

Wolfeboro Board of Selectmen  
Public Meeting Minutes-UNAPPROVED  
In-Person at the Great Hall, 9 Union St. Wolfeboro  
*Trustees of the Libby Museum Meeting to Follow*  
July 7, 2021

**Board Members present:** Chairman Linda Murray, Brad Harriman, Dave Senecal, Linda Murray, Luke Freudenberg, and Brian Deshaies

**Staff present:** Town Manager Jim Pineo, Finance Director Kathryn Carpentier, Director of Parks and Rec Christine Collins (online), Director of Planning & Development Tavis Austin and Recording Secretary Christine Doherty

Chairman Murray opened the meeting at 6:30 PM.

**The Board Members gave a Roll Call, Luke Freudenberg—present, Dave Senecal—present, Linda Murray—present, Brad Harriman—present and Brian Deshaies—present.**

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

Mr. Pineo stated a non-public session is needed pending litigation.

**1. Consideration of Minutes**

- i. June 16, 2021

Ms. Murray: I would like the CIP guidelines attached to the minutes.

**It was moved by Luke Freudenberg and seconded by Dave Senecal to approve the minutes of June 16, 2021 as amended. Roll call vote Brad Harriman—yes, Linda Murray—yes, Luke Freudenberg—yes, Dave Senecal—yes, and Brian Deshaies—yes. Being none opposed, the motion passed.**

**2. Public Hearings**

*Town Ordinance Change*

- i. The Town of Wolfeboro to hold a Public Hearing on Wednesday, July 7, 2021 at 6:30 PM regarding amendments to the Town Ordinance, Chapter 36-5, Docks and Wharves, Limitations on use Town docks, wharves and ramps and 36-7 Commercial vessel landing permit regulation and fees. The Board will discuss the following for amendment:
1. Location of the Municipal Electric Boat
  2. Additional dock space for 10-minute loading/unloading

3. Creation of a commercial vessel space at the public docks (20 minutes) to be shared with the current 10 minutes loading/unloading space
4. Increased docking fee for commercial use of the Libby ramp/dock

Mr. Pineo: We have a few amendments ([see attached](#)). The docks are now labeled on the map as: A-G recreational docks, 1 & 2 commercial docks.

Mr. Pineo: There are issues with boat trailers and space and people long term parking.

Mr. Deshaies: Where should these people park their trailers?

Mr. Pineo: Christine Collins and I are going to keep an eye on this and figure out a solution moving forward.

Ms. Murray: We have a space next to the Wastewater Treatment Plant they could use.

Mr. Deshaies: The lot on Glendon Street people have told me it is difficult to get a boat trailer in and out of there. It was suggested if we angled the spots, it would make it easier to park.

Mr. Pineo: We are also looking at the commercial use fee and what that should look like annually.

Mr. Deshaies: How many companies use the ramp for barges?

Mr. Freudenberg: The Libby is 1 of only 3 commercial barge pickup areas on the lake. Mr. Ford and I have discussed this and think an annual fee that we can all agree on would be a good idea. There are 8 companies that use it fairly often. Each company is using it, potentially, up to 100 times per season.

Ms. Murray: We have spent a large amount of money maintaining that dock and this money could be used for the upkeep.

Mr. Deshaies: A smaller company shouldn't have to pay as much as a larger company that uses it more often. And there is no way of knowing if the 2-hour limit is being followed. Could we get the number of permits over the past few years and then the cost of what we have put in to maintaining the dock for the past 10-15 years so we will have a better idea of what to charge.

Mr. Harriman: As far as monitoring the time, I think if someone is looking to launch or take out their boat, they will be saying something to them.

Mr. Senecal: Signage may be needed as a barge was loading up against the new wall that was just built. That should not be allowed.

Mr. Pineo: We do have a bond for \$1,500 to cover the cost of our insurance deductible. Is that amount ok? (Board agreed on amount) Next is the number of CVLP boats granted to dock and pick up passengers. The number is four right now that have permission. (Board agreed on four)

Ms. Murray: We will need to do more definition on how the permits will be delegated each year.

Mr. Pineo: We are also looking at the size and capacity of the boats. And what fine will be imposed if the 20-minute docking time is exceeded. And is the 20 minute interval ok?

Mr. Deshaies: We will need to specify what we mean by the length of a boat as well.

Mr. Pineo: Do we want to limit the amount of signage at the location is another question.

Chairman Murray opened up for public hearing

No comments

Public hearing closed

Ms. Murray: We need to approve the two landing permits given this year for Dock G.

**It was moved by Linda Murray and seconded by Dave Senecal to approve the landing permits for Wake Winni and Winnipisaukee Adventures (Slap Happy). Roll call vote Brad Harriman – yes, Linda Murray – yes, Luke Freudenberg – yes, Dave Senecal – yes, and Brian Deshaies - yes. Being none opposed, the motion passed.**

*Temporary Events Permit(s)*

- i. The Wolfeboro Board of Selectmen to consider a Temporary Event Permit for Jeremiah Beach to host a mountain bike race at Abenaki on the trails on July 24, 2021 from 8AM to 6PM. Permit #2021-38.

Chairman Murray opened up the public hearing

Mr. Beach: We laid out a course that uses primarily the cross-country ski trails.

No other comments

Closed public hearing

**It was moved by Luke Freudenberg and seconded by Brian Deshaies to issue a Temporary Event Permit for Jeremiah Beach to host a mountain bike race at Abenaki on the trails on July 24, 2021 from 8AM to 6PM. Permit #2021-38. Roll call vote Brad Harriman – yes, Linda Murray – yes, Luke Freudenberg – yes, Dave Senecal – yes, and Brian Deshaies - yes. Being none opposed, the motion passed.**

- ii. The Wolfeboro Board of Selectmen to consider a Temporary Event Permit for The Church United (BE Free Church, Calvary Wolfeboro, Melvin Village Community Church, First Congregational of Ossipee, Wolfeboro Bible Church to host a concert, games and food in Cate Park on August 6, 2021 from 5:30PM to 8:30PM. Permit #2021-43.

Chairman Murray opened up the public hearing

No comments

Closed public hearing

Mr. Senecal: Cate Park may not be the right venue for this event. It may be better suited at Foss Field or Abenaki.

Mr. Deshaies: Cavalry already has a great venue where they are located. It's kind of a semiprivate event. People passing by can join but it isn't being advertised as such.

Mr. Freudenberg: The event isn't until August 6<sup>th</sup> so there is time if the Board suggests another location.

Ms. Murray: Is the Board comfortable having the Town Manager contacting them to let them know about other locations? (Board agrees)

**It was moved by Brad Harriman and seconded by Dave Senecal to deny issuing a Temporary Event Permit for The Church United (BE Free Church, Calvary Wolfeboro, Melvin Village Community Church, First Congregational of Ossipee, Wolfeboro Bible Church to host a concert, games and food in Cate Park on August 6, 2021 from 5:30PM to**

**8:30PM. Permit #2021-43. Roll call vote Brad Harriman – yes, Linda Murray – yes, Luke Freudenberg – yes, Dave Senecal – yes, and Brian Deshaies - yes. Being none opposed, the motion passed.**

**3. Public Input** (Limited to 3 Minutes per resident, not to exceed 15 minutes in total)

N/A

**4. Bulk Vote**

**A. Weekly Manifests**

- i. June 18, 2021 \$1,233,132.49 (\$883,000 to CRF)
- ii. June 25, 2021 \$418,350.62

**B. Property Tax Abatements**

**Approval**

- i. 883 Center St #S8 2020#56 Tax Map 102 Lot 8-S8 \$82.54

**C. Intent to Cut / Timber Warrants**

- i. Brown’s Ridge Rd Tax Map 8 Lot 35
- ii. 109A/Pine Hill Tax Map 176 Lot 4

**D. Yield Tax Levy Warrants**

- i. 175 York Road Tax Map 81 Lot 1 \$137.65
- ii. Camp School Rd Tax Map 245 Lot 1 \$492.28
- iii. 555 N. Line Rd Tax Map 52 Lot 1 \$2,158.60
- iv. 505 Brown's Ridge Rd Tax Map 38-3 & 49-1 \$547.34
- v. 11 Trask Mountain Rd Tax Map 35 Lot 7 \$778.21
- vi. 44 Stoddard Rd Tax Map 10-8 \$473.98

**E. State of NH Department of Revenue Annual PA-28 Inventory of Taxable Property Form. The Town of Wolfeboro will not be using this form.**

**F. Raffle Permits**

- i. Friend of the Wolfeboro Library Summer Raffle

**It was moved by Dave Senecal and seconded by Brad Harriman to approve the Bulk Vote items A-F. Roll call vote Brad Harriman—yes, Linda Murray—yes, Luke Freudenberg—yes, Dave Senecal—yes, and Brian Deshaies—yes. Being none opposed, the motion passed.**

**5. Board/Committee Appointments**

*Energy Committee*

- i. Richard Kourian – Alternate

**It was moved by Dave Senecal and seconded by Brian Deshaies to appoint Richard Kourian as alternate to the Energy Committee for a term to expire March 2024. Roll call vote Brad Harriman—yes, Linda Murray—yes, Luke Freudenberg—yes, Dave Senecal—yes, and Brian Deshaies—yes. Being none opposed, the motion passed.**

*Heritage Commission*

- ii. Mark Lush – Alternate

Anne Blodget, Vice-Chairman of the Heritage Commission spoke on behalf of Mark Lush.

**It was moved by Luke Freudenberg and seconded by Dave Senecal to appoint Mark Lush as an alternate to the Heritage Commission. Roll call vote Brad Harriman—yes, Linda Murray—yes, Luke Freudenberg—yes, Dave Senecal—yes, and Brian Deshaies—yes. Being none opposed, the motion passed.**

**6. New Business**

**A. Discussion: Moody’s Investors Service Rating Upgrade (see attached)**

**B. Discussion: Pop Whalen Rates (see attached)**

Mr. Deshaies: If we increase ice time from 50 to 60 minutes, they are getting more ice for less. I’m all for it.

Victor Drouin, President of Back Bay Hockey: For 1 hour ice slot, that extra 10 minutes of ice is about \$35. Will the bill be \$215 for an hour, or will it be \$243?

Mr. Pineo: 60 minutes of ice time and 10 minutes of clean up for \$215.

Mr. Drouin: We try to keep the younger kids ice time to 50 minutes, so I ask that you keep that in mind. And the state is going to start mandating longer game times as people have to travel. So, keep that in mind for future planning.

**It was moved by Dave Senecal and seconded by Brian Deshaies to approve the new rates at Pop Whalen January 2022 at \$215 for 60 minutes. Roll call vote Brad Harriman—yes, Linda Murray—yes, Luke Freudenberg—yes, Dave Senecal—yes, and Brian Deshaies—yes. Being none opposed, the motion passed.**

**C. Discussion: COVID-19 Restrictions & Exemptions Downtown**

Ms. Murray: Bailey’s Bubble has stated that they would not need the 3 parking spaces during the day but would like to use them during the evening.

Mr. Deshaies: I think 2 spaces would be sufficient and a time frame is needed.

Mr. Senecal: I would say 2 spaces after 6:00PM.

Ms. Devries: We have a letter out to businesses about where their customers will park. We stress in the letter to have the business owners and employees park elsewhere reserving the spaces for consumers. The Chamber is available to help in any way.

Ms. Murray: Dockside Restaurant seating on the commercial dock. I feel like the season has already started so we can address that for next year. El Centenario have done a beautiful job of making it an attractive space and I’m comfortable with keeping it. We may need to look at ordinances before next year. Burnt Timber we are working on a proposal with them.

Mr. Pineo: How do you want to deal with this going forward so we can give Tavis Austin some idea for next year.

Mr. Austin: If we allow every restaurant to do this next year, we may start losing off street parking. I have had nothing but thanks from those restaurants, but they are concerned about what will happen in the future.

Mr. Freudenberg: A lot of communities are looking at this, analyzing and struggling with it. I think this year we keep it in place.

**D. Appointment: Heritage Commission - Plan NH  
Charette Barn Preservation Easement**

Maggie Stier: We have 4 easements in town. This year was unusual due to Covid. Norton/Sexton barn easement is due to expire. Winni Winery 1810 Barn is doing well. Bittersweet location is ok. Brown Farm is the most recent easement, and he has not been responsive to my calls. I would also like to ask for a letter of recommendation from the Board for the Plan NH. Pedestrian connection, linking town to Back Bay, enhancing historic character and improving outdoor recreation.

**It was moved by Dave Senecal and seconded by Brian Deshais to grant a letter of recommendation from the Board for the Plan NH Charette Barn Preservation. Roll call vote Brad Harriman—yes, Linda Murray—yes, Luke Freudenberg—yes, Dave Senecal—yes, and Brian Deshaies—yes. Being none opposed, the motion passed.**

**E. Approval: Josiah Brown Awards**

Ms. Murray: We have a lot of money to give out from this award. Do we want to make the amount larger?

Mr. Senecal: I would like to do \$2,500

**It was moved by Dave Senecal and seconded by Brad Harriman to grant Kaitlyn Folsom, Chase Bailey, and MacKenzie Chamberlin a \$2,500 Josiah Brown Scholarship Award. Roll call vote Brad Harriman—yes, Linda Murray—yes, Luke Freudenberg—yes, Dave Senecal—yes, and Brian Deshaies—yes. Being none opposed, the motion passed.**

Chairman Murray announced a move into a Trustees of the Libby Museum Meeting at 8:18PM

***Trustees of the Libby Museum Meeting***

**F. Discussion: Placement of the Libby Museum project on the CIP (see attached)**

Ms. Murray gave a brief overview of the history of what the town has done for the museum.

Ms. Murray: I have and continue to support Wolfeboro becoming a museum destination.

Mr. Senecal: I am in favor of the \$2.9 million Warrant Article. The biggest issue we have is once we do it then we have the cost to maintain it. The \$2.9 would give us the addition, upgrades, storage to stabilize the building. If they come up with the \$2 million then we could come up with the \$800k or so.

Mr. Deshaies: I was thinking of a benchmark approach. Until they show they have a full commitment then I would be comfortable going the next step.

Mr. Freudenberg: The project needs to be done either way. So, it should be done right.

Mr. Harriman: We are getting to a point in the negotiations where we have stalled. I'm hoping we can work through that and move forward. I think the cash approach is what we should do.

Ms. Murray: We have some big items on our plate and that is what concerns me.

Mr. Pineo: We already have a motion from September of 2020 to put \$100k in the CIP.

Ms. Murray: We could rescind the 2020 motion taking the \$2.3 million off the table.

**Brad Harriman made a motion to rescind the vote of September 2020 for the \$100k and it was seconded by Dave Senecal. Roll call vote Brad Harriman—yes, Linda Murray—yes, Luke Freudenberg—yes, Dave Senecal—yes, and Brian Deshaies—yes. Being none opposed, the motion passed.**

**Brad Harriman made a motion to support the larger version addition for the Libby Museum in the amount of \$2.9 million contingent upon a 70% and 30% split, the Town being 30% and the Friends of the Libby the 70% in fundraising and it was seconded by Dave Senecal. Roll call vote Brad Harriman—yes, Linda Murray—yes, Luke Freudenberg—yes, Dave Senecal—yes, and Brian Deshaies—yes. Being none opposed, the motion passed.**

Murray announced a move out of the Trustees of the Libby Museum Meeting at 8:50PM.

## **7. Other Business**

Mr. Freudenberg: I have been noticing that people parking at the town docks might need some extra help with docking their boats. I suggest a two-week pilot program with dock hands.

Mr. Deshaies: The problem would be liability. So, the dock hands would need to be protected.

Ms. Murray: I like the idea.

**Luke Freudenberg made a motion to explore the possibility of assistance on the town docks and to put together a pilot program for a couple of weekends this summer and it was seconded by Dave Senecal. Roll call vote Brad Harriman—yes, Linda Murray—yes, Luke Freudenberg—yes, Dave Senecal—yes, and Brian Deshaies—yes. Being none opposed, the motion passed.**

## **8. Committee Reports**

Mr. Harriman: Planning Board

Mr. Senecal: Conservation Committee, Zoning Board

Ms. Murray: Emergency Operation, Assessing Committee, Pop Whalen

Mr. Freudenberg: Zoning Board

Mr. Deshaies: Energy Committee

## **9. Town Manager's Report**

Mr. Pineo: Emergency Management meeting, we are going to cut back on hours as we turn the corner on Covid. Collecting a lot of data for the Pop Whalen issues. Lot of great reports coming to us from the activities this past weekend.

**10. Questions From the Press**

Elissa Paquette: The figure on the Libby project, the estimate was developed a while ago and prices have increased for construction materials and labor. Should a new estimate be considered?

Ms. Murray: I think there needs to be a percentage increase.

**11. Public Input** (Limited to 3 minutes per resident, not to exceed 15 minutes in total)

**12. Non-Public Session RSA 91-A**

**It was moved by Dave Senecal and seconded by Brad Harriman to move into non-public session. Roll call vote Brad Harriman—yes, Linda Murray—yes, Luke Freudenberg—yes, Dave Senecal—yes, and Brian Deshaies—yes. Being none opposed, the motion passed.**

**It was moved by Brad Harriman and seconded by Dave Senecal to come out of non-public session at 9:21 PM. Roll call vote Brad Harriman—yes, Linda Murray—yes, Luke Freudenberg—yes, Dave Senecal—yes, and Brian Deshaies—yes. Being none opposed, the motion passed.**

**It was moved by Luke Freudenberg and seconded by Linda Murray to seal the minutes. Roll call vote Brad Harriman—yes, Linda Murray—yes, Luke Freudenberg—yes, Dave Senecal—yes, and Brian Deshaies—yes. Being none opposed, the motion passed.**

**It was moved by Dave Senecal and seconded by Brad Harriman to adjourn at 9:22 PM. Roll call vote Brad Harriman—yes, Linda Murray—yes, Luke Freudenberg—yes, Dave Senecal—yes, and Brian Deshaies—yes. Being none opposed, the motion passed.**

Respectfully Submitted,  
Christine Metcalfe Doherty

**PUBLIC HEARING NOTICE  
TOWN OF WOLFEBORO**

The Town of Wolfeboro to hold a Public Hearing on Wednesday, July 7, 2021 at 6:30 PM regarding amendments to the Town Ordinance, Chapter 36, Docks and Wharves, § 35-5 Limitations on use Town docks, wharves and ramps and §35-7 Commercial vessel landing permit regulation and fees.

The Board will discuss the following for amendment:

1. Location of the Municipal Electric Boat
2. Additional dock space for 10 minute loading/unloading
3. Creation of a commercial vessel space at the public docks (20 minutes) to be shared with the current 10 minutes loading/unloading space
4. Increased docking fee for commercial use of the Libby ramp/dock

For more information on the ordinance and the changes please contact the Town Manager's office. 569-8161 or [tmsecretary@wolfeboroh.us](mailto:tmsecretary@wolfeboroh.us)

If there is anyone with a disability needing any modification and/or auxiliary aid to access the meeting, please notify James S. Pineo, Town Manager at 569-8161 at least 72 hours prior to the meeting date.

Posted:	Wolfeboro Town Office	June 25, 2021
	Website	June 25, 2021
	Granite State News	July 1, 2021

TO: Board of Selectmen  
FROM: James S. Pineo, Town Manager  
CC: Amy Capone-Muccio  
DATE: June 30, 2021  
RE: AMENDMENTS - DOCKS & WHARFS ORDINANCE

Below you will find the Docks & Wharfs Ordinance with a few minor changes which are **highlighted in yellow then in teal** as outlined below and authorized by 36-11 or the ordinance: Summary of changes are as follows. The changes are open for discussion as I have received no input from Department Heads.

- 1) Add Commercial Vessel Landing Permit Application
- 2) Add map of Dockside Docks defining dock locations
  - a. Change in titling of Commercial Docks to clarify location and reduce confusion
- 3) Identify assigned dock space for Mail, Fire, MED boats
- 4) Identify two (2) 10 Minute loading/unloading of passengers
  - a. New location is at Dock E opposite MED Boat
- 5) Increases fee for commercial usage at Libby from \$25 to \$500.00 annually
- 6) Creating opportunity for smaller commercial vessels to utilize 10 minute dock space opposite fire boat. Usage for 20 minutes
  - a. Number of 20 minute permits to be issued? Four?
  - b. Need to define criteria for the 20 minute permits
    - i. Height-do we define or "vessel is of such height passengers cannot safely load unload and commercial docks 1 & 2."
    - ii. Width, length, carrying capacity
    - iii. Penalty clause
    - iv. Revocation clause
- 7) Creates language for BoS to review docking space between Commercial Docks 1 & 2 on an annual basis
  - a. Awaiting to hear from legal counsel: should we have a license agreement with the Millie-B
- 8) Creates a limit on commercial vessel signage, Limit of four (4)

[HISTORY: Adopted 8-15-1994 by the Board of Selectmen of the Town of Wolfeboro. Amendments noted where applicable.]

#### **GENERAL REFERENCES**

Beaches — See Ch. 16.

Town docks — See Ch. 112, Art. II.

Skateboards and roller skis — See Ch. 131.

[Application for Commercial Vessel Landing Permit - cvlp and sign 0.pdf \(wolfeboronh.us\)](#)

[Added 7-7-2021]

#### **§ 36-1. Authority.**

Pursuant to the authority granted under RSA 31:39 or any other applicable state statute, this chapter is hereby adopted by the Town of Wolfeboro.

#### **§ 36-2. Title.**

This chapter shall be known and cited as the "Dock Ordinance."

#### **§ 36-3. Purpose.**

The purpose of this chapter is to promote the orderly, compatible and safe use of docks, wharves and ramps owned and maintained by the Town of Wolfeboro.

#### **§ 36-4. Definitions.**

As used in this chapter, the following terms shall have the meanings indicated:

##### **TOWN DOCKS**

The docks owned and maintained by the Town of Wolfeboro and located at Dockside (See [Appendix A](#)), at the Libby Museum in Winter Harbor, at Mast Landing in Crescent Lake and in Back Bay adjacent to the railroad station.

[Amended 7-7-2021 by the Board of Selectmen]

#### **§ 36-5. Limitations on use of Town docks, wharves and ramps.**

- A. No commercial vessel, floating dredge or barge is to use the Town docks or to anchor within 100 yards from said Town docks, unless the operator thereof first obtains a written permit from the Board of Selectmen. See Subsections O and P and § 36-7 or as otherwise provided for in this chapter.

[Amended 3-7-2001]

- B. No motor vehicles, construction equipment, skateboards, bicycles, scooters, roller blades or the like shall be permitted on the Town docks. No permit is required to launch or haul out pleasure boats at launching ramps.
- C. No equipment, supplies or material shall be stored or parked on the Town docks, wharves or parking areas adjacent thereto unless a written permit is first obtained from the Board of Selectmen, except that no permit shall be necessary when said equipment, supplies or material is placed for the purpose of immediate loading onto or unloading from a vessel.
- D. No vessels shall be docked at Dockside in that area reserved for the vessel utilized by the contractor delivering United States Mail by water, Dock G, the Town Fire Boat Dock G, and the Municipal Electric Boat Dock E.  
[Amended 7-7-2021]
- E. No vessels or watercraft shall impede the path of the M.S. Mount Washington or the area directly in the rear of her stern.  
[Amended 6-3-1998]
- F. A commercial vessel landing permit issued by the Board of Selectmen pursuant to §§ 36-50, 36-5P and 36-7 must be obtained prior to use of the commercial dock spaces (Dock A and Dock B) at Dockside as shown in Appendix A on the plan approved by the state for construction in 1994. All other docks shall be recreational except as provided by ordinance.  
[Amended 6-3-1998] [Amended 7-7-2021]
- G. No vessels shall dock in the slip closest to any public launching ramp except that docking for a period not to exceed 10 minutes shall be allowed for purposes of loading and unloading only.
- H. The area on the opposite side of the Dockside docks where the fire boat is located, Dock G, and where the Municipal Electric boat is located, Dock E, shall be designated as an area for loading and unloading of passengers; provided, however, that potential loading would not exceed 10 minutes.  
[Amended 7-7-2021]
- I. No person shall be allowed to swim or bathe in the area of the Town docks or to dive off the Town docks.
- J. Obstructing navigation. No vessel shall obstruct navigation in the Smith River. No vessel shall be docked at the wall on the southeasterly side of Smith River extending from the bridge on Main Street to the cluster at the northwesterly end of the commercial dock.
- K. Boat trailer parking.

- (1) Boat trailer parking is limited to the Glendon Street Parking Lot at the end of Glendon Street and the Mast Landing parking area. There will be a penalty of \$15 for each boat trailer parked on Town roads or streets with an additional penalty of \$15 if the trailer is attached to the towing vehicle.
- (2) Exceptions. A motor vehicle with a boat trailer may park temporarily for a maximum of 1/4 of an hour in any public parking space.
- (3) Pop Whalen boat trailer storage.  
[Added 9-19-2012]

- (a) Island tax payers and their visitors may obtain an island boat trailer permit that will allow them to park their boat trailer at the Pop Whalen Arena gravel parking lot located at 390 Pine Hill Road (Route 109A).\
- (b) Boat trailer owners should contact the Tax Collector's office at Town Hall to obtain an island boat trailer storage sticker.
- (c) Boat trailers parked at Pop Whalen Arena without an island boat trailer parking permit will be ticketed and impounded.
- (d) Boat trailers shall be parked on the gravel portion of the parking lot only. No trailer shall be parked on the paved portion of the parking lot.
- (e) All boat trailers must be backed in perpendicular to the edge of the parking lot; no parallel parking.
- (f) Boat trailers may be parked in the Pop Whalen Parking Lot from April 1 through October 1.
- (g) Any boat trailers left on site outside of the above dates will be ticketed and impounded.
- (h) The gate to the parking lot is left open 24 hours per day and is lit at night.
- (i) The Town takes no responsibility for boat trailers that are damaged or stolen while being stored on Town property.

L. Time limits on docking. Except as set forth below, docking of boats at all Town docks is limited to four hours between the hours of 6:00 a.m. and 6:00 p.m. No docking of boats at said docks is permitted between 1:00 a.m. and 6:00 a.m.

M. Island resident parking.

(1) The second dock closest to the Main Street bridge in Back Bay and the outermost side of both docks at Mast Landing are restricted to boats displaying an island resident boat parking sticker. Boats displaying the island resident boat parking stickers are not subject to the four-hour limit set forth above when parked at these designated locations.  
[Amended 7-15-2015 by the Board of Selectmen]

(2) Island resident boat parking shall be permitted at ~~the easterly most public dock at the public dock complex~~ Dock A at Dockside during periods of high water and low water when passage under the Smith River Bridge restricts passage; and further limited to the time frame between ice out and the day before Memorial Day weekend and from the day after Labor Day to the end of the fall boating season.  
[Added 3-7-2001] [Amended 7-7-2021]

N. Marinas. No overnight occupancy of boats docked or moored at a marina shall be permitted unless adequate toilet facilities, as approved by the Wolfeboro Health Officer, are available at the marina.

O. ~~Commercial use. With the exception of the ramp and dock at the Libby Museum, there shall be no docking, loading or unloading of commercial barges at any dock, wharf, landing or right-of-way owned by or under the control of the Town of Wolfeboro.~~  
No commercial loading and unloading of barges may occur at the Town docks, wharf or landing under control of the Town of Wolfeboro except for at the Libby dock and ramp.  
[Amended 7-7-2021]

(1) Commercial use of the dock and ramp at the Libby Museum shall be allowed by permit only, subject to the following conditions:

- (a) Hours of commercial use shall be from 7:00 a.m. to 7:00 p.m., Monday through Friday, and from 7:00 a.m. to 1:00 p.m. on Saturday, limited to two hours for loading and unloading.
- (b) No overnight docking shall be permitted.
- (c) Storage of materials is prohibited at all sites, including the Libby Museum.
- (d) Parking of construction vehicles is prohibited in the parking lots in front of and at the rear of the Libby Museum.
- (e) A flagman wearing a fluorescent vest shall be in attendance to direct traffic.

(f) The A commercial use fee for each permit issued pursuant to this section shall be \$25. \$500.00 annually?  
[Amended 7-7-2021]

(g) A bond, letter of credit, bank check or cash in the amount of \$1,500 in favor of the Town of Wolfeboro shall be posted prior to the issuance of a permit to cover the cost to repair any damages resulting from the commercial use pursuant to this section.

P. Carrying passengers for hire. Any vessel engaged in the carrying of passengers for hire must obtain a commercial vessel landing permit from the Wolfeboro Board of Selectmen prior to docking at the Town docks. At Dockside, all vessels engaged in the carrying of passengers for hire must use the commercial dock slip, except as otherwise provided.

(1) The Wolfeboro Board of Selectmen may grant a CVLP for the 10 minute dock space directly opposite the fire boat located at Dock G.

(a) The Wolfeboro Board of Selectmen may authorize the holder of a CVLP utilizing the docking space directly opposite the fire boat at Dock G for 20 minute intervals for the purpose of loading and unloading passengers provided the following criteria is met.

(1) The Wolfeboro Board of Selectmen shall grant no more than ?? (4) CVLP's to the docking space directly opposite the fire boat at Dock G.

(2) The purpose of the vessel is carrying passengers.

(3) The vessel is of such height passengers cannot safely load or unload at Commercial dock 1 or Commercial dock 2.

(4) The vessel shall have a width no greater than ?? feet

(5) The vessel shall have a length no greater than ?? feet

(6) The vessel shall have a capacity of no greater than ?? passengers excluding staff

(7) The vessel operator complies with all provisions of the CVLP

(8) Failure to comply with the 20 minute docking interval established for CVLP directly opposite the fire boat at Dock G may result in a fine imposed by the Board of Selectmen in an amount not to exceed \$100 per offense

(9) Repeated offenses of the 20 minute docking interval may result in a revocation of the CVLP

[Amended 7-7-2021]

Q. The Wolfeboro Board of Selectmen shall on an annual basis evaluate the landing and docking assignment for the commercial space between Commercial Dock 1 and Commercial Dock 2.

(a) Annually a license agreement shall signed between the Town of Wolfeboro and the authorized user of this space.

[Added 7-7-2021] AWAITING LEGEL OPINION

R. The Wolfeboro Board of Selectmen shall on an annual basis review any license agreements for the usage of all other town docks.

[Added 7-7-2021]

S. No boats, as defined in RSA 270:2, shall be docked in that area of the Town docks designed as accessible docking (handicap docking), unless such boat displays a windshield placard issued under RSA 261:88 or displays the international symbol of access. Docking spaces designed as accessible (handicap) shall be marked in accordance with the provisions of RSA 265:73-a by affixing signs to posts, docks or other areas so as to be clearly visible to anyone approaching the area by boat.

[Added 6-11-2008]

- (1) The accessible (handicap) docking area shall be utilized only if a person with a disability is being transported in or is operating a boat to or from the docking area.
- (2) The same time limit restrictions will apply to accessible (handicap) spaces as stated in Subsection L above.
- (3) Any person convicted under this subsection shall be fined not less than \$250.

#### **§ 36-6. Boat parking sticker.**

The Board of Selectmen will issue a boat parking sticker to island residents, one per household, upon application and proof of island residency. Said sticker shall be affixed to the windshield, or, in the case of a boat which does not have a windshield, placed in a readily visible location.

#### **§ 36-7. Commercial vessel landing permit regulations and fees.**

- A. Except as provided in § 36-50, all vessels using the Town docks for commerce of any kind must obtain a commercial vessel landing permit (CVLP) from the Board of Selectmen.
- B. The CVLP shall be valid under such conditions as determined by the Board of Selectmen.
- C. Each vessel will require an individual CVLP.
- D. The application for the CVLP submitted to the Board of Selectmen shall contain the following information and such other information as the Board of Selectmen shall deem necessary:
  - (1) The name of the vessel.
  - (2) The home port, address and telephone number of the vessel operator/owner.

- (3) An estimate of the number of annual landings (one round trip constitutes two landings).
  - (4) A listing of desired landing times and location(s) to be reserved for that vessel. Landing times will be finalized by the Board of Selectmen and will be established in such a manner as to assure public safety and to avoid congestion and/or overlapping landing times at the Town docks.
  - (5) A statement indicating the operator's agreement to accept responsibility and to reimburse the Town for damages to the Town docks caused by the operator's vessel, normal wear and tear excepted. The applicant shall also provide the Board of Selectmen with proof of insurance and other information required by the Board for the efficient administration of the CVLP.
- E. The CVLP shall be carried aboard the vessel at all times when the vessel is using the Town docks.
- F. The fees for the CVLP shall be called "landing fees" and shall be \$0.04 per foot of overall boat length for each landing.
- G. The CVLP shall be based on actual landings and shall be paid as follows:
- (1) Payment one: 33% of the estimated annual fee at the time the permit is issued.
  - (2) Payment two: 33% of the annual fee estimate to be paid on or before July 1 of that year.
  - (3) Payment three: the balance of the annual fee based on actual landings to be paid not later than December 15 of that year
- H. Each CVLP shall be permitted one sign. Said sign shall comply with the following requirements: Limited to a total of four signs?  
[Added 11-6-2013<sup>11</sup>] [Amended 7-7-2021]
- (1) Sign location: Sign placement shall be limited to the mounting between the white railings in front of the smaller commercial dock.
  - (2) Sign size: not to exceed 20 inches by 40 inches.
  - (3) Sign content: The information on the sign shall be limited to only the vessel noted on the permit. All packet/handout item shall be contained on the sign or mounted directly below the sign.
  - (4) Sign placement: Placement shall be between the top and middle rail. No sign or brackets shall interfere with the installation of any other approved CVLP sign.

[1] *Editor's Note: With the addition of this subsection, former Subsections H through J were redesignated as Subsections I through K, respectively.*

- I. No CVLP will be issued until all of the prior year's fees have been paid in full.
- J. Failure to comply with the requirements of the CVLP landing fee program will result in a fine to be imposed by the Board of Selectmen in an amount not to exceed \$100 per unauthorized landing.
- K. Allocation of CVLP Revenues. CVLP revenues shall be set aside in a manner to be determined by the Board of Selectmen. The set aside CVLP revenues will be available exclusively for the maintenance and improvement of the Town docks and the Dockside and Cate Park areas.

**§ 36-8. Violations and penalties.**

Except as otherwise provided in § 36-7, any person violating any of the provisions of this section shall be fined \$100 for the first offense and \$100 for each subsequent offense. Fines are payable within 48 hours at the Wolfeboro Police Station.

**§ 36-9. Administrative provisions.**

Nothing contained in this chapter shall be construed as repealing or modifying any other ordinance or regulation of the Town. Nor shall this chapter shall be construed as repealing or modifying any private restrictions placed upon property by covenants running with the land to which the Town is a party, but shall be in addition thereto.

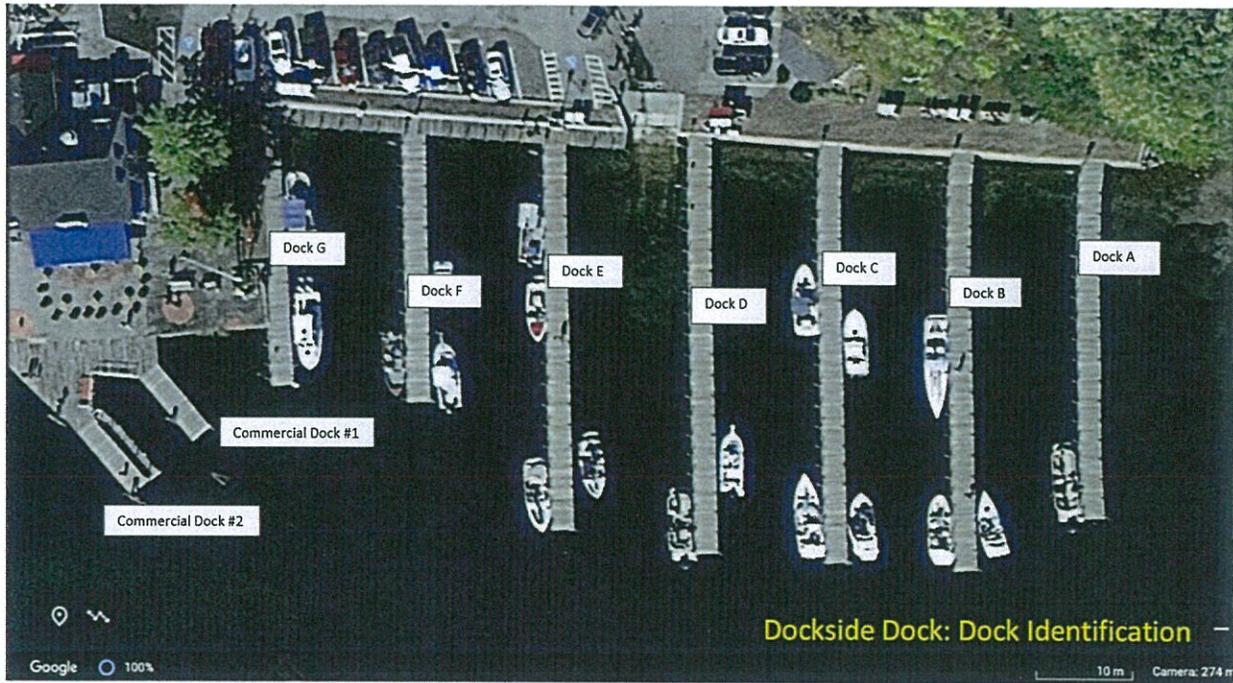
**§ 36-10. Severability.**

If a section, subsection or provision of this chapter is for any reason found to be invalid, such invalidity shall not affect the validity of the remaining portion of this chapter.

**§ 36-11. Amendments; public notice.**

The Board of Selectmen shall have the authority to amend the chapter. Before acting upon any amendment, the Board of Selectmen shall hold a public hearing thereon. Notice of the public hearing and the proposed changes shall be published in a newspaper of general circulation in the Town of Wolfeboro and posted in two public places in the Town at least seven days prior to the public hearing.

APPENDIX A



ATTACHED CVLP



Town of  
Wolfboro

BOARD OF SELECTMEN  
Linda Murray, Chair  
David Senecal, Vice  
Brian Deshaies  
Luke Freudenberg  
Brad Harriman

James S. Pineo, Town Manager

TO: Board of Selectmen  
FROM: James S. Pineo, Town Manager   
CC: Amy Capone-Muccio  
DATE: June 30, 2021  
RE: Libby Museum – Letter to the Editor

The following document is in response to the Letter to the Editor submitted by the Friends of the Libby Museum (FOLM) which appeared in the Granite State News on June 17, 2021. (Exhibit I)

**Paragraph 3: Capital Reserve Fund Establishment**

It should be noted that in 2020 a Public Hearing was scheduled. This public hearing was to discuss a bonded warrant article in the amount of \$2.9 million for the restoration of the Libby Museum. I have attached my weekly report to the BoS dated January 10, 2020 (Exhibit II) which outlines the Libby timeline and decision to change from bonding the complete project to creation of a Capital Reserve Fund in the amount of \$300,000. (Note BoS recommended 3-1, Budget Committee Recommended 5-3, and the voters approved 756-547). Therefore \$300,000 was placed in the capital reserve fund “for the purpose of renovating, expanding and repairing the Libby Museum”

**Paragraph 4: Memorandum of Understanding (MOU)**

In December 2020 the Town was presented with a draft MOU from the FOLM regarding the Libby Museum project. Attorney Puffer advised “the Board of Selectmen should not sign the proposed MOU as written” (Exhibit III). In summary the proposed MOU was a contract which obligated funds in the amount of \$900,000 without voter approval.

On February 24, 2021 the Town and FOLM met for the purpose of negotiating, in non-public, all parties verbally agreed to terms, and on that afternoon an updated MOU was sent to Attorney Puffer for legal review. Meanwhile on March 1, 2021 I received an email from John Wilkins of the FOLM with a signed MOU which was version I of the MOU (Exhibit IIIB).

On March 3, 2021 Attorney Puffer reviewed version II of the MOU and was satisfied that his concerns had been addressed and the MOU could be signed by the BoS. The FOLM were hesitant to sign this version of the MOU because of the following statement “The town, contingent on FOLM raising 70% of the total project cost intend to produce a

warrant article asking the voters to consider the question of whether or not to raise and appropriate 30% of the project cost. The FOLM wanted the term contingent removed, to which the Town would not agree.

At the February 24, 2021 meeting between the Town sub-committee and FOLM, the FOLM requested the BoS reconsider one of the votes taken on September 16, 2020 which was:

*“It was moved by Paul O’Brien and seconded by Linda Murray that the Board of Selectmen endorse the 2.3 Million dollar project subject to the fundraising of the Friends of the Libby for evaluation and determination at the end of 2021. Motion passed 3-2”*

This was discussed at the sub-committee level and was agreed we would bring it forward to the full BoS for consideration. A meeting was scheduled for March 31, 2021 to discuss the final version of the MOU between the Town and FOLM.

At the March 31, 2021 meeting a motion was prepared to rescind the September 16, 2020 vote regarding the project scope. However the FOLM mentioned for the 1<sup>st</sup> time, that they would also like the following motion to be amended.

*“It was moved by Linda Murray and seconded by Dave Senecal to approve putting \$100,000 in the 2021-2030 CIP for the Libby. Motion passed 4-1”*

The FOLM took members of the sub-committee by surprise in requesting this motion be amended to have a warrant article for \$300,000 in 2022 and 2023, at no point in the sub-committee meeting was this discussed.

At this point, given the critical infrastructure projects facing the Town of Wolfeboro taxpayers, the FOLM documented track record of not negotiating in good faith with the Wolfeboro Board of Selectmen, sub-committee, it is my opinion the Board of Selectmen enter into the final version of the MOU as written (Exhibit IV).

You will also find attached the Power point presentation from the March 31, 2021 meeting which outlines the timeline to date (Exhibit V)

JSP

## EXHIBIT I

### What's (not) happening with saving the Libby Museum.

To the Editor:

Many people may know that the Friends of The Libby Museum, Inc. (FoLM) have been working for several years to save The Libby, the only natural history museum in New Hampshire, and a nationally recognized historic place, which opened in 1912. This is the update, as of May 2021.

The Selectmen of the Town of Wolfeboro, appointed by Probate Court in 1956, are The Libby Museum's Trustees and operate and maintain The Museum. FoLM is a 501(c)3 nonprofit charity, setup in 1989 by descendants and friends of Dr. Libby to provide support to The Museum including educational programs.

The Museum building is restorable if done soon. It is currently unheated and uninsulated, and is now 109 years old. Multiple studies, done over the past two decades, raise concerns about the condition of the building and damage to the rare Museum Collection. Studies have been done on wall movement, excessive mold and moisture, and instability in the foundation. In 2019 a full Building Assessment was completed by the Town of Wolfeboro, with Donor Funds, with Engineering Drawings publicly presented for restoration with a modest addition for a total cost of \$2.9 Million. Fundraising began by Friends of the Libby Museum, Inc. and the Town of Wolfeboro voters approved a warrant article for a capital reserve fund in 2020 with an initial deposit of \$300,000.

In the fall of 2020, FoLM began efforts on a public/private partnership with Wolfeboro's Board of Selectmen/The Libby Museum Trustees. The proposal was for FoLM to raise 70 percent of the costs (\$2M), and for the Town to contribute the remaining 30 percent (\$900,000), at 2019 prices.

Numerous meetings took place about the potential partnership agreement. It has become evident that

The Libby Trustees (Selectmen) do not consider The Libby Museum's Restoration a priority for The Town of Wolfeboro. The Selectman have made it clear that they are unwilling to put Warrant Articles to the Voters in 2022 and 2023 for the Town's remaining 30 percent contribution. Without a commitment from the Town, FoLM are unable to raise \$2 Million because prospective donors and grant-givers wish to see the Town committing to their responsibility for The Libby Museum. Hence, FoLM's efforts to save The Libby Museum, by assisting the Town of Wolfeboro, cannot move forward. This also includes the LOSS of the offer to kick off an endowment fund of \$1 million within five years, to off-set future running costs of The Libby.

FoLM hopes to learn how the selectmen will now fulfill their obligation as Trustees to save The Libby Museum. Technical Reports make it clear that continued band-aid-like maintenance is not a worthwhile investment given The Libby Museum's condition.

FoLM is interested in Wolfeboro voters' opinions. Please feel free to send your views to the FoLM Board members via the website, [www.friendsofthelibbymuseum.org](http://www.friendsofthelibbymuseum.org), and consider joining our annual meeting in September.

*Tom Goodwin*

*Julie Jacobs*

*Kari Lauber*

*Lauren Hammond*

*Geoffrey O'Connell*

*John Wilkins*

*Rainy Wilkins*

*Alana Albee (ambassador)*

*Friends of The Libby Museum, Inc.*

*Wolfeboro*

EXHIBIT II

MEMO

**TO:** Board of Selectmen  
**FROM:** James S. Pineo, Town Manager  
**DATE:** January 10, 2020  
**RE:** Weekly Report

**BUDGET COMMITTEE**

We had two budget committee meetings this week. To summarize; They voted to not recommend the Libby, all other articles were recommended with minor discussion regarding PSB, Accrued leave time, Union Agreement, and Police vehicle.

**2020 OPERATING BUDGET**

The final budget which was approved by the budget committee was \$28,043,555.00 which compared to 2019 is up \$42,798.00 or 0.15%. According to calculations this will result in a (\$0.75) decrease per \$1,000.00 assessed valuation. However we will have been reassessed when the tax rate is set in the fall of 2020 so this number will change.

**BOND HEARING**

We had a timeframe issue noticing the Bond Hearing. Based on this we had rescheduled for 1/20/2020 then realized the is Martin Luther King Jr. Day and cannot have a meeting on a holiday. Therefore the meeting has been rescheduled for 1/21/2020 @ 6:30 in the Great Hall. This will likely be a "joint meeting" with the budget committee. Reason being; The BoS must vote on the petition WA for \$25,000 for the community center study. The budget comm. Must also vote and the 23<sup>rd</sup> is the last day we can do this.

**LIBBY MUSEUM**

I am currently waiting to hear back from Mr. Harding regarding the possibility of meeting on Tuesday 1/14/2020 RE: the Libby and agreement

**OPERATING BUDGET PRESENTATION**

We are working on a plan to place the 2020 Operation budget presentation on the webpage. Next week we will also work to have books finalized and placed in the town hall and library.

**LIBBY MUSEUM TIMELINE**

Below you will find a timeline of events over this week regarding the Libby Museum and changes which prompted my decision to do what I did with the warrant article. I did three people reach out and thank me for taking this decisive action.

EXHIBIT II

On January 7, 2020 I met with Brad Harriman and Alana Albee regarding the Libby Museum Warrant Article based on the following timeline of emails

January 4, 2020 @ 1:32 PM – Mr. Harding to Ms. Albee

Mr Harding reminds Ms Albee of the January 6, 2020 and February 14, 2020 deadlines. Further Mr. Harding feels states in this email

*While the HVAC system is likely costed out within the "Expansion Costs" Biber believes that the Town should assume this entire expenditure since it clearly falls within the realm of its trustee responsibilities.*

January 4, 2020 @ 3:32 PM – Ms. Albee to Mr. Harding & Cc: Alba & James Pineo

Ms. Albee states the HVAC cost is estimated at \$244,550. Ms. Albee also outlines the estimated current and future operating costs of the Museum based on operating at current hours and staffing levels which met the January 6, 2020 timeline. Ms. Albee also mention the need for a future business plan.

January 4, 2020 @ 5:42 PM – Ms. Abbott to Ms. Albee & CC: Mr Harding, James Pineo, Alba

Ms. Abbott which states

*The next step pursuant to the agreement is for the town and Biber to determine whether to proceed. It seems that there needs to be a discussion involving the Biber trustees and the town. Please let me know how you all would like to do that. I am happy to join a discussion by phone.*

*As Alan notes, some of the cost here are for renovation rather than expansion, and the overall cost of the project is significantly higher than anticipated, so I think we do need to have that discussion.*

January 7, 2020 @ 4:30 PM – Meeting between Ms. Albee, Mr. Harriman, and James Pineo

Discussion regarding mentioned email. Ms. Albee stated that the Biber Foundation will be making their contributions over time and not in a single payment. Discussion resulted in determining that the BoS should sit down with Biber and discuss the topic. Mr. Pineo advised the Town would request Attorney Puffer be present.

January 7, 2020 @ 6:10 PM

(Opened 1/8/2020 @ 0830) Mr. Harding to Ms. Albee & Ms. Abbott.

Email noting the Keenan agreement and

*What the Biber Foundation is willing to consider is a new agreement among Biber, the Town and the Keenan's pursuant to which Biber would make a grant to the Town in the total amount of \$600,000 payable in equal installments over a three year period to be used for construction of the expansion, contingent upon the Keenan's continued willingness to contribute their collection and*

EXHIBIT II

*upon the Towns assumption of responsibility for payment of the balance of the cost of expansion (less any funds generated by the Friends of the Libby Museum for this project) and upon the Town's approval of a warrant article by a 60% plurality assuming Bonding is required*

January 8, 2020 @ 7:31 AM To James Pineo from Alana Albee.

File name: LIBBY COSTINGS 2020 (revised).docx

Size: 64 KB

Author: Alana Albee

Last changed: Wednesday, January 8, 2020

Message  LIBBY COSTINGS 2020 (revised).docx (64 KB)

**LIBBY COSTINGS 2020  
(revision 2, Jan)**

**TOTAL COST:** \$2,856,599  
**TOWN TO RAISE for Restoration:** \$1,540,040 (54%)  
**FoLM, BIBER, etc for ADDITION:** \$1,316,549 (46%)

**ALLOCATION OF COSTS, FUNDS RAISED AND BALANCED NEEDED (Jan 2020):**

	COST	FUNDS RAISED	BALANCE TO BE RAISED
MAIN BUILDING	1,230,155	64,567 (SCHROTH)	1,165,598 (Town)
ADDITION	1,316,549	691,922 (BIBER + FOLM)	624,627
SOFT COST	309,885		309,885 (Town)
<b>TOTAL</b>	<b>\$ 2,856,599</b>	<b>\$ 756,489 (26%)</b>	<b>\$2,100,110</b>

**The amount raised/pledged to date is:**

Biber for Addition: \$800,000  
FoLM Donations and Pledges: \$91,922 (committed to raise \$438,850)  
SCHROTH Bequest balance: \$64,567  
Total raised: \$756,489 (June-Dec, 26% of total needed)

January 8, 2020 @ 3:00 PM Mr. Alan Harding spoke with James Pineo in Town Managers Office

Mr. Harding provided a study of the economic impact of Museums on the NH economy. Mr. Harding expressed his displeasure with not receiving letter from BoS regarding support of the Museum. Explained to him my concern about too many unanswered questions.

Have a great weekend.

jimp

**PROPOSED STRATEGIC PARTNERSHIP-MEMORANDUM OF UNDERSTANDING**

**Goals of Partnership**

The Friends of the Libby Museum (FOLM) and Museum Trustees (Town) seek to work together to restore the Libby to an up to date facility to sustain and advance the vision of Dr. Libby when he established the Museum in 1912. The Libby is considered a jewel to the Town which welcomes visitors coming from the North with the first expansive view of Lake Winnepesaukee. The project entails a \$2.9 million restoration and modest expansion which will preserve the current collection and enable additional natural history items to be added to enrich the experience for current and future generations.

**Responsibilities and goals of Town.**

Town, which since 1956, has provided the principal funding for the annual operating costs of the Libby will continue in that role in the near/intermediate term while welcoming the FOLM as a financial partner for the planned \$2.9 restoration and expansion plan. Town will contribute \$900,000 of the project cost. Town welcomes FOLM as a contributing partner to the long-term sustenance and enhancement of the Libby and approves of FOLM seeking to raise a permanent endowment of some \$1,000,000 over the next five years which will generate income for enhancement activities. Town has many financial obligations on a long-term basis and welcomes the growing support it will be receiving from FOLM to sustain and enhance the Libby.

**Responsibilities and goals of FOLM**

The FOLM are committed to the long-term success of the Libby and in that regard join in a financial partnership with the Town as noted above. The FOLM will engage in a fund-raising campaign to raise and contribute \$2,000,000 to the cost of the \$2.9 million project. While the near-term goal is the expansion project, FOLM also envisions a Libby which will be a broad-based community and regional teaching center for natural history including the surrounding ecosystem and lake environment from which natural history has evolved. The FOLM will seek to build a growing endowment over the years (aiming for \$1 million in five years) to fund expanding activities and costs. As the role of the FOLM increases in the Strategic Partnership above, thereby enabling the Libby to become more of a self-sustaining entity, representation by the FOLM on the Libby governing board in an appropriate time frame and manner is envisioned.

Approved by Chairman, Libby Board of Trustee

\_\_\_\_\_ Date \_\_\_\_\_

Approved by President and Board Chair, Friends of the Libby Museum

\_\_\_\_\_ Date \_\_\_\_\_

STRATEGIC PARTNERSHIP-MEMORANDUM OF UNDERSTANDING

Goals of Partnership

The Friends of the Libby Museum (FOLM) and Museum Trustees (Town) seek to work together to restore the Libby to an up-to-date facility to sustain and advance the vision of Dr. Libby when he established the Museum in 1912. The Libby is considered a jewel to the Town which welcomes visitors coming from the North with the first expansive view of Lake Winnepesaukee. The project entails a \$2.9 million restoration and modest expansion which will preserve the current collection and enable additional natural history items to be added to enrich the experience for current and future generations.

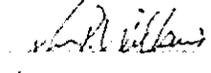
Responsibilities and goals of Town.

Town, which since 1956, has provided the principal funding for the annual operating costs of the Libby, will continue in that role in the near/intermediate term while welcoming the FOLM as a financial partner for the planned \$2.9 restoration and expansion plan. It is anticipated that the Town will contribute \$500,000 of the project cost. However, the raising and appropriation of such funds can only be accomplished by the voters of the Town. Town welcomes FOLM as a contributing partner to the long-term sustenance and enhancement of the Libby and approves of FOLM seeking to raise a permanent endowment of some \$1,000,000 over the next five years which will generate income for enhancement activities. Town has many financial obligations on a long-term basis and welcomes the growing support it will be receiving from FOLM to sustain and enhance the Libby.

Responsibilities and goals of FOLM

The FOLM are committed to the long-term success of the Libby and in that regard join in a financial partnership with the Town as noted above. The FOLM will engage in a fund-raising campaign to raise and contribute \$2,000,000 to the cost of the \$2.9 million project. While the near-term goal is the restoration and expansion project, FOLM also envisions a Libby which will be a broad-based community and regional teaching center for natural history including the surrounding ecosystem and lake environment from which natural history has evolved. The FOLM will seek to build a growing endowment over the years (aiming for \$1 million in five years) to fund expanding activities and costs. As the role of the FOLM increases in the Strategic Partnership above, thereby enabling the Libby to become more of a self-sustaining entity, representation by the FOLM on the Libby governing board in an appropriate time frame and manner is envisioned.

Endorsed unanimously by the Board of the FOLM

 FOLM Chair of Fundraising Date 2/28/21

Approved by Chairman, Libby Board of Trustees

Date \_\_\_\_\_

This MOU is not a contract and creates no binding rights or obligation on the part of either the Selectman/Libby Board of Trustees or FOLM.

## **PROPOSED STRATEGIC PARTNERSHIP-MEMORANDUM OF UNDERSTANDING**

### **Goals of Partnership**

The Friends of the Libby Museum (FOLM) and Museum Trustees (Town) seek to work together to restore the Libby to an up to date facility to sustain and advance the vision of Dr. Libby when he established the Museum in 1912. The Libby is considered a jewel to the Town which welcomes visitors coming from the North with the first expansive view of Lake Winnepesaukee. In 2019 Alba Architects presented a project estimated to cost \$2.9 million for the restoration of and a modest expansion of the Libby Museum. This project will preserve the current collection and enable additional natural history items to be added to enrich the experience for current and future generations. This Memorandum of Understanding is not a contract and creates no binding rights or obligations on the part of either the Selectmen as Trustees of the Libby Museum or the Friends of the Libby Museum. Consideration to cost escalation from the 2019 estimated price of \$2.9 million are have not been considered for this MOU.

### **Responsibilities and goals of Town.**

Town, which since 1956, has provided the principal funding for the annual operating costs of the Libby will continue in that role in the near/intermediate term while welcoming the FOLM as a financial partner for the planned restoration and expansion plan. The town, contingent on FOLM raising 70% of the total project cost intend to produce a warrant article asking the voters to consider the question of whether or not to raise and appropriate 30% of the project cost. Town welcomes FOLM as a contributing partner to the long-term sustenance and enhancement of the Libby and approves of FOLM seeking to raise a permanent endowment of some \$1,000,000 over the next five years which will generate income for enhancement activities. Town has many financial obligations on a long-term basis and welcomes the growing support it will be receiving from FOLM to sustain and enhance the Libby.

### **Responsibilities and goals of FOLM**

The FOLM are committed to the long-term success of the Libby and in that regard join in a financial partnership with the Town as noted above. The FOLM will engage in a fund-raising campaign to raise and contribute 70% to the planned restoration and expansion plan. While the near-term goal is the expansion project, FOLM also envisions a Libby which will be a broad-based community and regional teaching center for natural history including the surrounding ecosystem and lake environment from which natural history has evolved. The FOLM will seek to build a growing endowment over the years (aiming for \$1 million in five years) to fund expanding activities and costs. As the role of the FOLM increases in the Strategic Partnership above, thereby enabling the Libby to become more of a self-sustaining entity, representation by the FOLM on the Libby governing board in an appropriate time frame and manner is envisioned.

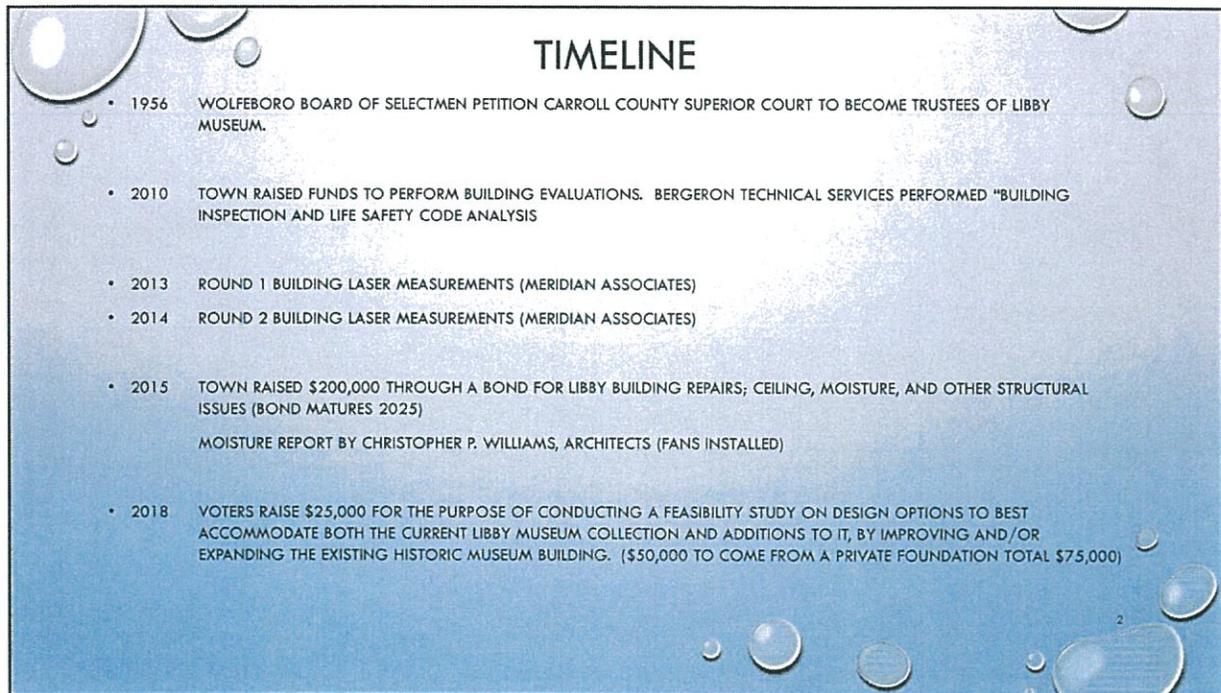
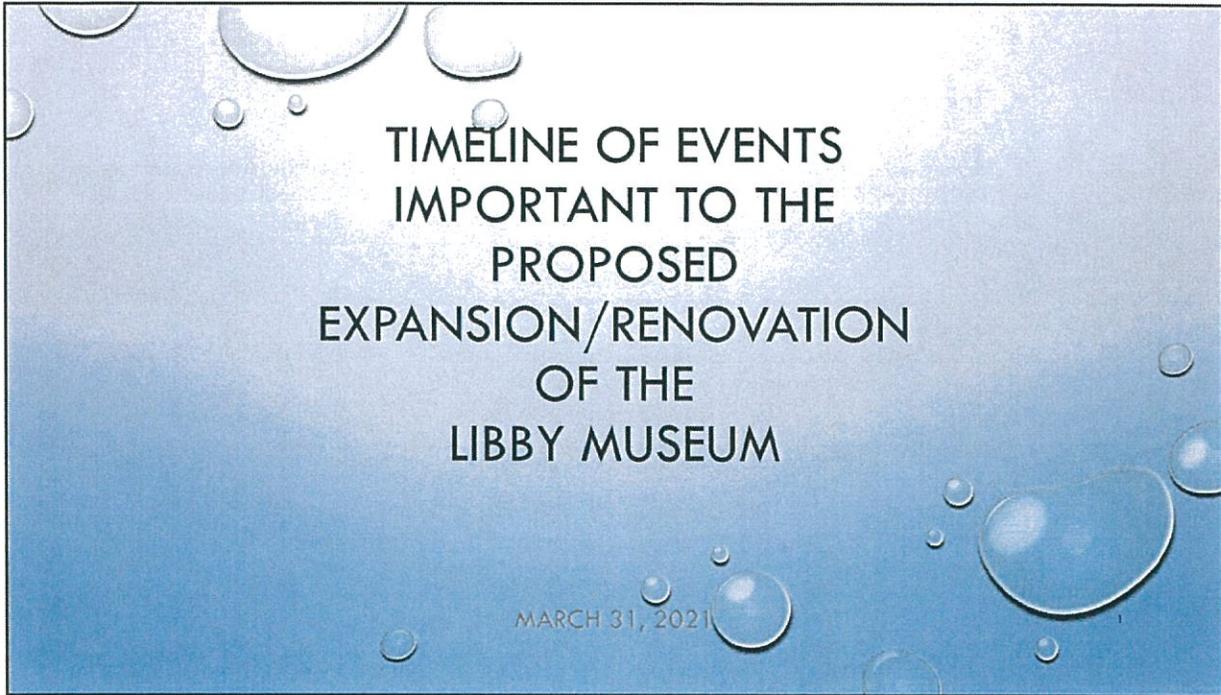
EXHIBIT IV

Approved by the Libby Board of Trustee

\_\_\_\_\_ Date \_\_\_\_\_

Approved by President and Board Chair, Friends of the Libby Museum

\_\_\_\_\_ Date \_\_\_\_\_



## TIMELINE

- 12/2018 CONTRACT TERMINATED WITH ARCHITECT PERFORMING FEASIBILITY STUDY
- 3/2019 VOTERS AUTHORIZED ADDITIONAL \$40,000 FOR THE PURPOSE OF CONTINUING TO CONDUCT A FEASIBILITY STUDY ON DESIGN OPTIONS TO BEST ACCOMMODATE BOTH THE CURRENT LIBBY MUSEUM COLLECTIONS AND ADDITIONS TO IT, BY IMPROVING AND/OR EXPANDING THE EXISTING HISTORIC MUSEUM BUILDING. (FUND TO COME FROM BETTY JANE SCHROTH GIFT)
- 5/2019 ALBA ARCHITECTS CHOSEN TO PERFORM FEASIBILITY STUDY.
  - HEB SUB-CONTRACTOR FOR ALBA IDENTIFIES SIGNIFICANT DEFICIENCIES WITH FLOOR SYSTEM.
  - PRESERVATION TIMBER FRAMING CONTRACTED TO STABILIZE FLOOR SYSTEM
  - ROUND 3 BUILDING LASER MEASUREMENTS (MERIDIAN ASSOCIATES)
- 11/2019 ALBA ARCHITECTS DELIVER PRELIMINARY ESTIMATE FOR REPAIRS AND EXPANSION OF \$2.4 MILLION. (2019 PRICING)
- 12/2019 ALBA ARCHITECTS DELIVERS FINAL PRICE ESTIMATE FOR REPAIRS AND EXPANSION OF \$2.9 MILLION (2019 PRICING)
- 1/2020 DECISION WAS MADE TO REMOVE ANY BOND FROM THE TOWN WARRANT IN FAVOR OF CREATING A CAPITAL RESERVE FUND WHICH WOULD RAISE & APPROPRIATE \$300,000 FOR THE PURPOSE OF RENOVATING, EXPANDING AND REPAIRING THE LIBBY MUSEUM.

## TIMELINE

- SPRING 2020 LIBBY TRUSTEES MEET AND DISCUSS OPTIONS FOR THE LIBBY MUSEUM. REQUEST MADE TO ALBA ARCHITECTS TO PERFORM THE FOLLOWING SCOPE OF WORK: REPAIR THE EXISTING LIBBY MUSEUM TO INCLUDE A SMALL ADDITION TO HOST MECHANICAL SYSTEMS.
- 9/2020 ALBA ARCHITECTS DELIVER COST ESTIMATE FOR NEW SCOPE OF WORK \$2.3 MILLION DOLLARS (2019 PRICING)
- **SCOPE OF WORK OPTIONS**
  - **OPTION 1** REPAIR THE LIBBY WITHOUT ENVIRONMENTAL CONTROLS (NOT RECOMMENDED)
  - **OPTION 2** OBTAIN COST ESTIMATE TO REHABILITATE THE LIBBY. LIKELY TO INCLUDE MINOR ADDITION FOR PURPOSE OF HOUSING HVAC SYSTEMS FOR ENVIRONMENTAL CONTROLS & OTHER MECHANICAL & ELECTRICAL SYSTEMS (RECOMMENDED)
  - **OPTION 3** REHABILITATE & EXPAND LIBBY WITHOUT LCHIP FUNDING (RECOMMENDED)
  - **OPTION 4** REHABILITATE & EXPAND LIBBY FOR YEAR ROUND OPERATIONS (NOT RECOMMENDED)

### TIMELINE

- 9/2020 LIBBY TRUSTEES MEET AND TAKE THE FOLLOWING VOTES
  - VOTE # 1

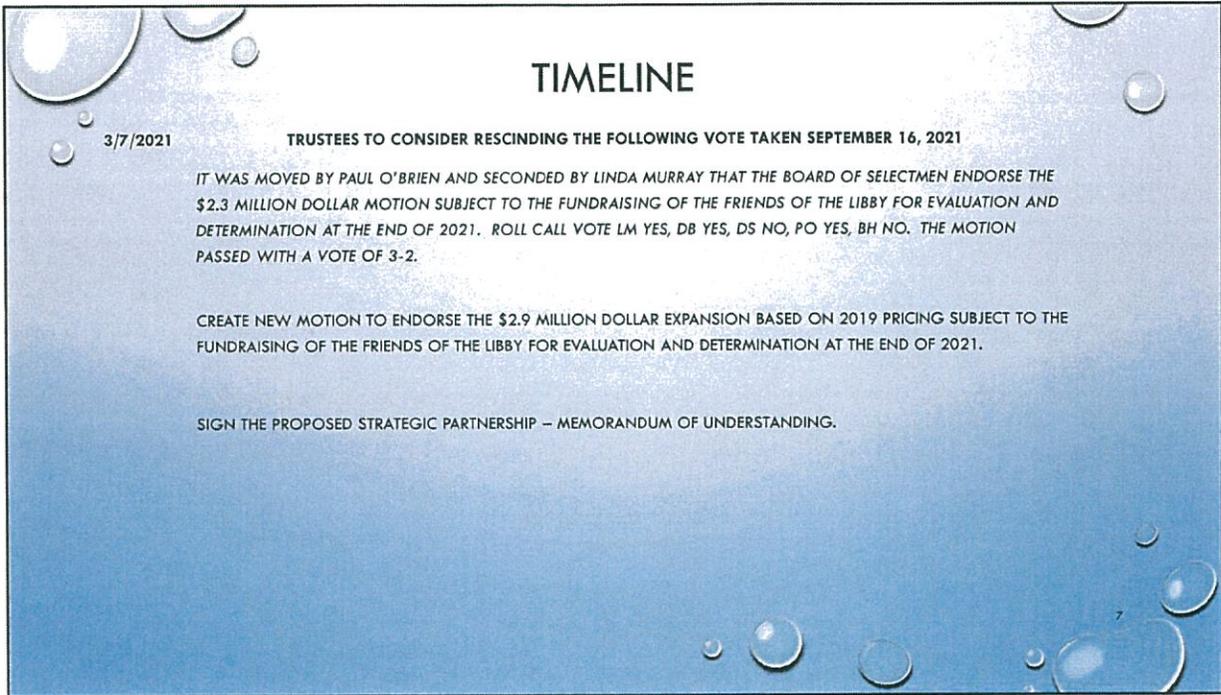
IT WAS MOVED BY LINDA MURRAY AND SECONDED BY DAVE SENEAL TO APPROVE PUTTING IN \$100,000 IN THE 2021 – 2030 CIP PLAN FOR THE LIBBY. ROLL CALL VOTE BH YES, LM YES, DB YES, DS YES, PO NO. THE MOTION PASSED 4-1.
  - VOTE # 2

DISCUSSION ENSUED WEATHER THE \$2.3 OR \$2.9 MILLION DOLLAR PROJECT SHOULD BE THE PLAN OF RECORD WITH THE FOLLOWING MOTION MADE:

IT WAS MOVED BY PAUL O'BRIEN AND SECONDED BY LINDA MURRAY THAT THE BOARD OF SELECTMEN ENDORSE THE \$2.3 MILLION DOLLAR MOTION SUBJECT TO THE FUNDRAISING OF THE FRIENDS OF THE LIBBY FOR EVALUATION AND DETERMINATION AT THE END OF 2021. ROLL CALL VOTE LM YES, DB YES, DS NO, PO YES, BH NO. THE MOTION PASSED WITH A VOTE OF 3-2.

### TIMELINE

- 12/2020 FRIENDS OF THE LIBBY MUSEUM PROPOSE A MEMORANDUM OF UNDERSTANDING DOCUMENT REVIEWED BY ATTORNEY PUFFER WITH MANY RECOMMENDATIONS.
- 2/2021 TRUSTEES AND FRIENDS OF LIBBY MUSEUM BRIEFED ON RECOMMENDATIONS BY LEGAL COUNSEL REGARDING THE MEMORANDUM OF UNDERSTANDING.
- 3/2021 TRUSTEES AND FRIENDS OF THE LIBBY MUSEUM COME TO AGREEMENT ON THE MEMORANDUM OF UNDERSTAND. FRIENDS OF THE LIBBY MUSEUM REQUEST THE TRUSTEES RECONSIDER VOTE # 2 TAKEN ON 9/2020 IN FAVOR OF THE \$2.9 MILLION DOLLAR PROJECT.



## TIMELINE

3/7/2021

**TRUSTEES TO CONSIDER RESCINDING THE FOLLOWING VOTE TAKEN SEPTEMBER 16, 2021**

*IT WAS MOVED BY PAUL O'BRIEN AND SECONDED BY LINDA MURRAY THAT THE BOARD OF SELECTMEN ENDORSE THE \$2.3 MILLION DOLLAR MOTION SUBJECT TO THE FUNDRAISING OF THE FRIENDS OF THE LIBBY FOR EVALUATION AND DETERMINATION AT THE END OF 2021. ROLL CALL VOTE LM YES, DB YES, DS NO, PO YES, BH NO. THE MOTION PASSED WITH A VOTE OF 3-2.*

*CREATE NEW MOTION TO ENDORSE THE \$2.9 MILLION DOLLAR EXPANSION BASED ON 2019 PRICING SUBJECT TO THE FUNDRAISING OF THE FRIENDS OF THE LIBBY FOR EVALUATION AND DETERMINATION AT THE END OF 2021.*

*SIGN THE PROPOSED STRATEGIC PARTNERSHIP – MEMORANDUM OF UNDERSTANDING.*

# Memo

**To:** Selectmen  
**From:** Christine Collins  
**cc:** James Pineo  
**Date:** 6/24/2021  
**Re:** Pop Whalen Ice Rates

---

I wanted to be put on the Agenda for Pop Whalen Ice Rates. We have not had a rate increase since 2018. We have moved to have rates set for the fiscal year, as in the past it was by season October-March which impacts two budgets. The rate increase will go in affect January 2022. We want to have rates established now, so we can get out to the users that need to budget and plan accordingly.

- Our current rate structure is...(see attached sheet)

Discounted Weekend

Discounted Weekday

Weekend

Weekday

The discounted rates are for youth and schools- Back Bay Youth Hockey, Brewster and Kingswood.

Regular Rates are for Curling, She Wolves, and Senior Men's League, as well as any private rentals.

We had the opportunity to visit two municipality rinks this past month and we are pretty similar except for the fact we are on a smaller scale as we are Town run and they are City run.

The changes we would like to happen for January 2022:

- Rate Structure- move from four rates to two rates. \*\*See attached rate increase sheet.
- The rates will be called Prime and Non-Prime Rates:  
Prime- 4PM Friday through Sunday 11:59PM  
Non-Prime- Monday- through Friday 3:59PM

I have also attached 2019—2020 Rates for NH Area Ice Rinks for rate comparison.

July 7, 2021

# Pop Whalen Rates

# Director of Parks & Recreation is recommending transitioning from four (4) rates to two (2) rates beginning in January 2022.

## Reasons for Transition

- Cost of maintaining ice is same regardless of time
- Streamlined Accounting
- Consistent with other rinks
- Change from 50 minutes to 60 minutes ice time (Effective Fall 2021)
  - 60 Minute Ice time is recommended because of Ice utilization
    - 16 - 50 minute sessions per day to 14 - 1 hour sessions per day.
    - Ice is currently 43% under utilized (See 2022 Fee Increase Proposal side)

## Sample Ice Time Schedule

Session	50 Minute Ice Time	60 Minute Ice Time
1	7:00	7:00
2	8:00	8:10
3	9:00	9:20
4	10:00	10:30
5	11:00	11:40
6	12:00	12:50
7	1:00	2:00
8	2:00	3:10
9	3:00	4:20
10	4:00	5:30
11	5:00	6:40
12	6:00	7:50
13	7:00	9:00
14	8:00	10:10
15	9:00	Close
16	10:00	Close

# Pop Whalen Rates

- Rates were last adjusted in 2018.
- Current Rates are as follows (2018)
  - Prime Rate Weekend \$209.00 Friday – Sunday 4:00PM – 12:00AM
  - Non-Prime Rate \$198.00 Monday – Friday @ 4:00PM
  - Discounted Rate \$184.00 Friday – Sunday 4:00PM -12:00AM (Discounted School Rates)
  - Discounted Rate \$173.00 Monday – Friday @ 4:00PM (Discounted School Rates)
- Propose Rates are as follows (Beginning 1/1/2022)
  - Prime Rate \$209.00 Friday – Sunday 4:00PM – 12:00AM
  - Regular Rate \$198.00 All other times

NH Rink Rate Survey Jan 2020

ARENA	CITY	TYPE	2019-20 Prime	2019-20 NP Rate	Public Skate Adult	Public Skate Youth	Stick Practice	Skate Rental	Skate Sharpen	50 min or 60 min	Calc 60 Min Prime Rate 2016-17	Off Ice Rental	Off Ice Hourly Rental Fee	# Ice Sheets	Months w/ Ice	Notes
Proctor Academy	Andover	SCH	\$225						\$5	60 min	\$225			1	7.0	
<i>Notre Dame Arena</i>	<i>Berlin</i>	<i>PNP</i>	<i>\$200</i>	<i>\$200</i>						<i>60 min</i>	<i>\$200</i>			<i>1</i>		
Douglas N. Everett Arena	Concord	MUN	\$265	\$194	\$5	\$5	\$10	\$5	\$6	50 min	\$309	\$1,995	80/hour	1	6.0	
Ham Arena	Conway	MUN	\$235		\$7	\$6	\$12	\$4	\$7	60 min	\$235	\$1,200	\$120	1	9.0	
Dover Arena	Dover	MUN	\$305	\$239	\$7	\$5	\$10	\$4	\$5	50 min	\$356	\$1,500	\$75	2	10.5	1 sheet 6 mo   1 sheet 10.5 mo
<i>Whittemore Center</i>	<i>Durham</i>	<i>COLL.</i>	<i>\$310</i>					\$3		<i>60 min</i>	<i>\$310</i>	<i>\$4,200</i>	<i>\$4,200</i>	<i>1</i>	<i>8.0</i>	<i>310 external customer; 220 UNH affiliated</i>
The Rinks at Exeter	Exeter	PHP	\$295		\$6	\$6	\$10	\$4	\$6	60 min	\$295			2	12.0	
Phillips Exeter Academy	Exeter	SCH	\$370							60 min	\$370			2	5.0	
James Campion, Hanover	Hanover	PNP	\$245	\$210	\$6	\$5	\$10	\$5	\$7	60 min	\$245			1	7.0	350 for school/college
Dartmouth	Hanover	COLL.	\$205							<i>60 min</i>	<i>\$205</i>			<i>1</i>	<i>6.0</i>	
<i>Lee Clement Arena (NE College)</i>	<i>Hemiker</i>	<i>COLL.</i>	<i>\$235</i>							<i>60 min</i>	<i>\$235</i>	<i>\$100</i>		<i>1</i>	<i>5.0</i>	
The Ice Den	Hooksett	PHP	\$290		\$5	\$5	\$8		\$6	60 min	\$290			1	12.0	
Tri-Town Hooksett	Hooksett	PHP	\$275		\$6	\$6	\$12	\$4	\$6	60 min	\$275			2	12.0	
Keene Ice Arena	Keene	PNP	\$245		\$5	\$5	\$4	\$4	\$5	60 min	\$245			1		
Laconia Ice Arena	Laconia	PNP	\$260	\$175	\$5	\$5	\$10	\$5	\$6	60 min	\$260			1	7.0	
<i>St. Anselm's College</i>	<i>Manchester</i>	<i>COLL.</i>	<i>\$275</i>	<i>\$210</i>						<i>60 min</i>	<i>\$275</i>	<i>\$2,300</i>		<i>1</i>	<i>8.0</i>	<i>305 for High School/College Games</i>
JFK	Manchester	MUN	\$273	\$171	\$5	\$3	\$7	\$5	\$5	60 min	\$273	\$1,325		1	6.0	
Westside Arena	Manchester	MUN	\$273	\$171						60 min	\$273			1	8.0	
Conway Arena (Nashua)	Nashua	PNP	\$250	\$185	\$5	\$5	\$10	\$4	\$6	60 min	\$250			1	12.0	
Hanaway Rink	Plymouth	COLL.	\$240	\$225	\$6	\$6	\$10	\$4	\$5	60 min	\$240			1	10.0	
Rochester Arena	Rochester	MUN	\$260	\$180	\$5	\$5	\$10	\$5	\$5	50 min	\$303		\$100	1	6.5	
Tilton School	Tilton	SCH	\$185							60 min	\$185			1	6.0	
Pop Whalen Arena	Wolfeboro	MUN	\$203	\$192	\$6	\$6	\$5	\$5	\$5	50 min	\$237	\$90		1	5.0	off ice rental mainly soccer; cornhole
SUMMARY		TYPE			Public Skate Adult	Public Skate Youth	Stick Practice	Skate Rental	Skate Sharpen	TYPE	Calc 60 Min Prime Rate 2016-17	Off Ice Rental				
Average All		ALL	\$257		\$6	\$5	\$10	\$4	\$6	ALL	\$265	\$1,589				
Average MUN (Municipal)		MUN	\$263		\$6	\$5	\$8	\$5	\$5	MUN	\$292	\$1,228				
Average PHP (Private For Profit)		PHP	\$287		\$6	\$6	\$10	\$4	\$6	PHP	\$287					
Average PNP (Private Non Profit)		PNP	\$239		\$6	\$5	\$11	\$4	\$6	PNP	\$239	\$1,200				
Average SCH (School)		SCH	\$260							SCH	\$260					
Average COLL (College)		COLL.	\$253							COLL.	\$253	\$2,200				

*Italic in Arena Columns indicates unable to obtain this year's rate and last rate known is used*

# Pop Whalen Expenses

BUDGETS	2018	2019	2020	2021	2022 Assumed	2023 Assumed
100/200 Series	\$ 37,639	\$ 41,842	\$ 44,840	\$ 58,721	\$ 58,721	\$ 58,721
300 Series	\$ 55,851	\$ 64,173	\$ 23,679	\$ 20,745	\$ 20,745	\$ 20,745
400 Series	\$ 99,241	\$ 88,022	\$ 73,784	\$ 87,418	\$ 87,418	\$ 87,418
500 Series	\$ 1,415	\$ 1,391	\$ 859	\$ 1,140	\$ 1,140	\$ 1,140
600 Series	\$ 6,480	\$ 7,990	\$ 5,162	\$ 5,990	\$ 5,990	\$ 5,990
700 Series	\$ 13,654	\$ 4,710	\$ 3,040	\$ 3,600	\$ 3,600	\$ 3,600
800 Series	\$ 9,331	\$ 8,740	\$ 11,502	\$ 7,365	\$ 7,365	\$ 7,365
900 Series	\$ 49,610	\$ 47,593	\$ 45,018	\$ 40,922	\$ 40,732	\$ 19,772
Total Budget	\$ 273,221	\$ 264,461	\$ 207,884	\$ 225,901	\$ 225,711	\$ 204,751
Capital Outlay	\$	\$	\$ 9,999			
			\$ 217,883			

NOTE: 100 Series – 2021 Increase new employee 50% of health insurance covered by Pop Whalen Enterprise Fund  
 300 Series – Administrative Allocation reduction in 2020  
 Administrative Allocation should be reviewed further  
 900 Series – Debt service continues reducing

# Pop Whalen Revenues

ESTIMATED REVENUES WITH RATE CHANGE	2018	2019	2020	2021	2022	2023
Town Ice Time	\$ 100,501	\$ 100,501	\$ 100,501	\$ 100,501	\$ 100,501	\$ 100,501
Ice Time (to date)	\$ 148,394	\$ 149,413	\$ 82,981	\$ 70,756		
Banner (to date)				\$ 1,575		
Misc Rink (to date)	\$ 11,322	\$ 2,730	\$ 13,718	\$ 166		
Misc Revenue (to date)				\$ 725		
Total Revenues (to date)	\$ 260,217	\$ 252,644	\$ 197,200	\$ 173,723	\$ 100,501	\$ 100,501
Estimated Revenues			\$	\$ 78,148	\$ 167,434	\$ 167,434
Total Estimated Income		\$	\$ 197,200	\$ 251,871	\$ 267,935	\$ 267,935
Budget Expenses		\$	\$ 217,883	\$ 225,901	\$ 225,711	\$ 204,751
Profit/Loss	\$ (13,004)	\$ (11,817)	\$ (20,683)	\$ 25,970	\$ 42,224	\$ 63,184

NOTE: 2020 Ice Time Revenues off pace due to Covid  
 2021 Ice Time Revenues YTD on track with 2018 & 2019 (Pre-Covid)  
 2021 Projected to create revenue in excess of budgeted expenses

# How Were Estimate Revenues Calculated?

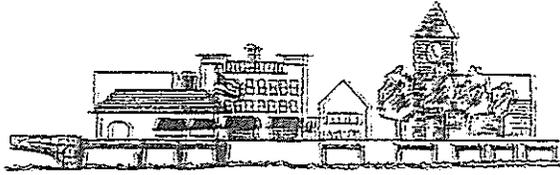
Pop Whalen Ice Fees 2022 Fee Increase Proposal										
	Current	Recommended Change	New Hourly Rate (as of 3/1/2022)	% Change	2019 Hours	2019 Jan-Dec Hours	Projected 2022 Revenues at New Rates	2019 Year Revenue	Projected Additional Revenue	% of Total 2019 Funds
<b>Regular Rates</b>										
Prime Rate (weekends)	\$209	0%	\$209	0%	4.88%	90	18,810	18,810	\$0	7%
Non-Prime (weekdays)	\$198	0%	\$198	0%	0.14%	54.0	10,692	10,692	\$0	4%
<b>Discounted Rates</b>										
Prime Rate (weekends)	\$184		\$209	13.6%	20.62%	296	61,864	54,464	\$7,400	22%
Non-Prime (weekdays)	\$173		\$198	14.5%	31.37%	316	62,568	54,668	\$7,900	22%
<b>Misc Rink, Banners, Misc.</b>					42.99%		13,500	13,500		5%
Town Budgeted Funds					<b>100%</b>		<b>100,501</b>	<b>100,501</b>	<b>\$15,300</b>	<b>40%</b>
							<b>\$267,935</b>	<b>\$252,635</b>		<b>100%</b>
prepared by:	K. Carpentier									
date prepared:	May 10, 2021									
Updated by:	J. Pineo/C. Collins									
date updated:	June 30, 2021									

# Pop Whalen Rates Questions

- Request the BoS Recommend the Proposed Pop Whalen rates for beginning January 2022.

- Rates are as follows (Beginning 1/1/2022)

- Prime Rate                      \$209.00                      Friday – Sunday 4:00PM – 12:00AM
- Regular Rate                      \$198.00                      All other times



*Town of  
Wolfeboro*

FINANCE DEPARTMENT

Kathryn Carpentier

Finance Director

(603) 569-8168

financedirector@wolfeboronhh.us

To: James Pineo, Town Manager

From: Kathy Carpentier, Finance Director 

Date: June 24, 2021

Subject: **Moody's Rating Upgrade**

At the request of Moody's Investors Service, you and I participated in a compliance review for Wolfeboro's rating which was last done in 2006. They have indicated that the Town of Wolfeboro has an improved financial position and therefore have upgraded our rating to Aa2 from Aa3. I have included their press release, which was released on June 22, 2021, and a copy of their credit opinion which was finalized on June 24, 2021.

We will plan to review these at the next Board of Selectmen meeting and at the next Budget Committee meeting.

# MOODY'S

## INVESTORS SERVICE

### Rating Action: Moody's upgrades the Town of Wolfeboro, NH's GO to Aa2

---

22 Jun 2021

New York, June 22, 2021 -- Moody's Investors Service has upgraded to Aa2 from Aa3 the rating on the Town of Wolfeboro, New Hampshire's outstanding General Obligation Unlimited Tax (GOULT) bonds. The town has approximately \$18.9 million in outstanding debt.

#### RATINGS RATIONALE

The upgrade to Aa2 reflects the town's improved financial position including a strengthening of reserves and liquidity. The rating also incorporates the town's moderately sized tax base and average resident income indices, a low debt burden, and modest unfunded pension liabilities.

#### RATING OUTLOOK

Moody's does not usually assign outlooks to local government credits with this amount of debt outstanding.

#### FACTORS THAT COULD LEAD TO AN UPGRADE OF THE RATINGS

- Growth and expansion of the town's tax base and/or demographic profile
- Maintenance of healthy financial operations

#### FACTORS THAT COULD LEAD TO A DOWNGRADE OF THE RATINGS

- Contraction of the town's tax base and/or demographic profile
- Deterioration of the town's financial operations and reserves
- Significant increase in debt burden

#### LEGAL SECURITY

The bonds are secured by the town's general obligation unlimited tax pledge.

#### PROFILE

The Town of Wolfeboro is located on Lake Winnepesaukee in Carroll County in east central New Hampshire. The economy is largely tourism based and with property values driven by second home ownership. The town has a modest full-time population of 6,419 that typically grows to 30,000 for the summer months. The town's location also benefits from its proximity 90 miles north of Boston.

#### METHODOLOGY

The principal methodology used in these ratings was US Local Government General Obligation Debt published in January 2021 and available at [https://www.moody.com/researchdocumentcontentpage.aspx?docid=PBM\\_1260094](https://www.moody.com/researchdocumentcontentpage.aspx?docid=PBM_1260094). Alternatively, please see the Rating Methodologies page on [www.moody.com](http://www.moody.com) for a copy of this methodology.

#### REGULATORY DISCLOSURES

For further specification of Moody's key rating assumptions and sensitivity analysis, see the sections Methodology Assumptions and Sensitivity to Assumptions in the disclosure form. Moody's Rating Symbols and Definitions can be found at: [https://www.moody.com/researchdocumentcontentpage.aspx?docid=PBC\\_79004](https://www.moody.com/researchdocumentcontentpage.aspx?docid=PBC_79004).

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**MOODY'S**  
INVESTORS SERVICE

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**CREDIT OPINION**

24 June 2021


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# Wolfeboro (Town of) NH

## Update following upgrade to Aa2

### Summary

The Town of Wolfeboro, NH's (Aa2) credit profile incorporates the town's moderately sized tax base and moderately strong resident income indexes, a healthy financial position that has strengthened over the last three years and is expected to remain stable over the medium term, a low debt burden, and modest unfunded pension liabilities.

### Credit strengths

- » Healthy fund balance and cash levels
- » Modest fixed costs
- » Large second home community

### Credit challenges

- » Tourism dependent economy
- » Modest scale of operations

### Rating outlook

Moody's does not usually assign outlooks to local government credits with this amount of debt outstanding.

### Factors that could lead to an upgrade

- » Growth and expansion of the town's tax base and/or demographic profile
- » Maintenance of healthy financial operations

### Factors that could lead to a downgrade

- » Contraction of the town's tax base and/or demographic profile
- » Deterioration of the town's financial operations and reserves
- » Significant increase in debt burden

## Key indicators

Exhibit 1

### Wolfeboro (City of) NH

	2015	2016	2017	2018	2019
<b>Economy/Tax Base</b>					
Total Full Value (\$000)	\$2,040,273	\$1,999,342	\$2,054,891	\$2,169,592	\$2,237,591
Population	6,234	6,208	6,235	6,278	6,320
Full Value Per Capita	\$327,281	\$322,059	\$329,574	\$345,586	\$354,049
Median Family Income (% of US Median)	103.6%	101.1%	102.4%	116.3%	115.5%
<b>Finances</b>					
Operating Revenue (\$000)	\$14,555	\$14,952	\$15,346	\$15,995	\$16,805
Fund Balance (\$000)	\$2,520	\$3,307	\$3,522	\$4,883	\$5,845
Cash Balance (\$000)	\$5,797	\$10,853	\$11,309	\$13,434	\$14,820
Fund Balance as a % of revenue	17.3%	22.1%	22.9%	30.5%	34.8%
Cash Balance as a % of revenue	39.8%	72.6%	73.7%	84.0%	88.2%
<b>Debt/Pensions</b>					
Net Direct Debt (\$000)	\$20,851	\$18,980	\$17,660	\$15,883	\$17,707
3-Year Average of Moody's ANPL (\$000)	\$18,217	\$18,250	\$20,116	\$20,721	\$20,167
Net Direct Debt / Full Value (%)	1.0%	0.9%	0.9%	0.7%	0.8%
Net Direct Debt / Operating revenue (x)	1.4x	1.3x	1.2x	1.0x	1.1x
Moody's - ANPL (3-yr average) to Full Value (%)	0.9%	0.9%	1.0%	1.0%	0.9%
Moody's - ANPL (3-yr average) to revenue (x)	1.3x	1.2x	1.3x	1.3x	1.2x

Fiscal year end December 31

Sources: US Census Bureau, Wolfeboro (City of) NH's financial statements and Moody's Investors Service

### Profile

The Town of Wolfeboro is located on Lake Winnepesaukee in Carroll County in east central New Hampshire. The economy is largely tourism based and with property values driven by second homeownership. The town has a modest full-time population of 6,320 that typically grows to 30,000 for the summer months. The town's location also benefits from its proximity 90 miles north of Boston.

### Detailed credit considerations

**Economy and tax base:** Strong tourism based economy and second home driven tax base

The town's moderately sized \$2.3 billion tax base (2020) will continue to experience healthy growth, driven by market appreciation and modest residential development. While the tax base value is largely driven by lake front property the town is also a regional economic center and the home of the regional high school serving seven area towns. The town is also a popular tourist destination. During the peak summer months, the town's population swells to approximately 30,000, reflecting the seasonal nature of the economy. Equalized value per capita is a high \$367,738, evidence of the demand for high-end lakefront property. The town's socioeconomic indicators however reflect a more average year round population with a median family income of 116% (2019) of the national median and unemployment rates of 3.9% as of March 2021, compared to 6.2% nationally.

**Financial operations and liquidity:** Moderately strong fund balance and liquidity

Financial position is healthy with fund balance at 35% of fiscal 2019 revenue or \$5.8 million. This increase was driven by operating surpluses in four out of the last five years. We expect to see balanced to surplus operating results for the general fund for fiscal 2020, and again in fiscal 2021. The town plans to use \$1.13 million of fund balance in fiscal 2021 for one time capital related purposes to bring the unassigned fund balance in line with its general fund policy. Taxes and licenses and permits make up the two largest revenue sources at 72% and 11%, respectively, while the largest expenditures are public safety and highways at 31% and 20%, respectively.

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### Liquidity

Cash and investment of \$14.8 million remain a strong 88% of 2019 revenue. This is not expected to change significantly in fiscal 2020, but in line with fund balance we could see a slight decline for fiscal 2021 as they use funds for some capital projects. The cash levels also include funds to be transferred to the school system as the town levy's the school district tax.

Debt and long term liabilities: Modest debt levels and low fixed costs

The town's debt burden is expected to remain minimal despite the town indicating they may issue debt to fund capital expenditures related to its library renovation and construction project. The town's direct debt burden is a modest 0.8% of equalized value. This does not include self-supporting water utility, electric utility and ice arena debt, which have a demonstrated history of self-support. The debt burden will also be moderated by expected continued growth of the tax base because of growing property values.

### Legal security

The bonds are backed by the town's general obligation unlimited tax pledge.

### Debt structure

The town's debt is all fixed rate obligations. The town expects to pay off 90% of its outstanding debt in the next 10 years.

### Debt-related derivatives

The town is not party to any interest rate swaps or other derivative agreements.

### Pensions and OPEB

The town participates in the New Hampshire Retirement System, a multi-employer, defined benefit retirement plan administered by the state. The town's 2019 three-year average Moody's adjusted net pension liability, under Moody's methodology for adjusting reported pension data, is \$20 million or a reasonable 1.2 times operating revenue. The three year average has remained relatively stable over the past five three years. Because the state operates the pension program the town has minimal input into fund operations, assumptions and drivers of actuarial liability.

The OPEB liability is funded on a pay-as-you-go basis, and functions as an implicit rate subsidy for participants.

### Exhibit 2

#### Modest debt and long term liability levels

2019 <sup>1</sup>	(000)	% of Operating Revenues	Discount Rate
Operating Revenue	16,805	n/a	n/a
Reported Unfunded Pension Liability	8,229	49%	7.25%
Moody's Adjusted Net Pension Liability	20,488	122%	3.51%
Reported Net OPEB Liability	4,272	25%	3.50%
Moody's Adjusted Net OPEB Liability	4,266	25%	3.51%
Net Direct Debt	17,707	105%	n/a
Debt & unfunded retirement benefits (Moody's adjusted)	42,461	253%	
Pension Contribution	807	4.38%	n/a
OPEB Contribution	100	0.60%	n/a
Debt Service	889	5.29%	n/a
Total Fixed Costs	1,797	10.69%	n/a
Tread Water Gap	(125)	-0.74%	n/a
Moody's Adjusted Fixed Costs	1,672	9.95%	n/a

Fiscal 2019

Source: Issuer financial statements and Moody's Investors Service

## ESG considerations

### Environmental

No material considerations. However, Four Twenty Seven, an affiliate of Moody's and provider of physical climate and environmental risks considers the Carroll county in which Wolfeboro is located to be exposed to extreme rainfall and hurricanes. The town is a hill side lake town with most rainfall running into lakes and rivers. No hurricanes have materially impacted the town's ability to provide services in recent years. The town as part of its ongoing roads and bridge maintenance projects continues to upgrade its infrastructure, including an increase in the size of culverts, upgraded roads and related facilities to address changing environmental conditions and maintain the safety of the town's infrastructure.

### Social

No material social considerations. The town is the home to Gov. Wentworth Regional School District. A regional school that draws from both high property value lake front communities and more rural and less affluent areas of the economy. The school and the amenities and services available in the town are characteristic of a small regional economic center.

### Governance

Wolfeboro is a town meeting style government with a board of selectman and a full-time town manager. The town has a history of conservative budget management and building fund balance. The town has separate proprietary funds for its water, sewer, electric and ice arena. New Hampshire towns have an institutional framework score <sup>1</sup> of "Aa," which is strong. The sector's major revenue source, property tax, is not subject to any caps. Unpredictable revenue fluctuations tend to be minor, or under 5% annually. Across the sector, fixed and mandated costs are generally less than 25% of expenditures. Fixed costs are driven mainly by debt service and pension costs. Unpredictable expenditure fluctuations also tend to be minor, and under 5% annually.

### Rating methodology and scorecard factors

The US Local Government General Obligation Debt methodology includes a scorecard, a tool providing a composite score of a local government's credit profile based on the weighted factors we consider most important, universal and measurable, as well as possible notching factors dependent on individual credit strengths and weaknesses. Its purpose is not to determine the final rating, but rather to provide a standard platform from which to analyze and compare local government credits.

Exhibit 3

#### Wolfeboro (Town of) NH

Rating Factors	Measure	Score
<b>Economy/Tax Base (30%)<sup>[1]</sup></b>		
Tax Base Size: Full Value (in 000s)	\$2,324,107	Aa
Full Value Per Capita	\$367,738	Aaa
Median Family Income (% of US Median)	115.5%	Aa
<b>Finances (30%)</b>		
Fund Balance as a % of revenue	34.8%	Aaa
5-Year Dollar Change in Fund Balance as % of revenue	19.0%	Aa
Cash Balance as a % of revenue	88.2%	Aaa
5-Year Dollar Change in Cash Balance as % of revenue	32.4%	Aaa
<b>Management (20%)</b>		
<b>Institutional Framework</b>		
Operating History: 5-Year Average of Operating revenue / Operating Expenditures	Aa	Aa
Debt and Pensions (20%)	1.0x	Aa
Net Direct Debt / Full Value (%)	0.8%	Aa
Net Direct Debt / Operating revenue (x)	1.1x	A
3-Year Average of Moody's Adjusted Net Pension Liability / Full Value (%)	0.9%	Aa
3-Year Average of Moody's Adjusted Net Pension Liability / Operating revenue (x)	1.2x	A
	Scorecard-Indicated Outcome	Aa1
	Assigned Rating	Aa2

[1] Economy measures are based on data from the most recent year available.

[2] Notching Factors are specifically defined in the US Local Government General Obligation Debt methodology.

[3] Standardized adjustments are outlined in the GO Methodology Scorecard Inputs publication.

Sources: US Census Bureau, [OrgName]'s financial statements and Moody's Investors Service

### Endnotes

1 The institutional framework score assesses a municipality's legal ability to match revenue with expenditures based on its constitutionally and legislatively conferred powers and responsibilities. See [US Local Government General Obligation Debt \(July 2020\) methodology report](#) for more details.

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