

**Selectmen's Work Session and Selectmen's Meeting  
Monday, April 15, 2024**

These minutes were transcribed by Angela Eldridge, Secretary. Selectman Brian Keyes was in attendance, Selectman Jonathan H. Smith was in attendance, Selectman Susan Simpson was in attendance, Matthew Sawyer Jr., Town Administrator, and T.J. Eldridge, Public Works Director, were also in attendance. The Work Session was held in the upstairs conference room. The Selectmen's meeting was held in the Bub Avery Gymnasium at Town Hall.

Selectman Jonathan Smith called the meeting to order at 3:00 PM.

**Roll Call: Brian Keyes (telephonically), Jonathan Smith, Susan Simpson.**

**Non-Public Session 1 and 2:**

Smith made a motion to enter a non-public session 1 under RSA 91-A:3, II (d) and for session 2 under RSA 91-A:3, II (a) at 3:01 PM. Simpson seconded. Motion passed. Roll call vote was taken. Simpson answered yes. Keyes answered yes. Smith answered yes. At 3:43pm Smith made a motion to reenter the public meeting. Simpson seconded. A unanimous vote was taken. Motion passed.

Smith made a motion to seal the Non-Public Minutes for Session 1 and session 2 under RSA 91-A:3 II (d) and RSA 91-A:3 II (a). Simpson seconded. A unanimous vote was taken. Motion passed.

**Discussion:**

T.J. Eldridge discussed the arrival of the new skid steer. He advised that the bucket will be arriving the next day. It is a half bucket with a clam shell. Smith asked if it came with the wrong bucket. T.J. said yes but that it isn't a big deal. They may need to get a different bucket to move material around. Discussion ensued.

T.J. Eldridge said the new backhoe will be here soon and that they will give the Transfer Station the old backhoe. He mentioned the influx of brush at the Transfer Station. He said they need to remind people to only put 3 inch and under in the brush pile. Some people have put logs in there. Discussion ensued.

Smith asked if they were swapping out the skid steer tires. T.J. said they are going to try that and if that doesn't work, they will put air in the old skid steer tires and keep those. Smith asked if the old skid steer is going to auction. T.J. Eldridge said yes. They will also have the old backhoe, truck 8, the Peterbuilt, 2 police cruisers, and 2 aluminum balers. Smith asked about the cardboard balers and T.J. said both of those are needed. Discussion ensued.

T.J. Eldridge advised that the Tamworth Board of Selectmen are coming on Thursday to look at our Transfer Station to see how we do it.

Matt Sawyer Jr. will be at the County on Wednesday for the Communications District Meeting. The roll out of Fidium Fiber Optic has been pushed back. He needs to apply political pressure to Consolidated Communications. We may not get it this year. Smith said they are stating it would be done in the 3<sup>rd</sup> quarter of next year instead of this year. Discussion ensued.

The Board has a Subordination Agreement between the Town of Ossipee and Sandy Ridge Estates. This is a renewal as Sandy Ridge is refinancing Sandy Ridge Estates Cooperative and it is through the New Hampshire Community Loan Fund. This goes back to when the community was put in and it needed to be renewed. The attorney has reviewed it. Smith made a motion to approve. Simpson seconded. A unanimous vote was taken. Motion passed.

The Board received a Notice of Intent to Excavate for Map 244, Lot 002, Map 231, Lot 022, Map 243, Lot 002, and Map 250, Lot 008. Taxes are paid. Smith made a motion to approve them. Simpson seconded. Motion passed.

The Ossipee Planning Board during their April 2<sup>nd</sup> meeting voted to appoint Bruce Stuart to the Planning Board as an alternate until March 2025.

The Board received a Notice of Decision for case# 24-02-V for Map 066, Lot 052. They are granted a Variance from Zoning Article 6.4.2 (a) side setback and Article 8.2 Greenspace. It is in the file for review.

T.J. Eldridge discussed the Warrant Article that put \$200,000 in the ETF for the Highway Department. The truck on the docket is the one ton to replace the 2014. Their only option is HP Fairfield. He asked for the BOS to vote to go with the lowest bid for the new Ram 5500. They have 3 dealers they use. Tri-City, Marc Motors, and Keene Chrysler. He would like to get it ordered asap. Smith asked if it had a plow set-up. T.J. Eldridge said it is exactly like truck 12 except it will have a spreader in the back. Smith asked if the old spreaders were sold. They had but 2 of the people never came to pick them up or pay for them. No one got the mower either. Smith said those can go back out to auction. T.J. said yes. Discussion ensued. Smith made a motion to allow T.J. Eldridge to go with the lowest bid for the Ram 5500 1-ton with the plow set-up. Simpson seconded. Motion passed.

Ed Comeau asked why Ossipee's governmental unit is dealing with the Community Loan Fund. Smith advised that this goes back to when the community was put in long before the current Boards tenure. M. Sawyer Jr. advised that the Town acted as an intermediary accepting grant funds and issuing them to the subgrantee. Smith said when the Loan Fund recorded their mortgage in 2013, a subordination agreement was recorded, subordinating the Town of Ossipee's mortgage to the loan funds. We would have to record an identical subordination agreement to maintain the loan funds lean position because they are refinancing. Comeau asked why the Community Fund can't provide it themselves. M. Sawyer Jr. surmised that if the Town has a lean on the property and they didn't follow through with all the conditions of the grant, then there is something in place to go after them and hold them accountable. In order for them to refinance the Town has to subordinate that lean which is common on a home equity line of credit. Comeau asked if it is a liability. M. Sawyer Jr. said not to his knowledge but you would have to go back to whenever Sandy Ridge was done over 20 years ago. It was vetted by the Town Attorney. Discussion ensued.

Kate Alexander advised that the perennials between her house and the park had lots of damage to them from the last storm. Some of it is in her driveway and she told T.J. Chris Seamans had to do the trash and get the baseball field ready but he will be going over to cut that in the morning. T.J. Eldridge advised that the chemical toilet will be at Constitution Park and the baseball field this week. Discussion ensued.

At 3:56 PM, Chairman Smith recessed until 4:15 PM.

### **Smith reconvened the meeting at 4:16 PM.**

Smith opened the meeting with the Pledge of Allegiance.

### **Public Input:**

Dallas Emery mentioned that he recently made a motion at the ZBA meeting about keeping the electronic minutes and there were questions about minutes. He advised that he read the RSA for minutes and after looking at the RSA it says they have to be approved and that the person taking the minutes can sign for it. Emery wanted to get this straightened out. He said he found it in the book but lost it. It also mentioned the 91-A sent out through the Planning Board and the last paragraph, which is E, says all members present at the meeting are there to vote. Emery read 91-A: II ( e ) to the Board. It states that a member participating in a meeting described in this paragraph is deemed to be present at the meeting for the purpose of voting. Smith said of course. Emery said Smith was saying we don't have to vote on the minutes which it doesn't say vote. Smith said you don't have to vote on the minutes. Emery said the State is not making it very clear and Smith agreed that 91-A is not clear. Discussion ensued about upcoming classes through NHMA. Emery asked Kate Alexander if she could ask about it at the meeting. Smith said ask if meeting minutes need to be approved by the body. K. Alexander said it was brought up at the Planning Board and Ash Fischbein mentioned it. Smith said there is a difference between Board procedure and 91-A. Discussion ensued.

Emery mentioned a list of judgements or anything similar that the Town has gotten in to and they are supposed to be in the clerk's office. Smith questioned said judgements. Emery clarified that he is referring to any settlements or cases for the Town. He said the clerk's office is supposed to have them and they don't. Smith told Emery to give him the RSA and they will get him an answer. Discussion ensued. Emery also mentioned another list of all the non-publics and how anything after 10 years is supposed to be open to the public. He would like to see that list so he can know how long they go back. Smith said they can't speak to what was done before them. Emery told Smith they have to go in and vote for a 2/3 majority. Smith advised that they don't touch previous boards minutes. Emery said they have to go in and recheck the minutes to see if they are still relevant and if they aren't relevant, they have to be opened to the public. Or a 2/3 majority vote from the board members to keep them but anything past 10 years is supposed to be open to the public. Smith said we will review the RSA and asked Emery to give it to Matt. Discussion ensued about the non-public list.

### **Accounts Payable & Payroll Manifest:**

The Payroll Check Voucher total was submitted for the week ending 4/12/2024 with a pay date of 4/15/2024. Wages are \$39,430.85. Taxes are \$11,434.11. Total payroll is \$50,864.96. Accounts payable/General Fund is \$309,954.12. Fire Precincts are \$149,086.22. Ambulance was \$35,500.88. Water accounts payable is \$5,108.55. Sewer accounts payable is \$1,870.12. The total AP was \$501,519.89. Total fund payments were \$552,384.85. Simpson made a motion to approve. Smith seconded. Motion passed.

### **Meeting Minutes:**

Simpson made a motion to approve the minutes from the Selectmen's Work-Session and Selectmen's Meeting held on 3/18/2024. Smith seconded. Motion passed.

Simpson made a motion to approve the minutes from the Selectmen's Public Meeting held on 3/04/2024. Smith seconded. Motion passed.

Simpson made a motion to approve the minutes from the Selectmen's Emergency Meeting held on 4/03/2024. Smith seconded. Motion passed.

**Review of Red Folder:**

The Board received a Clerical Abatement for Map 080, Lot 026, Sub Lot 030 in the amount of \$496.00. This is at 130 Gretchen Road. Simpson made a motion to approve. Smith seconded. Motion passed.

The Board received a Supplemental Warrant for \$496.00 for Map 080, Lot 026, Sub Lot 030. Simpson made a motion to approve. Smith seconded. Motion passed.

The Board received an Excavation Tax Warrant for \$496.00 for Map 243, Lot 002. Simpson made a motion to approve. Smith seconded. Motion passed.

The Board received an Excavation Tax Warrant for \$.00 for Map 250, Lot 008. Simpson made a motion to approve. Smith seconded. Motion passed.

The Board received an Excavation Tax Warrant for \$201.06 for Map 244, Lot 002. Simpson made a motion to approve. Smith seconded. Motion passed.

The Board received an Excavation Tax Warrant for \$1, 428.50 for Map 231, Lot 022. Simpson made a motion to approve. Smith seconded. Motion passed.

Smith advised that he requested some information from the Fire Chief after the last storm. He read the response into record. Chief Dana Cullen Jr. had been the EMD Director since 2010. He advised that this storm rivaled only Hurricane Irene in comparison to damage. All 3 Ossipee Fire Departments, Ossipee PD, Action Ambulance, and the Ossipee Highway Department lost power and were running on generator power for the duration of the storm. The Carroll County Dispatch Center was also without power. Center Ossipee responded to 58 calls, West Ossipee responded to 12 calls, and Ossipee Corner responded to 16 calls. They ranged from medical need, motor vehicle accidents, down trees, and electrical wires. The Emergency Operation Center was open at 16 Folsom Rd. They stayed in contact with Town Officials and Power Companies to coordinate responses. A great deal of emergency calls came directly through the fire stations. A major concern was road closures, loss of power and the danger of down trees and electrical lines. 5 companies assisted with tree removal to gain access to certain locations. A joint shelter was open for the Towns of Ossipee, Effingham, Freedom, and Tamworth located at Effingham Elementary School. This required working jointly with the Fire Chiefs/EMD's, as well as the American Red Cross. The shelter total was 10 residents. None of those residents were from Ossipee. It was broadcasted on social media and the webpage. Smith thanked the Fire Departments and Emergency Management. He personally thanked the highway department as well.

**Old Business:**

T.J. advised that he received the new backhoe for the Highway Department and the Transfer Station will get their old one. They also received the new Skid Steer. The full-time employees came and looked at it. They believe it's going to work great.

T.J. Eldridge advised that the storm was about 68 hours long. Neil and his crew, himself, the fire departments, all worked well together. They had trucks get stuck between trees. 3 trucks were taken out of commission from falling trees. He can't say enough about the Highway Department as that is a long time to do that kind of work. They have about 115,000 cubic feet of brush at Constitution Park. They worked the weekend and are almost all cleaned up. The Police also assisted. Neil did a good job organizing everybody. Everybody worked together on this storm. Discussion ensued.

**New Business:**

None Presented.

**Second Public Input:**

Robert Bowie asked why the Llama farm got raided today. Chief Babbitt advised that it was in reference to animal cruelty complaints. Brief discussion ensued.

Kate Alexander agreed that the Town crews did a great job. She dropped off a carrot cake at the garage and hoped they all got to enjoy some.

Emery asked if Smith wanted the RSA's he was looking into from earlier in the meeting. Smith said they can do that after the meeting. Emery read a portion and Smith advised that it is the votes within the meeting and not an approval of minutes that it is talking about. Discussion ensued.

Frank Burke asked when the next meeting will be. Smith said April 29<sup>th</sup>. Burke asked why they are having them every 2 weeks. Smith said it is to conduct Town business in as efficient a manner as possible. Discussion ensued.

T.J. Eldridge reminded everyone to keep the brush below 3 inches for the Transfer Station. It's very hard to get rid of anything over that size. They put the storm brush at Constitution Park so he could get a picture in case it has to go to FEMA. Discussion ensued.

**Adjournment:**

Being no further input, Smith made a motion to adjourn the Selectmen's Meeting. Simpson seconded. Motion passed.

Adjourned at 4:38 PM.

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Jonathan H. Smith, Chairman

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Susan J. Simpson

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Brian W. Keyes

To be approved at the next Selectmen's Meeting