

MINUTES
Wolfeboro Board of Selectmen Meeting
Wednesday, January 17, 2024 at 6:30 PM
In-Person Session at the Great Hall 2nd Floor, 9 Union St. Wolfeboro
Libby Trustee's Meeting

6:30 PM-Regular Session

BoS members Present: Mr. Harriman, David Senecal, Linda Murray, Luke Freudenberg, Brian Deshaies
Staff: James Pineo

Chairman Brad Harriman calls meeting to order at 6:30 p.m. Asks whether Non-Public Session RSA 91-A: 3 is needed.

Mr. Pineo: No need.

Mrs. Murray/Mr. Harriman: Yes, non-public session needed under 'A'- employment.

1. Consideration of Minutes

i. December 20, 2023 Regular Meeting

Mrs. Murray: notes Page 4: discussing warrant articles; presentation should be attached to minutes for ease of reviewing. Page 5 under article 9- "319 grant for Rust Pond – change to "beaver dam that washed out." Page 8- *Randy Tetraualt* – correct spelling of Mr. Tetrault's name.

Mr. Deshaies: Page 9- first reference to Deshaies – change 'come' to 'some.' Second reference to Deshaies – scratch 'we do.' Page 13: First reference to Deshaies -Change then to 'them.'

Mr. Pineo: Page 8 – midway down page: Mr. Harriman asked about the historic fire truck – should be 'building,' not truck.

MOTION by Mrs. Murray to accept minutes of Dec. 20 as amended. Second Mr. Deshaies. Approved 5-0.

ii. December 28, 2023 Special Meeting

Mrs. Murray: Again, please attach *list of encumbrances in 2024 revenue and default budget* so we can refer to what was discussed. to the minutes.

MOTION by Mr. Freudenberg to accept minutes of Dec. 28 as amended. Second Mrs. Murray: Approved 4-0-1 [Mr. Deshaies abstains]

iii. January 3, 2024 Regular Meeting

MOTION by Mrs. Murray to accept Jan. 3, 2024 as written. Second Mr. Senecal. Approved 5-0.

iv. January 9, 2024 Special Meeting

MOTION by Mrs. Murray to accept Jan. 3, 2024 as written. Second Mr. Deshaies. Approved 5-0.

2. Public Hearing(s)

Unanticipated Funds

i. The Wolfeboro Board of Selectmen will hold a Public Hearing on Wednesday, January 17, 2024, at approximately 6:30 PM at the Great Hall Town Hall, 84 South Main Street, Wolfeboro, New Hampshire for the acceptance of unanticipated donation in an amount that is under \$10,000 in accordance with RSA 31:95-b III (a), relative to donations received for Last Night Wolfeboro events in the amount of \$ 6,842.69.

Mrs. Murray: Very good fundraising year. Thanks sponsors: Leone, McDonnell and Roberts, Black's Paper Store, The Windrifter Resort, Taylor Community, Eastern Propane, Butternuts, Front Four Cellars, Lake Winni Team, Hunter's, Piscataqua Landscaping, Goodhue Boat Company.

Received \$892 in donations; The Children's Center paid for/sponsored Wildlife Encounters; Wolfeboro Seniors Center/Club sponsored/paid for the Peter Heimlich concert; First Congregational Church Wolfeboro donated the church use; Brewster donated Estabrook Hall for Lions bingo; Prizes: NH Cruise-tickets for M/S Mt. Washington; NH Boat Museum Mille B tickets and membership; Wright Museum membership; Wolfeboro Trolley tickets. Thanks all sponsors for this event.

Mr. Harriman: Opens the public hearing[no comments/questions from public]; closes the public hearing.

MOTION by Mr. Freudenberg to accept unanticipated donation in an amount that is under \$10,000 in accordance with RSA 31:95-b III (a), relative to donations received for Last Night Wolfeboro events in the amount of \$ 6,842.69. Second Mr. Deshaies: Approved 4-0-1 [Mrs. Murray abstains]

Temporary Event Permit(s)

i. The Wolfeboro Board of Selectmen will hold a Public Hearing on Wednesday, January 17, 2024 at approximately 6:30 PM at the Great Hall Town Hall, 84 South Main Street, Wolfeboro, New Hampshire to consider a temporary event permit for the New England Chapter, Antique & Classic Boat Society to host the 50th Lake Winnepesaukee Boat Show on July 27, 2024 from 6:00 AM to 3:00 PM at the Town Docks including the parking lot, Cate Park and the Community Bandstand. Permit #2024-1.

Bill Marcussen, speaking on behalf of the organization: same show that has been run in Wolfeboro last Saturday in July for some time. No changes in how event will be run for boat owners displaying and for spectators.

Mr. Harriman: Opens the public hearing; [no comments from public] Closes the public hearing.

Mrs. Murray: notes parking diagram there is a change in location for the disabled parking spot at Town Docks lot; Comments on the new temporary event permit form and parking arrangements requested on this application: you'll want the Town Docks lot closed at 6a.m.?

Mr. Marcussen: Yes. Night before place notices around the lot in advance to notice the Town Docks lot closure.

Mr. Deshaies: To Board – will we keep this consistent across special event permits? Lake Winnepesaukee Day/EDC had to keep the lot open in the morning until a certain time. Now two permits asking for lot to be closed early morning until afternoon.

Mr. Harriman: Depends on the event and what's needed. Boats displayed or car show in the parking lot.

Mr. Deshaies: Lake Winnepesaukee Day needs the lot for a wide variety of things – vendors, DJ, displays, laser light show.

Mrs. Murray: Lake Winnepesaukee Day was later in the day – so lot was needed later in the day. This event is different – cars, boats, etc. being brought in the lot.

Mr. Deshaies: Explains setup timing EDC needs for Lake Winnepesaukee Day; asking for the same consideration as other events.

Mr. Harriman: We'll deal with that application when it comes in. Any other comments on this one? What about certificate of insurance; it's not attached.

Mr. Marcussen: Insurance certificate comes from the national headquarters and typically comes two weeks before the event. Amy Capone-Muccio has the contact information and I'll follow up. The policy renews later in the year.

Mr. Harriman: Just so we receive it before the event.

Mrs. Murray: You understand the Town Docks area, Cate Park and bandstand remain open to the public.

Mr. Marcussen: Yes.

Mr. Harriman: Other questions or a motion?

MOTION by Mr. Deshaies to approve a temporary event permit for the New England Chapter, Antique & Classic Boat Society to host the 50th Lake Winnepesaukee Boat Show on July 27, 2024, from 6:00 AM to 3:00 PM at the Town Docks including the parking lot, Cate Park and the Community Bandstand. contingent upon receiving insurance prior to the event and coordinating parking lot closure plan with PW at least two (2) weeks prior to the event. Permit #2024-1. Second Mr. Freudenberg. Approved 5-0.

ii. The Wolfeboro Board of Selectmen will hold a Public Hearing on Wednesday, January 17, 2024 at approximately 6:30 PM at the Great Hall Town Hall, 84 South Main Street, Wolfeboro, New Hampshire to consider a temporary event permit for the New England Chapter, Antique & Classic Boat Society to host Car & Boat Rendezvous on September 14, 2024 from 6:00 AM to 4:00 PM at the Town Docks including the parking lot, Cate Park and the Community Bandstand. Permit #2024-2.

Mr. Marcussen speaking on behalf of the organization: Event held every other year; mid-September when race-boat regatta does not run. Similar arrangement for the July boat show. Some dock spaces are reserved for participants; some open for general public use. Lot reserved for the antique and classic cars on display.

Mr. Harriman opens the public hearing; [no public comments] Closes hearing.

Mr. Freudenberg: Notes insurance needed and will be followed up by the organization; and notes the Town Docks parking lot closure.

Mr. Marcussen: Yes.

Mr. Deshaies: Is the insurance arrangement the same – getting the certificate two weeks in advance?

Mr. Marcussen: Yes.

MOTION by Mr. Deshaies to approve a temporary event permit for the New England Chapter, Antique & Classic Boat Society to host Car & Boat Rendezvous on September 14, 2024, from 6:00 AM to 4:00 PM at the Town Docks including the parking lot, Cate Park and the Community Bandstand. contingent upon receiving insurance prior to the event and coordinating parking lot closure plan with PW at least two (2) weeks prior to the event. Permit #2024-2. Second Mr. Senecal. Approved 5-0.

iii. The Wolfeboro Board of Selectmen will hold a Public Hearing on Wednesday, January 17, 2024, at approximately 6:30 PM at the Great Hall Town Hall, 84 South Main Street, Wolfeboro, New Hampshire to consider a temporary event permit for the NH Lakes Region Pickleball Club to host the Sadie Hawkins Day Pickleball Tournament on June 29, 2024, from 6:00 AM to 9:00 PM at the Foss Field the Tennis Courts, Pickleball Courts and Pavilion. Permit #2024-3.

Joe Santoro representing the NH Lakes Region Pickleball Club: 3rd annual event; grew out of Wolfeboro employee day. Now an annual event. Geared to women; they sign up and the computer assigns their male partner. Random draw.

Mr. Harriman: Opens the public hearing [no comments from the public] Closes public hearing. We need to deal with wording on the parking lot closure. New form being used.

Mrs. Murray: Getting the bugs out on this new temporary event permit form.

MOTION by Mr. Deshaies to issue a temporary event permit for the NH Lakes Region Pickleball Club to host the Sadie Hawkins Day Pickleball Tournament on June 29, 2024, from 6:00 AM to 9:00 PM at the Foss Field the Tennis Courts, Pickleball Courts and Pavilion. Permit #2024-3 Second Mr. Freudenberg. Approved 5-0.

[Select Board hears this permit request before the previous request- iii.]

iv. The Wolfeboro Board of Selectmen will hold a Public Hearing on Wednesday, January 17, 2024, at approximately 6:30 PM at the Great Hall Town Hall, 84 South Main Street, Wolfeboro, New Hampshire to consider a temporary event permit for the NH Lakes Region Pickleball Club to host the NH Lakes Region Pickleball Tournament from September 5-8, 2024, from 6:00 AM to 9:00 PM at the Foss Field the Tennis Courts, Pickleball Courts, Basketball Courts and Pavilion. Permit #2024-4

Joe Santoro – 9th annual event; Expect about 400 players 4 day event using (closing) public space for those four days.

Mr. Harriman: Opens the public hearing. [no comments from public] Closes public hearing.

Mrs. Murray: issues: parking lot closure; need parking lot parameters laid out; Parks and recreation does not want the baseball field used for this event. The soccer field can be used. Questions use of the pavilion for this event since the public uses the pavilion; should not be exclusive to this group; public bathrooms there, too.

Joe Santoro: Only using existing parking – no ‘closure’ needed; using pavilion for registration as in past years; Bathrooms; water fountains open to the public.

Mr. Harriman: So a portion of the pavilion is used; others can use the pavilion.

Mrs. Murray: Memo from parks and recreation indicates that since the entire area is being used for three consecutive days, should a usage fee be charged.

Mr. Santoro: A fee has not been charged in the past. Thursday is open – but setup is taking place.

Mrs. Murray: I realize that; but the issue is being raised that when a group takes up so much public space, should we look at charging a fee to use that public space. This event has been growing. Friday to Sunday – areas closed to the public will include basketball, tennis.

Mr. Santoro: Yes. Thursday is a set-up day.

Mrs. Murray: So tennis could be played?

Mr. Santoro: As long as they don’t interfere with the setup for pickleball courts.

Mrs. Murray: So part of Thursday – then Friday, Saturday, Sunday; 3 ½ days needed for this event.

Mr. Santoro: Consistent with what has been done in the past.

Mrs. Murray: Question is the amount of time the public cannot use the tennis/basketball court areas. Wonders what other board members feel on this.

Mr. Freudenberg: Perhaps look at adding a fee for the future for events like this. Organizations should have time to plan for a fee; maybe look at this for next year. Taking up a large period of time – keeping facilities from the public

Mr. Deshaies: As Pop Whalen center has fees, this should fall on parks and rec to come up with a fee structure and policy and bring it to the BoS for approval – not bring this to the board at the 11th hour.

Mrs. Murray: We have the parks and rec memo on this was given to the board; this group wants to use the area from 6 a.m. – 9 p.m. three days for this event. There’s a difference between a group using a large public space for three days, fulltime than a one-day event and they leave.

Mr. Deshaies: [Asks Mr. Santoro] How many years has this pickleball event been happening?

Mr. Santoro: 9 years – the last three have been four days. The first six were three days.

Mr. Deshaies: Reiterates a fee structure should be established/policy by parks and recreation.

Mr. Harriman: Agrees on not setting a fee at the 11th hour so they can prepare; and that parks and rec should come up with a policy/fee structure for the board to consider.

Mr. Santoro: Budget set for this event before coming to BoS.

Mrs. Murray: Mentions that Christine Collins, parks and recreation director brought this up. Asks about porta-potties.

Mr. Santoro: We rent porta-potties.

Mr. Harriman: Christine said since baseball field is being refurbished in the spring, parks and rec does not want vendors on the field.

Mr. Santoro: We do not use the baseball field.

Mr. Harriman/Mrs. Murray/Mr. Senecal: You show on the diagram you submitted that you want to use the baseball field.

Mr. Santoro: We were just plotting out where the tents will go – which is between the baseball and tennis court fences. And between the baseball fence and the backboards at the basketball court. Baseball field is not used.

Mr. Harriman: OK – any other questions/comments?

Mr. Pineo: Asks about food/concession/vendor sales.

Mr. Santoro: Yes- food trucks.

Mr. Pineo: Requires a sanitary facilities plan for trash and a food service plan; to be reviewed/accepted by health officer. Last year, this was submitted late; this permit should be contingent upon receiving these plans.

Mr. Deshaies: Food trucks have to meet health and human service guidelines from the state.

Mr. Pineo: There were minor issues with trash from last year's event.

Mr. Harriman: Mr. Santoro – you can address that?

Mr. Santoro: Yes- First time heard about trash and these issues. We clean up every night. Will follow up.

MOTION by Mr. Senecal to issue temporary event permit for the NH Lakes Region Pickleball Club to host the NH Lakes Region Pickleball Tournament from September 5-8, 2024, from 6:00 AM to 9:00 PM at the Foss Field the Tennis Courts, Pickleball Courts, Basketball Courts and Pavilion. Permit #2024-4
Second Mr. Deshaies. Approved 5-0.

v. The Wolfeboro Board of Selectmen will hold a Public Hearing on Wednesday, January 17, 2024, at approximately 6:30 PM at the Great Hall Town Hall, 84 South Main Street, Wolfeboro, New Hampshire to consider a temporary event permit for Cate Park Band & Wolfeboro Parks and Recreation to host the concerts in the park on June 26, July 3, July 4, July 10, July 17, July 24, July 31, August 7, August 14, August 21 and August 28, 2024, from 6:00 PM to 9:30 PM at the Community Bandstand in Cate Park. Permit #2024-5.

Mr. Freudenberg: notes a letter in the back of packet indicating Jean Kemp not available to speak on this; Dr. Rich Neal could have been aware depending on notification.

Mrs. Murray: This has been going on a long time.

Mr. Harriman: Opens the public hearing. [No public comment] Closes public hearing.

MOTION by Mr. Freudenberg to issue a temporary event permit for Cate Park Band & Wolfeboro Parks and Recreation to host the concerts in the park on June 26, July 3, July 4, July 10, July 17, July 24, July 31, August 7, August 14, August 21 and August 28, 2024, from 6:00 PM to 9:30 PM at the Community Bandstand in Cate Park. Permit #2024-5. Second Mr. Deshaies. Approved 5-0.

vi. The Wolfeboro Board of Selectmen will hold a Public Hearing on Wednesday, January 17, 2024, at approximately 6:30 PM at the Great Hall Town Hall, 84 South Main Street, Wolfeboro, New Hampshire to consider a temporary event permit for the Wolfeboro Garden Club to host the Annual Wreath Sale from November 15-24, 2024, from 9:00 AM to 4:00 PM at the Wolfeboro Railroad Station. Permit #2024-6.

Mr. Harriman: [no one to speak on this] Annual event for some time. Opens the public hearing. [No public comment] Closes public hearing.

MOTION by Mr. Deshaies to issue a temporary event permit for the Wolfeboro Garden Club to host the Annual Wreath Sale from November 15-24, 2024, from 9:00 AM to 4:00 PM at the Wolfeboro Railroad Station. Permit #2024-6. Second Mrs. Murray. Approved 5-0.

vii. The Wolfeboro Board of Selectmen will hold a Public Hearing on Wednesday, January 17, 2024, at approximately 6:30 PM at the Great Hall Town Hall, 84 South Main Street, Wolfeboro, New Hampshire to consider a temporary event permit for the Governor Wentworth Arts Council to host an Outdoor Concert Series on June 21, July 19 and August 16, 2024, from 4:00 PM to 9:00 PM at the Community Band Stand in Cate Park. Permit #2024-7

Lorraine Drake, treasurer of Gov. Wentworth Arts Council: Would like to repeat concert events that took place last year.

Mr. Harriman: Opens public hearing [no comments from public] Closes public hearing.

MOTION by Mrs. Murray to issue a temporary event permit for the Governor Wentworth Arts Council to host an Outdoor Concert Series on June 21, July 19 and August 16, 2024, from 4:00 PM to 9:00 PM at the Community Band Stand in Cate Park. Permit #2024-7. Second Mr. Deshaies. Approved 5-0.

viii. The Wolfeboro Board of Selectmen will hold a Public Hearing on Wednesday, January 17, 2024, at approximately 6:30 PM at the Great Hall Town Hall, 84 South Main Street, Wolfeboro, New Hampshire to consider a temporary event permit for the First Congregational Church of Wolfeboro to host Easter Sunrise Service on March 31, 2024, from 5:00 AM to 7:30 AM at Albee Beach (weather permitting move to Mast Landing). Permit #2024-8.

Mr. Harriman: This happens every year.

Mrs. Murray: Notes Mast Landing had not been used before. Says on permit 'weather and construction pending.'

Mr. Deshaies: Mentions construction is noted on the permit request.

Mr. Freudenberg: states construction at Mast Landing will be done well before then.

Mrs. Murray: Maybe Amy can get clarity on that.

Mr. Harriman: Opens public hearing [no comments from public] Closes public hearing.

MOTION by Mrs. Murray to issue a temporary event permit for the First Congregational Church of Wolfeboro to host Easter Sunrise Service on March 31, 2024, from 5:00 AM to 7:30 AM at Albee Beach (weather permitting move to Mast Landing). Permit #2024-8. Second Mr. Deshaies: Approved 5-0.

ix. The Wolfeboro Board of Selectmen will hold a Public Hearing on Wednesday, January 17, 2024, at approximately 6:30 PM at the Great Hall Town Hall, 84 South Main Street, Wolfeboro, New Hampshire to consider a temporary event permit for the First Congregational Church of Wolfeboro to host Morning Sunrise Service on Sundays from May 26 to October 27, 2024, from 7:00 AM to 9:00 AM . Permit #2024-9 – to take place at the Cate Park bandstand.

Mr. Harriman: Supposed to say 'bandstand' – left off the description. States 'gazebo is on the application. Opens public hearing [no comments from public] Closes public hearing.

MOTION by Mr. Deshaies issue temporary event permit for the First Congregational Church of Wolfeboro to host Morning Sunrise Services take place at the Cate Park bandstand on Sundays from May 26 to October 27, 2024, from 7:00 AM to 9:00 AM pending an insurance certificate. Permit #2024-9 Second Mr. Freudenberg. Approved 5-0

3. Bulk Vote

A. Weekly Manifests

- i. January 4, 2024 \$252,703.99 (2023 expense)
- ii. January 5, 2024 \$ 486,464.92 (2024 expense)
- iii. January 11, 2024 \$994,981.11 (2023 expense)
- iii. January 12, 2024 \$1,995,107.68 (2024 expense & GWSD payment)

B. Property Tax Credit/Exemption

- | | |
|----------------------------|-----------------------------|
| i. 346 Forest Rd | Tax Map 227 Lot 29 |
| ii. 2 Bishops Gate Rd | Tax Map 12 Lot 10 |
| iii. 156 Trotting Track Rd | Tax Map 146 Lot 14 |
| iv. 2 Kenyann Drive | Tax Map 177 Block 10 Lot 57 |
| v. 6 Winter Haven Drive | Tax Map 187 Lot 69 |
| vi. 7 Knoll Road | Tax Map 216 Lot 40 |

C. Property Tax Abatement/ Refunds

- I. 139 Gov Wentworth Hwy #15 2023 Tax Map 133 Lot 20-F3 \$220

- | | |
|---------------------------------|--------------------------|
| ii. 83 Richards Rd #13 2023 | Tax Map 220 Lot 19 \$624 |
| D. Intent to Cut Wood or Timber | |
| i. Center Street | Tax Map 16 Lot 8 |
| ii. Center Street | Tax Map 16 Lot 7 |
| E. Application for Current Use | |
| i. 261 Pine Hill Rd | Tax Map 145 Lot 16 |

Motion by Mr. Senecal to approve Bulk vote A-E. Second Mr. Deshaies. Approved 5-0

4. Board/Committee Appointments:

N/A

5. New Business

A. Approval: Hawkers & Peddlers License for spots #1 & #2

Mr. Harriman: States everything is in order and filled out on the application- food license; certificates of insurance; check included for the year. All seems to be in order.

Motion by Mr. Deshaies to issue spots #1 #2 Hawkers & Peddlers for 2024 to Robert Dolengewicz. Second Mrs. Murray: Approved 5-0.

B. Approval: Pop Whalen/ Abenaki Ski Area Scholarship Fund

Jeff McGuinness – with Friends of Pop Whalen- speaks to the new program offering scholarships opening accessibility to all.

Mr. Deshaies: commends organization for doing this for children/families

Motion by Mr. Senecal to endorse the Friends of Pop Whalen/Abenaki Ski Area Scholarship Fund. Second Mr. Deshaies. Approved 4-0-1 [Mrs. Murray abstains]

C. Approval: 2024 Warrant Articles

Mr. Pineo: Recordings by board today explaining warrant articles to citizens. Consider the petition warrant article for \$500,000 in funding in the event the operating budget fails in order to fund the current ambulance service. You have information received late this afternoon.

Mrs. Murray: We should read this wording of the article for the public.

Mr. Harriman:

Petition warrant article for 9-1-1 Ambulance Municipal Operations Contract submitted by petition: "To see if the town will raise and appropriate the sum of \$500,000 without further action by town meeting for the purpose of a 9-1-1 ambulance municipal operations contract should the warrant article for the 2024 operating budget fail and the town enter into a default budget. This warrant article shall be null and void if the town passes the town 2024 operating budget warrant that includes ambulance funding." Signatures have been verified by our town clerk; this will be on the warrant.

Motion by Mrs. Murray that the Board of Selectmen recommend this petition warrant article. Second Mr. Deshaies. Approved 5-0.

Mr. Harriman: This is recommended 5-0 to be on the warrant_ Nothing else under the warrant articles?

Mr. Pineo: We are done.

Mrs. Murray: Until the deliberative session.

D. Discussion: 2023 over expenditure letter.

Mr. Harriman: Drafted our official letter to the public on the funding issue with Pop Whalen and using the Unanticipated Fund Balance.

And will read into the minutes and the letter will be posted on web site and sent to the press:

Mr. Pineo: Once signatures are on the document, it will be posted on the web site.

Mr. Harriman – reading the letter:

“Wednesday, January 17, 2024

The Board of Selectmen and Town Manager want to give a full explanation of the errors made by the Town in using its Unassigned Fund Balance.

The 2023 Warrant Article 18 for Town Road Upgrades stated. "To authorize funds in the amount of \$850,000 from the Town's Unassigned Fund Balance." This was based on the 2021 Annual Audit that stated the Unassigned Fund Balance \$4,235,156.

The 2022 Warrant Article 11 Pop Whalen Ice Arena and Arts Center Renovation and Expansion Project outlined the following financial path to secure \$6,972,951 in funding:

Amount to be Bonded \$4,272,951

Donated funds \$2 700 000

Total Funds for Project \$6,972,951

Upon passage of 2022 Warrant Article 11, contracts were signed, purchase orders were issued, pricing was secured, thus all funds for the project in the amount of \$6,972,951 were encumbered. The Board of Selectmen, during this same timeframe entered into an agreement with the Friends of Pop Whalen to pay the Town at least \$2.7 million in donated funds on July 31, 2023. The acceptance of donated funds on July 31, 2023, caused timing issues which required the Town to utilize its Unassigned Fund Balance to cover the \$2.7 million in donated funds. As construction began in the spring of 2022 expenses for the project were paid out on a weekly basis to vendors. On December 31, 2022, the 2022 fiscal year closed. The project was well underway, on budget, with \$942,702 in funds encumbered as outlined below, however the Town had not yet received the Friends of Pop Whalen Donation, which would be accounted for as a revenue in 2023. Project expenses through December 31, 2022, are outlined below.

Total Appropriation \$6,972,951

2022 Expenses \$6,030,248

Balance of Funds \$942,703

The last invoice associated with 2022 Warrant Article 11 Pop Whalen Ice Arena and Arts Center Renovation and Expansion Project was received and paid on July 21, 2023, completing the project utilizing the entire appropriation. On July 31, 2023, the Friends of Pop Whalen donated \$2,050,000 of its \$2,700,000 commitment. The Board of Selectmen authorized a one-year extension for the \$650,000 balance.

In October 2023 the Town received its 2022 Audit Report which showed the Unassigned Fund Balance at the end of 2022 to be \$302,237. The MS-535, a New Hampshire Department of Revenue Form outlining: Voted vs Actual Expenditures and Estimated vs Actual Revenues, filed by the Town shown on page 6 that the revenue for 2022 Article 11 for the Pop Whalen Ice Arena and Art Center was not

received until 2023 even though the Town included the \$2,050,000 as received revenue. When the Staff met with DRA to set the tax rate the Town was informed that DRA was disallowing the use of Unassigned Fund Balance to cover 2023 Article 18 for Town Road Upgrades in the amount \$850,000 from the Unassigned Fund Balance. The 2022 Audit showed only \$302,237 of Unassigned Fund Balance to cover the Town Road Upgrades. Therefore, the Town had to make up \$547,763 from the 2023 operating budget by reducing expenses and could not utilize any of the donated funds received in 2023.

On November 22, 2023, the Town Manager imposed a spending freeze for the 2023 budget. The Town Manager, after meeting with staff, felt that there could be as much as \$363,218 by freezing expenditure in the 2023 operating budget and \$71,427 unspent funds from the 2023 Warrant Article 18 to reduce the Town's operating budget expenses.

At the Board of Selectmen meeting on December 18, 2023, the Board of Selectmen decided to file with the Department of Revenue Administration for an Emergency Expenditure and Over Expenditure under RSA 32:11. The Board unanimously voted to sign and send the letter. At the Budget Committee meeting on December 18, 2023, the Budget Committee discussed the letter to DRA and reviewed the financial information provided by the Town Manager. There was a motion to sign the letter to the DRA which passed unanimously.

On December 22, 2023, DRA approved the Town's request to overspend the bottom-line of 2023 operating budget by \$175,000 using the Electric Department's Unassigned Fund Balance and the reason was the July 16, 2023, rainstorm, and the cost of the storm damages.

Attached you will find a document from the New Hampshire Municipal Association titled taking the Mystery out of Fund Balance.

To close, The Town Manager in conjunction with the Board of Selectmen made decisions which allowed the Pop Whalen project to be completed in a timely manner and on budget. Based on what we have learned over this process the practice of utilizing Unassigned Fund Balance for Warrant Article projects created a timing issue which may feel disingenuous to the voter and should have been identified prior to the 2022 Audit report. In the future, the Town will strive to utilize any Unassigned Fund Balance for the purpose of setting the annual tax rate rather than for Warrant Article projects.

[Signatures of Town Manager and five Select Board Members included in the letter that is on the town web site as of 1/18/24]

<https://www.wolfeboronh.us/home/news/full-explanation-errors-made-town-using-its-unassigned-fund-balance>

E. Approval: **HB 1479**

Mr. Deshaies: Asked board members to offer any changes to this letter; did not receive any; presume you are in support of this letter. If you permit, we can email this letter to lawmakers: Jeb Bradley, John McDonald, Katie Paternal, Glenn Cordelli and to NH Municipal Association [and House Legislative Administration]. Shows our support for town employees, state organizations that support teachers, police, fire, town clerk – that they have a right to protect themselves if any group in the state is trying to take away their duties of their offices.

Mr. Harriman: Can we read this into the minutes?

Mr. Deshaies: reading the letter-
House Legislative Administration
Legislative Office Building 301
Concord, New Hampshire 03301

Re: HB 1479 and efforts to limit towns' ability to budget for legislative advocacy

Dear Chairman Hill and Members of the Committee:

To preserve local budget control, bring the best resources to our staff, and access valuable training and education services, the BOARD OR ENTITY writes to strongly oppose any legislation intended to make it harder for towns and cities to budget for collective advocacy, like 2023's HB 51 and 2022's HB 1033.

We are members of the New Hampshire Municipal Association, a voluntary, nonprofit organization whose membership includes all 234 of New Hampshire's 234 cities and towns. For us and all its members, NHMA is a source of information, assistance, legal counsel, and legislative advocacy on local government issues. Any legislation that creates an obstacle to using our discretion as a board to maintain our membership threatens not only our access to NHMA and similar entities, but also their very existence as a member founded, member-funded organization.

Here are three things to consider about how we use our local funds:

First, as the only organization that provides us with legislative advocacy services, NHMA is a voluntary and member-driven organization that relies on local funds. Those funds are appropriated through the legal, transparent, local budget process led by elected officials who sit on the many boards and committees across New Hampshire. Taxpayers know where their money is going, and they are free to advocate against our membership if they would like. As a result, HB 1479 dilutes the authority of town voters as well.

Second, NHMA is far from the only specialty advocate that would be threatened by this sort of law. Many officials and employees in our town and others are members of professional organizations that provide advocacy services, including but not limited to building officials, assessing officials, town and city clerks, planners, police officers, firefighters, public works employees, and school district officials.

Third, these groups deliver valuable services outside their legislative advocacy. They provide training and educational opportunities, often with state partners, to ensure their members understand the law and best practices. Undermining their ability to exist would mean local officials will not receive explanations of the effects of legislation on themselves and their constituents and must try to make public policy without all the information they need. NHMA was founded for local officials by local officials in 1941, with a recognition that a shared voice to state leaders was more efficient and more effective than local officials from 234 cities and towns attempting to follow all legislation affecting local government.

HB 1479 threatens the core concept of local control: local voters making decisions about how local funds are spent. We therefore ask the committee to find any proposed

legislation aiming to control how we spend our local budgets and pursue collective advocacy inexpedient to legislate.

Sincerely,

[to be signed by Board of Selectmen]

Mr. Harriman: Are we in support of this letter to be sent to our representatives?

Mrs. Murray: Important that we do send it.

Motion by Mrs. Murray to support sending the letter to the individuals and groups indicated along with NH Legislation Administration, stating our opposition to HB 1479 because of its affect on local towns. Second Mr. Deshaies. Approved 5-0

F. Approval: Town Report Cover pictures and dedication

Mr. Harriman: We need to choose front and back cover photos for the annual Town report.

Board *discusses* photos of Public Safety Building construction photos and photos from the Bridge Falls Path lighting project.

Mr. Deshaies: mentions waiting until next year and using a photo showing the completed Public Safety Building.

Mrs. Murray: received a note from Amy related to the Hunter's fire and rebuilding project – using a Hunter's fire photo and a new Hunter's photo next year and commemorate the passing of Charlie Hunter.

Mrs. Murray, Mr. Harriman, Mr. Freudenberg: discussing using a construction photo of Public Safety Building which is starting to show how the building will look.

Mr. Deshaies: Mentioned installing new lights in the Foss Field parking lot near the EV charging station.

Mr. Harriman: Perhaps we get the updated deadline from Amy and new photos so we can decide. And a dedication is needed. [board is referring to a list of notable people].

Mr. Deshaies: We could dedicate the report to the memory of all these people listed. They are all incredible people who served our community.

Mrs. Murray: Sometimes we take one or two people; do a write-up on each; then put "in memory of" the others. We have dedicated a report to Shirley Ganem when she left.

Mr. Freudenberg: agrees

Mr. Harriman: Choosing this gentleman is good; great person in town.

Mrs. Murray agrees: dedication could be to him – and also mention the others in the annual report.

Mr. Harriman: All agree on this and we'll update Amy and get deadlines and anything else we might need.

Libby Trustee's Meeting

MOTION by Mrs. Murray to go into a Libby Trustees meeting. Second Mr. Freudenberg. Approved 5-0.

1. Libby Museum letter- Attorney General letter dated Dec. 22, 2023

Mr. Pineo: State Attorney General's letter arrived. The annual reporting issue is all set with the AG's office: It's not that we didn't file, it's the problem that the museum did not fit in the state's box for charitable filings. State put Libby in the same category as the library. Everything is now up to date.

Note that the contractor that was to do work and recommendations on Libby work is unable to do that work now. An RFP for services could be ready to post shortly.

Meantime, received a letter from the AG's office. Miss Quinlan would like to meet with the trustees to discuss a path forward for the Libby.

Mr. Harriman: Set a meeting date with Miss Quinlan to keep the state up to date on potential plans and go from there.

Mr. Pineo: State would be understanding of wanting to meet after the deliberative session (Feb. 6).

Mrs. Murray: Will be away Feb. 7-17.

Mr. Harriman: Maybe end of February?

Mr. Freudenberg: Going away in March. With reference to RFP for the Libby, could we look at the last two Libby reports to see if an action item list can be determined?

Mr. Pineo: Architectural plans do not necessarily meet the actual construction documents in order to achieve something. We need to have more of a construction and building services trade to list the items that could be tackled. Quantum did a scope of work for Clark House; The Libby documents proposed an addition – which is no longer in play.

Mrs. Murray: A company y installed new tie rods and they had a list.

Mr. Pineo/Mr. Senecal: Meridian.

Mrs. Murray: Since they've been in the Libby, maybe they could do it. We had some projects to look at. One was to cover the ground underneath the museum with some kind of a tarp.

Mr. Pineo: Vapor barrier.

Mrs. Murray: We could do that without spending a lot of money; and we have a report that says we should do that. I'd be interested in going back to Meridian since they've been in there.

Mr. Pineo: I can check those documents.

Mr. Deshaies: As far as the meeting goes – not available Feb. 9, 12, 13, 14, 22, 23.

Mr. Harriman: Maybe last week of Feb. is good for the meeting. We have the original Bergeron report 5-7 years ago which is a good baseline to work from for whoever we bring in – without starting fresh.

Mr. Pineo: With the budget behind us, I can dedicate some time to do that.

Mrs. Murray: Do we need to write a letter to Miss Quinlan to get an idea of what she's looking for from us?

Mr. Deshaies: Maybe she could send an agenda.

Mr. Pineo: I will ask. Will aim for Feb. 26-March 1.

Mr. Freudenberg: I just needed something to report to the Friends of Libby – now I have information.

MOTION by Mr. Senecal to come out of Libby Trustees meeting. Second Mrs. Murray. Approved 5-0.

6. Other Business

Mrs. Murray: Pop Whalen Ice Arena and Arts Center – we need to make that enterprise more profitable. We need to rent out more ice time and space rentals for events. I'd like monthly or bi-monthly reports showing the hours/days rented and what we're looking for to start filling vacant times. Concerned about spring. Last year we did not go after users until the ice was out. I'd like that to start sooner. I'd like to see what's being done to rent the center space. Friends of Pop Whalen have talked about renting the meeting rooms; promote/advertise those for birthday parties; and have people skate during the parties. I went to the Bruins old-timers game – it was well-attended. Great to see the activity and people there. We should show voters we are serious about getting revenue from the arena and center; we should have those reports to us – every month.

Mr. Harriman: Agrees monthly reports should be turned into Board; eventually do every other month.

Mr. Deshaies: Years ago, ran into stumbling blocks trying to rent the arena for a family event. Eventually, we were OK'd for the family event. It was great; private skating + pizza party. Summer sport court rentals could happen when the ice is out. Current employees should be the ones to drum up usage for private and other events.

Mrs. Murray: Then the arena can pay for itself from private rentals.

One other item – talked to EDC: Families in Transition – Hope House has shut down. Reached out to Maria Devlin. Tried to find out if there was anything the town could do to keep the place going. I cannot think of a better place for low income housing. They have some debt. Would like the town to do what it can to help make the program stay; or have the place be low income

housing. It filled a need in the community and we have a need for low income housing. Suggested she go to the planning board for a general consultation to see what could be possible. She said the upstairs rooms/bathroom – there is an apartment and there's a communal living room/kitchen area. Second floor is a daycare; bottom floor set up for a dentist office. Perhaps the board can help with this.

7. Committee Reports

Mr. Senecal: Conservation Commission and other board meetings.

Mr. Harriman: WCTV board meeting; planning board – interesting; Wolfeboro Waters.

Mrs. Murray: We all taped the warrant articles; Meetings- Wolfeboro Waters; Wolfeboro Waters assessing subcommittee; EDC; Last Night Wolfeboro. Chamber of Commerce monthly meeting.

Mr. Freudenberg: chamber of commerce monthly meeting.

Mr. Deshaies: EDC; budget committee – two meetings.

8. Town Manager's Report

Mr. Pineo: Budget committee should wrap up (1/18/24, 6 p.m.)

Received correspondence regarding town hall parking lot on popular meeting nights it's difficult to find spots. Since it's a municipal lot, it's challenging to get parking for those who want to attend the meetings. It is a legitimate concern.

Hopefully warrant article taping will be up for people to view.

9. Questions from the Press [no questions posed]

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

Suzanne Ryan: Disappointed in selection of an image of a commercial building for the town report cover. Believes Winnepesaukee Day would be a better choice.

Mr. Deshaies: That was featured on the cover last year. We're looking at using an image of the Public Safety Building for this year's cover.

Mrs. Ryan: I stand corrected.

Mr. Harriman: Any other public input? [none]

MOTION by Mrs. Murray to go into Non-Public Session RSA 91-A 7:57 p.m.. Second Mr. Freudenberg. Approved 5-0.

MOTION by Mr. Freudenberg to seal the non-public session minutes at 8:15 p.m. Second Mr. Senecal. Approved 5-0

MOTION by Mr. Senecal to adjourn at 8:15 p.m. Second Mr. Harriman. Approved 5-0. Luke moved, and Dave seconded to seal the minutes at 8:15.

Next Meeting dates:	February 6, 2024	Deliberative Session
	February 7, 2024	Regular Meeting

Submitted by:


Brenda Jorett

