. Mentions his sister's children who played hockey in the Durham/Exeter area; were able to play on teams in that area; yes, they have multiple teams in that area; other facilities are bigger. Hope that we can look at this and cooler heads prevail.

Mr. Freudenberg: I can assure you – everyone in this room – that Jim Pineo, our Town Manager, did not collude or conspire with any group. Nine years ago I sat on a hiring committee with Lind and we hired

Jim to be our fire chief. He is someone who has the utmost integrity. Youth sports brings a lot of energy; and there can be even more with parents. That type of reference is not how anyone on this board, town manager or any department head that I know, would ever operate in this town.

Mr. Harriman: Thank you for that, Luke. I second that. Energy with parents and children – I coached basketball for 28 years; there are a lot of emotions; there's a lot to deal with in these programs. On the same page as Brian – urge these programs to get together; put differences behind them. Figure out a way to make this work for everybody. That's the ultimate solution.

Adam Genunzio: Mr. Pineo- you've said you have some added history you said you'll send to board; Can that made public?

Mr. Pineo: [hands Mr. Genunzio a copy] If you would like to send me an email, I will forward it to you.

Mr. Genunzio: How do we facilitate getting these groups to work together? We want to figure this out; we're here; we have the comments; we want to follow this up with more discussions. **We need help in facilitating this.**

Mr. Harriman: We have to be careful. This could be more of a matter that's between two groups not seeing eye-to-eye. That's out of our purview. We can see about available ice times and rent out the facility for public use. **Discussions on our to see how involved. We don't want to get too involved with two civil entities.**

Mr. Genunzio: **It's just that** If there is time available on the calendar, that it's not limited to use to any organization that has kids from the community that want to use it. We're not talking about times when public skating would be happening.

Victor Drouin: Back Bay Hockey and Friends of Pop Whalen: Reviews history of Pop Whalen and donation/building of the facility by Back Bay Hockey; agreement with town in 1990, Back Bay had first priority for ice schedule at Pop Whalen. Last 30 years or so, Back Bay has morphed to work with Kingswood and Brewster. Back Bay had priority scheduling until 2021 when we tore the building down. Back Bay Hockey came to Friends of Pop Whalen to come to town to rebuild Pop Whalen. Had that not happened, there would not be a building there. Condition was poor.

As part of agreement with town and Friends of Pop Whalen- CIP Commission in 2022 ; reviewed budget and Warrant article; indicated we could raise enough revenue to justify and pay for the new facility. \$4-million bond to offset taxpayers. I took over scheduling part of it; built the schedule from previous years and users. [shows block schedule for ice time]- 3 p.m. – 9 p.m. no gaps in schedule; seven-days a week. There are no voids in any of these slots; this was before NH Selects existed [directing comments toward NH Selects supporters in audience]. This was done as justification to the taxpayers. When we talk about discrimination and throw out these fancy words that get people jittery and fidgety. We've missed equity by the way.

Mr. Harriman: asks Mr. Drouin to address board.

Mr. Drouin: There was no time available prior to the existence of NH Selects. When you make statements that Back Bay or Kingswood or Victor Drouin's blocking personally – this is not true. This is what was done a year prior to the existence of NH Selects Hockey.

Number of kids in hockey has dropped for various reasons including pressure on the kids. [expands on this concerning fewer kids playing hockey] Junior programs across country have killed high school hockey. NH, MA, Maine still have hockey.

Talks about cost of playing junior hockey. Not every parent can afford that.

We're a youth hockey program. We want to cater to everybody and get everybody on the ice we can. Back Bay Hockey numbers this year are better than last year. Had a tremendous signup from the Learn to Skate program offered free to taxpayers. Wanted to clear up things that were said that are not true.

As we get through the budget cycle, built the schedule last year; it was difficult for me; Christine and I did three versions of the schedule – pre-NH Selects – it was hard; we had four groups trying to get ice: figure skating; senior men's night – Thursday; co-ed league. Groups wanted ice. Moved things around on the schedule and made it happen. For Mr. Sikich to come in and ask for four-five hours a week; three/four hours on the weekend – those hours during premium hours of ice time do not exist. From a Back Bay perspective, we do not have more practices this year to block out NH Selects. We have the same number of practices this year. Two teams; two practices a week for each team and a skills night. Most ice sessions, we have two teams on a sheet of ice; not blocking out another user. Rules of state – you have to have 10 kids on a team or technically, the team does not exist. We have a minimum of 10 + a goalie; 14-15 or so on each team. Ice clots that are claimed to be empty, really have a total of 30.

What upset me was in the spring John asked for ice time to do tryouts here. It was clear, I went to Jim and told him John's telling people he wants Pop Whalen to be his home facility and how it was advertised. Emails went back and forth telling John Pop cannot be your home ice; he's still telling parents, yes. My opinion, Back Bay is a priority user of the facility; we're not taking anything more or less than we have in the past. Thank you.

Mr. Harriman: any other board comments/discussion? Leave it here; will be on our radar and will talk at meetings and work sessions on policies; talk to departments about available ice time; keep an eye on it. Try and come up with some suggestions and see where to go from there. This is not a public hearing; don't want to get into the parents speaking. We know you all support this.

[Parent speaks off mic; asked to come to mic]

Jay Oulette, Wolfeboro, hockey parent; teacher, Kingswood; coach sports; coach for Back Bay; coach for NH Selects- John never told us we'd play at Pop. We're parents of kids in town who pay taxes and want our kids to play local hockey. If he had a schedule a year and a half ago, that's before he knew how many kids he'd have on teams. Schedule now filled with stick time; three hours of public skating. Hockey generates more revenue than public skating. We want our kids to have these opportunities. We're practicing at 8:30 p.m. now; traveling to Manchester, Hooksett, Tilton.

Claims chuck Smith has conflict of interest. Even after he withdrew; still went to state meeting for NH youth hockey. We feel like we're being blackballed because of things being taken personally.

Mr. Harriman: We're not going to get involved with the he said, she said stuff. We'll look at the issue of ice time and leave it at that. Thanks all for coming and sharing opinions. We'll keep looking at this.

C. Approval: Huggins Hospital Salt MOU- Public Works

Mr. Pineo: A number of years have done an MOU for the town to supply the hospital with [road] salt they pay for. Need to get an easement for stormwater management. Talking with DPW director Steve Randall and the hospital, they really want to hold off until the S. Main Street plan is finalized, then an easement will be signed. We request from the BoS another one-year extension on the MOU salt agreement. Once the Route 28 plan is solidified, we will ink the easement and we can do a longer term agreement. Questions from board?

Mrs. Murray: Please that is a one-year. Huggins has been saying they are willing to work something out behind the building. Question is whether they'll do a manmade wetland there. There is some question about how large the space will be. I got this from some of the Route 28 meetings. Agree with Jim; once we get that set we can move on. Having to purchase the sale for them and not having it on their property is a win for both of us.

Mr. Harriman: Agree. Once the engineers are further along in the design, we'll know what type of stormwater management they're proposing; how much area they'll need. Obviously, the hospital will want to know that for easement.

Mrs. Murray: Even if it isn't Route 28, I think we have stuff [runoff] coming down Crescent Lake Ave. that has to go over there anyhow. I think the town, regardless of the Route 28 project, is going to need to put some drainage there. But I think we were hoping to take the Route 28 and Crescent Lake and put them all there.

Mr. Harriman: Put them all together, right. Other comments/questions? Asks for a motion-
MOTION to enter into a one-year MOU between the Town of Wolfeboro Public Works Department and Huggins Hospital to provide salt.

Mr. Freudenberg: So moved. SECOND Mrs. Murray. APPROVED 4-0

D. Discussion: Sidewalk Committee

Mr. Pineo: You requested we develop a sidewalk committee. It was advertised in the Granite State news for two weeks and on the town web page for folks to join a sidewalk review committee. Names in front of you; Board to decide which way board want to go in establishing a committee.

Mr. Deshaies: Two board members on the committee; plus four- that's six on the committee?

Mrs. Murray: You and I on the committee.

Mr. Harriman: Good sized committee

Mrs. Murray: Balanced committee= business and citizens. Mary Devries (Wolfeboro Area Chamber of Commerce) and Michael Bilodeau (owns 4 Cellars Wine); and Brenda [Jorett] and Bobbie [Boudman] who are general public. Balanced committee= business and citizens. I think it'll be great.

Mr. Deshaies: Hope we don't end up with a lot of split votes.

Mrs. Murray: We'll deal with it.

MOTION to appoint Brenda Jorett (citizen), Mary Devries (Executive Director, Wolfeboro Area Chamber of Commerce, Bobbi Boudman (citizen) and Michael Bilodeau (owns 4 Cellars Wine) to the sidewalk subcommittee; SECOND Mr. Deshaies. APPROVED 4-0.

Mr. Pineo: I/Amy will get those appointment letters out over the next few days and then coordinate a kickoff meeting.

Mrs. Murray: Brian, you and I can put together an agenda to get things started

Mr. Deshaies: OK. Who will be chair?

Mrs. Murray: Let's get it started. The first thing can be vote on a chair.

6. Other Business

Mr. Deshaies: Waiting for owners of Avery Building to get back on request to mount a bank of 10 power outlets exterior/side of Avery building. Barry Muccio (MED) a standalone power source cannot work; distance issue. If mounted on the building it meets code. It will work for other events at Town Docks area.

Talking with Lucy Vancleve, chair of EDC: DIVE and NHCruise/Mount Washington have committed for Lake Winnepesaukee Day 2024.

Mr. Freudenberg: Traffic in downtown last week on Main Street When Concord did their major downtown project, the town hired a company that dealt with logistics. Consider a group to liaison with community on communicating about traffic with downtown during major construction in 2024. Group in Concord worked with local business to identify problems; daily updates; facilitate workarounds. Asking Mr. Pineo.

Mr. Pineo: Stantec/Steve Randall/Rick Skarinka- had meeting today [9/20/23] regarding that. Conversation involved looking to schedule a series of stakeholders meeting between town officials and DOT to look at S. Main Street construction last week. What occurred there – they were done with the dig at 2 a.m. DOT stated the dig site had to be closed up with pavement that morning. Asphalt plant did not open until 6 a.m. created a lag time issue in Wolfeboro – occurred during rush hour. If we could have left that ditch line open until noon, it would have left a cut in the roadway; but we experienced that with the washout on S. Main St. at the culvert anyway for several weeks. It would not have been as big of a deal.

The plan on the stakeholders meeting – would like a board member or two to work as liaison with this committee; town staff, Stantec to meet with NHDOT. Tentatively scheduled Oct. 17, 1 p.m. From that point; get input about the project; after that, a stakeholder meeting of heavy users; abutters, public safety entities, hospital, Kingswood, Brewster, so all stakeholders have the input.

What Luke is speaking of – in Concord, they hired a marketing firm to communicate with businesses/public. Rick is pushing that concept.

Mrs. Murray: I think he said that could be part of the grant.

Mr. Pineo: That's correct. Expects Stantec in the next few weeks because we're seeing some escalation issues that may need additional funding in 2024 to get this project. The good news is, a lot of this would be grant funded and/or loan forgiveness. I don't think we're terribly far off.

To your point, Luke – duly noted; The board could tackle that now and appoint a couple board members to that committee to work with stakeholders.

Mrs. Murray: As soon as we can do that communication, the better off we are; and as many ways as we can communicate to them what's going to happen.

Mr. Harriman and Mr. Freudenberg agree to be part of the stakeholders committee.

Mr. Freudenberg: thanks Mr. Pineo for working with the police department on getting the busses out behind the schools. [Mrs. Murray agrees] I think that's working well.

Mrs. Murray: The difference is unbelievable.

Mr. Pineo: Noticeable, without question. We had a good conversation with the PD on the bus issue and able to make it happen.

Mr. Deshaies: Will signs for bike trails be put up for the fall? Will it be now or spring?

Mr. Pineo: Getting updates and changes requested on signs for final review and get them printed.

Mr. Deshaies: Fall EDC will be doing a business wrap-up had 50 business owners here discussing issues. We could address the projects that are going to affect them when that meeting happens. EDC should reach out to Huggins, Brewster, etc. as well.

Mrs. Murray: I think they were focusing on the businesses than institutions. Do this for the 2024 project and get them educated on that. And the next project will be coming.

Mr. Deshaies: Maybe next year, the institutions get invited. This year for the EDC fall wrap up; might help this event be more important. Maybe we could have a Stantec representative come to that event.

Mr. Pineo: What is date for EDC fall wrap up?

Mrs. Murray: [checking calendar] Believes it's Nov. 9.

Mr. Pineo: That would be after the preliminary stakeholder meeting. I'd anticipate being able to announce when the next stakeholder meeting is and who those stakeholders are.

Mr. Deshaies: Bet you'd get more people at the wrap-up than at first stakeholder meeting.

Mr. Pineo: First meeting is very small; we need to sit down with staff and NHDOT to get those items worked out before we open it up to more people. For example, when we do the laterals, will DOT require us to repave immediately, or can ditch stay open for a period of time.

Mrs. Murray: EDC fall wrap up scheduled Nov. 9, 5 p.m. in Great Hall.

Mr. Pineo: Noted.

Mrs. Murray: Perhaps EDC should be informed and buy into it before we schedule it.

7. Committee Reports

Mr. Deshaies: EDC meeting; Police Commission meeting tomorrow; CIP meeting and one next week;

Mr. Freudenberg: ZBA meeting; chamber quarterly meeting; Friends of the Libby meeting; and need to have a cable meeting.

Mrs. Murray: Wolfeboro Waters – wanted more information on jellyfish filter for the public safety building; meeting next week with person from company that produces jellyfish filters and get questions answered. Alternate to EDC meeting. Last Night Wolfeboro meeting- looking for volunteers- one member replacing one who stepped down; looking for others; Chamber quarterly meeting; CIP meeting; Library Trustees meeting; Chamber social.

Mr. Harriman: Planning Board work session - lengthy, good discussion on stormwater management; Wolfeboro Community TV meeting.

8. Town Manager's Report

Mr. Pineo:

- KC mentioned [finance director] audit report getting finalized. She will be on vacation for Oct. 4 meeting so the audit report scheduled for Oct. 18 BoS meeting. Mr. Green will be here to present findings.
- Community Development Block Grant [CDBG] – Harriman Hill application had been submitted. CDBG will have a site visit Sept. 28, 10 a.m. if the board wants to attend. I can notice it if a majority of the board will be present. It may be helpful for board presence at that meeting.
- Discussed Oct. 17 stakeholder meeting mentioned with Brad and Luke representing BoS on that committee. Will get you invited to that session.
- Procedure figured out – River Street- request to reduce speed limit; need public hearing to reduce speed if the board is so inclined. Current speed is 30; question is if it should be a 20 mph or 25 mph. If board wants to entertain that idea, we'd get it noticed for Oct. 18 Bos meeting.

Mr. Harriman: When I was with public works in Ossipee, I thought that we couldn't enforce a speed limit any lower than 30 mph. I might have misunderstood; If Guy has any thoughts on that.

Mr. Freudenberg: Wasn't there an issue with the golf course?

Mr. Pineo: That's a DOT road.

Mr. Harriman: You couldn't have a crosswalk in something over 30 mph.

Mr. Pineo: We have corresponded with Nathan on it and he said BoS has authority to reduce River St. speed limit; post it as a 20 or 25 mph. Takes a public hearing for you to be able to do it, if you so choose.

Mr. Harriman: As long as it's something the PD can enforce there.

9. Questions from the Press: Elissa Paquette: Asks about members of sidewalk committee.

Mr. Pineo: [reads names of people named to sidewalk committee] -Mary Devries, Wolfeboro Area Chamber of Commerce, Michael Bilodeau (owns 4 Cellars Wine); and Brenda Jorett, Bobbie Boudman.

Ms. Paquette: Comments on community playground open to public at Carpenter School.

10. Public Input (Limited to 3 minutes per person and not to exceed 15 minutes in total): No public comments

11. Non-Public Session RSA 91-A- Mr. Harriman asks for motion.

MOTION Mrs. Murray to go into Non-Public Session RSA 91-A:3 II (a) at 7:55 p.m.

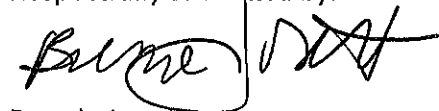
SECOND Mr. Harriman. APPROVED 4-0.

Mr. Freudenberg moved and Mr. Harriman seconded to seal the minutes of the non-public session at 8:37 p.m.

Mrs. Murray moved and Mr. Harriman seconded to adjourn at 8:37 p.m.

Next Meeting date: October 4, 2023

Respectfully submitted by:

A handwritten signature in black ink, appearing to read "B. Jorett", is written over a horizontal line. The signature is stylized with a large, looped initial "B" and a clear "Jorett" following it.

Brenda Jorett

Good evening and thank you for allowing me the chance to speak.

My name is John Sikich, I am a resident of Wolfeboro, a retired Deputy Sheriff, and certified professional hockey coach for amateur players. We are here tonight to make you aware of an extreme conflict of interest involving your newly hired Director of Pop Whalen Ice and Arts Center and his relationships with Back Bay Hockey and Friends of Pop Whalen.

Due to the amount of information, I am going to break this into 2 parts. Part 1 will provide the background needed so those who have limited information will understand how the problem affecting members of this community has gotten to this point. Finally, Part 2 will show the financial and legal implications resulting if this issue is allowed to continue.

Part 1

Between 2017 and 2020 I was heavily involved in our community's youth hockey programs. I helped Wolfeboro Parks and Recreation with a fall hockey skills development program, worked for Brewster Academy as an assistant coach and Back Bay Hockey Association as the Youth Hockey Director. During this timeframe I have made key relationships with members of each organization that give me the knowledge to speak on this issue.

In the following paragraphs I will provide information that clearly shows to any reasonable person without bias that there is an attempt by Back Bay Hockey Association to monopolize their hockey program in our community through the use of the Town Managers power.

The backstory starts in February of 2023 when the hockey association I run was renting ice at Pop Whalen through the Parks and Recreation Directors like every other entity in the past. Within a few weeks after starting development sessions and tryouts for the upcoming season, I was informed any new ice rental would have to go through Jim Pineo, the Town Manager. I found this odd and asked Christine, the Director of Parks and Recreation if this is normal. She told me it was not, and our association is the only one.

The only reason one could come up with for the Town not wanting the revenue from ours or any other organization was because Back Bay Hockey was making it known that they do not want the competition. I immediately asked for a meeting with Jim in an attempt to discuss our inability to rent ice time and what implications choosing sides would have on our community.

A meeting took place and lasted approximately two hours. Topics of discussion were based on the viability of two hockey associations in one facility, the available hours for rent, as well as the possibilities of increasing ice utilization in peak and non-peak times.

First and foremost, due to my extensive knowledge about hockey programs in our area I told Jim there are several ice rinks that cater to more than one association during a regular season without conflict. Merrill Faye arena, The rinks at Exeter and Tri-Town Ice Arena are just a few that share their ice between programs and can account for an increase in revenue to the facility.

Secondly, I told Jim about our ice time need which was approximately 8-10 hours per week during peak times and another 6 - 8 during non-peak times and would generate substantial revenue for the Town. Jim told me the current calendar would not support the peak ice time request between Back Bay, Kingswood HS and Brewster. I advised Jim of two things.

Brewster has a rink on campus they are looking to make permanent and if it happens that is a large sum of lost revenue. Back Bay Hockey has been on a steady decline in membership since 2021 and does not have a need for the ice they were usually purchasing. In fact, the ice Back Bay had reserved on the Pop Whalen calendar this year was not needed and just an attempt to keep our organization off the ice. Jim was taken back by this statement and questioned it. I told him to ask his employees and they can tell you there were no kids on the ice during most of their rental times.

Finally, our conversation continued with a discussion about how to choose who would get to utilize the facility and how this would work. I told Jim he should allow both organizations to present their need supported by documentation that would provide corroboration and proof. This would keep the Town clean of any allegations of discrimination and support their fiduciary responsibility to taxpayers while making accommodations for the youth of our community to use our facility and have a choice. A win win in my book.

I continued by saying, in fact our organization could help revitalize Back Bay by bringing kids who live here back from the organizations they now play for and provide a skills component that would help them develop. Jim brought up the fact that one may take players from the other. I told Jim that happens in every organization every year and is nothing new to the hockey community. I do not feel it will happen in this case because our programs are designed differently and attract different players at different skill levels.

To close the meeting Jim told me he was creating a position that would Direct the operations at Pop Whalen Ice Arena and this person would dictate who would get to rent the facility. I made a statement that I was helping Parks and Recreation create programs and that I normally would apply for this job but wouldn't because of my conflict of interest. I did however offer my consult to the Town in an effort to design more programs that would benefit the Town for free. We ended our meeting, and I left my business and hockey resumes for his review.

Since the meeting with Jim our organization is 53 members strong, an active USA Hockey program and thriving with skill development sessions and opportunity for growth. We unfortunately have to use other local rinks that are willing to accommodate us with ice. In fact, Rochester was one of those facilities who was offering ice time even though Rochester Youth Hockey plays there. A look at Back Bays need for the teams they have this year is nowhere near what they have booked on the Pop Whalen Calendar. (State example with calendar comparison)

It is unfortunate that our players who live in this area have to use other rinks and drive a minimum 1 hour each way at times of the night that are not ideal. It speaks volumes to me that these parents (some that you see here tonight) have made a conscious choice to play for our organization because of the development we provide even though they have to deal with this adversity.

Part 2

Finally, here we are at the end of September and all our ice time requests have gone unanswered, ice utilization looks good on the Pop Whalen calendar but is not a true representation of the actual need Back Bay has and could be profoundly better with some compromise. All while our communities' children are being put out and have to drive to other locations when all they want to do is play at Pop Whalen.

Here are the issues as I see them.

First issue is that the Town Manager hired a person who is a Back Bay Board Member with an extreme conflict of interest. What could make this appear worse... The hiring committee for this position was allegedly comprised of two Back Bay Board members, one of which sat on the oral interview board during the hiring process.

Any reasonable person who heard this information would say this is not right and is probably against the law. To a person with extensive experience in law enforcement they would say members of Back Bay Hockey Association colluded with the Town Manager through influence peddling and are in the process of conspiring to create a monopoly, which is an antitrust law violation.

Secondly, I am sure the Town's budget committee would be interested in seeing a version of the calendar that allows both organizations using the facility in compromise to obtain optimal use which would add approximately \$44,000 to \$56,000 a year at a minimum during ice in. I am sure this is even more of a concern now that Brewster has supposedly been approved for a permanent facility which will reduce revenue significantly in years to come.

Finally, without the effort to bring in additional revenue maintenance of the new Pop Whalen Ice Arena will be once again a burden of the taxpayers. I am under the impression that this facility is an enterprise fund which should be self-sustaining.

In conclusion, the reason I am making this information public is not for me or the business I operate. We are successful and will continue to grow no matter where we are or what adversity we may face. What pushes me to do something is the ethical standards I operate under coupled with the fact I feel it is my civil duty. We all should feel obligated to the members of our community, especially the young athletes who want to play hockey at Pop Whalen Ice Arena, as well as the taxpayers who continually pay deficit amounts of the Pop Whalen budget.

Selectmen.... I sincerely appreciate what you do for this Town and want to personally thank you. I know you want the best for our community and the people in it and will work diligently to come up with explanations, answers, and a solution. We know and understand that this will take some time for discussion and inquiry but I, as well as other members of the community would like to have action as soon as possible.

We have covered a large amount of information and I would like to recap the questions you should have after hearing my statement. I am sure everyone would like expectations managed.

- Why are members of this community being pushed aside for the benefit of a local business. This has the appearance of discrimination and abuse of power.
- We would be interested in knowing why Chuck Smith is unwilling to address our need.
- We would like to know if there is a contract or MOU allowing preferential treatment of Back Bay hockey as Victor Drouin President of Back Bay alluded to during our associations USA Hockey membership appeal in August 2023.
- We would like to know why the Town Manager thought hiring a Back Bay Board member with such a conflict of interest was a good idea and was there outside pressure applied for him to do so.
- We would like the budget committee to be brought up to speed and do a formal inquiry into the proposed budget for Pop Whalen Ice and Arts center so we can understand why dismissing such a substantial revenue stream is a good idea.
- Will the taxpayers be burdened with a bill or another warrant article when Friends of Pop Whalen, who's deadline to produce funds has been pushed numerous times already does not have the money to pay renovation costs.

I have a copy of this statement for each of you and one copy of the individual respective calendars for your review.

At this time there are others here that would like to voice their concerns about this topic as well. Thank you for your time