

Selectmen's Meeting & Public Hearing
Monday, April 14, 2014

Chairman Richard Morgan called the meeting to order at 4:15 PM. Present were Selectmen Richard Morgan, Robert Freeman and Frank Riley, and Ellen White, Town Administrator, who recorded the minutes.

Freeman made a motion to approve the minutes from the 4/7/2014 Selectmen's Meeting. Riley seconded. A unanimous vote was taken.

Freeman made a motion to approve the minutes from the 4/7/2014 Selectmen's Workshop. Riley seconded. A unanimous vote was taken.

Morgan announced that a staff member from Senator Kelly Ayotte's office will be available to speak with at the Town Hall on Tuesday, 4/15/2014 from 2-3 PM.

Morgan stated that the workshop held prior to the Selectmen's meeting was a process initiated to open communication on town finances between the Town Clerk/Tax Collector, Treasurer, Finance Manager, Town Administrator and Board of Selectmen. He added that future workshops will be scheduled to discuss the Purchasing Policy and Investment Policy.

The Board received a proposal from Northway Bank for the issuance of a Tax Anticipation Note. Morgan announced the amount of the note to be \$2,500,000 at a rate of 0.92%. Morgan made a motion to accept the proposal. Freeman seconded. A unanimous vote was taken.

The Board received the trial schedule from the County Attorney on the case against Peter Lievi. Morgan announced the final pre-trial hearing will take place on 5/29/2014 and the final hearing the week of 6/9/2014.

An Excavation Tax Warrant was received in the amount of \$0.00. Morgan made a motion to sign the warrant. Freeman seconded. A unanimous vote was taken.

The Board received notice of a cancer benefit walk that will take place on 6/7/2014. An employee requested the ability to post the notice at the Transfer Station. The issue of collecting donations came up. After further discussion, Morgan suggested the installation of a community bulletin board that could be utilized for advertising community events like this one. He asked White to speak with Brad Harriman, Public Works Director, to discuss the bulletin board idea. Morgan stated that he is cautious about town employees collecting money while working and preferred that the sign have contact information where donations could be collected.

An Excavation Tax Warrant was received in the amount of \$2.88. Morgan made a motion to sign the warrant. Freeman seconded. A unanimous vote was taken.

A Notice of Intent to Cut Timber was received from New England Forestry Foundation for the properties located on Map 5, Lots 62, 63 and 64, Map 37, Lot 2, Map 29, Lot 4 and Map 38, Lot 22. The intent is to cut 50 acres out of 250 total acres. The logger is listed as Peter Farrell. All requirements being met, Morgan made a motion to sign the intent. Freeman seconded. A unanimous vote was taken.

A form letter addressed to property owners who have not filed their report of cut was presented for signature. Morgan made a motion to sign the letter. Freeman seconded. A unanimous vote was taken.

The Board received the Highway Department Work Log for the week ending 4/12/2014.

The Board received a draft copy of Traffic Control in Construction Work Zones Ordinance proposed by Police Chief James Eldridge. The Board stated they had not had a chance to review it. Morgan asked White to add it to next week's agenda.

The Payroll Voucher was submitted for week ending 4/12/2014 in the amount of \$69,490.16. Morgan made a motion to approve and sign the voucher. Freeman seconded. A unanimous vote was taken.

The Accounts Payable Voucher was submitted for week ending 4/12/2014 in the amount of \$2,205.29. Morgan made a motion to approve and sign the voucher. Freeman seconded. A unanimous vote was taken.

Old Business:
None presented

New Business:
Morgan announced another workshop will take place on Monday to review the policies in an effort to answer deficiencies noted in the audit.

Morgan stated that there is a second meeting tentatively scheduled for the week of April 21st to further discuss regional ambulance service with surrounding communities.

Morgan discussed the idea of having a timber monitor. He stated that the Town is currently monitored with cooperation from Bob Boyd from Fish and Game and Jesse Bushaw from the Department of Revenue. Discussion about past monitoring took place. Morgan stated he had discussed the idea of a gravel monitor but after some research felt confident that the excavation is being closely monitored by Mary Pinkham-Langer from the Department of Revenue. Riley questioned whether we should check with surrounding towns to see who they use to see if they might be interested in monitoring Ossipee. Morgan suggested contacting Bob Boyd for his opinion. Roy Barron stated he sees regular presence from Boyd and Bushaw. Condict Billings added that a timber monitor would not have any authority. Morgan answered that a monitor would be able to give input to the Board for further action if necessary.

Billings commented that a cemetery on a property is a non-issue for issuing an intent to cut. He stated it is not a State requirement but a Town policy. Mellisa Seamans added that it was a line added by former Selectman Harry Merrow 6-7 years ago in an effort to track how closely to cemeteries the cutting was taking place. Morgan stated that intents are not denied if a cemetery is on a lot and that the comment is made for identification purposes only.

This concluded the business portion of the meeting and Morgan opened the meeting to public input.

Chester "Ski" Kwiatkowski commended the Board for following the recommendation of the supervisors to not allow the collection of monies by town employees.

"Ski" asked if there was any new correspondence on the intersections of Routes 28 and 171. Morgan answered that he was not aware of any. Morgan added that Harriman was unable to attend the meeting this evening.

"Ski" asked if a letter to the Court had been issued regarding the bails set for recent arrests. Morgan answered that it has not.

Kellie Skehan announced that the Historical Society was in receipt of the Board's letter requesting possession of the Boston Post Cane. She questioned the reason for the Board's request as it had been given to the Historical Society for keeping. Morgan answered that he was under the impression that the Historical Society was only holding it for safe keeping. Riley stated that historically it has been the responsibility of the Selectmen to award it. Further discussion took place on how it was turned over to the Historical Society. Skehan stated that they were searching the archives for the document. Morgan stated that the presentation of certificate and photo with the cane would be fine then it could be returned to the Historical Society. A review of related documentation will take place at a later date.

Roy Barron asked if the Board had received a letter of resignation from one of the Cemetery Trustees. Morgan answered that they had not.

Morgan announced the Public Hearing for the Emerson Road Easement will take place at 5:00 PM.

Mellisa Seamans asked for clarification on collecting donations by town employees. She asked if the donations for the benefit walk differed from the poppy sales by VFW members or ad sales for the Old Home Week Committee, both of which take place at the Town Hall. Morgan answered that he does not have a problem with fundraising taking place just that employees should not be collecting money while working. Morgan added that it should be addressed within town policies.

Seamans asked the status of her request for the review of three years worth of non-public minutes. Morgan answered that the previous Board completed the review and unsealed a majority of the minutes. Seamans asked if they were available in the Selectmen's Office. Morgan answered that they are still under White's control because certain elements still need to be redacted from the minutes before they are made public. He further stated that they are available upon request.

Seamans asked the status of Kevin Straughan's request for forgiveness on property taxes. Morgan answered that they had requested an abatement for previous years but by law, the Selectmen are only able to abate the prior tax year. Further discussion took place on lack of proper filing for abatement on taxes and charitable status. Morgan stated that they will need to get further clarification on the Statute as to whether they are able to abate further than one year. Seamans asked if there were any current liens or tax deeds on the property. Kellie Skehan, Tax Collector, answered that there are liens but will not go to deeding until July. Seamans further stated that Agape should have requested appropriation from the Town and used the money toward their property taxes. Morgan added that this year the paperwork for exempt status and abatement for last year is in process. Morgan asked White to check on the status of the abatements with the Assessor. Seamans stated that Straughan is unclear of the status and communication should be made with him. Morgan answered that it has been made.

Seamans asked if the authority to borrow is for one year. Morgan answered that it is for a calendar year. He further stated that last year the amount borrowed was \$1,800,000 and it was all paid back.

Seamans asked the status of Reverse 911 adding that it would have been a useful tool when Route 16 was closed due to an accident in front of Northern Tire earlier this afternoon. Morgan answered that Chief James Eldridge and Emergency Management Director Dana Cullen had been appointed as liaisons for the system but was not sure of its status. Morgan asked White to look into this. Freeman stated that there were only 10 vehicles affected by the accident. Seamans stated that she was under the impression the road had been shut down for two hours. Freeman responded that it was only closed for 15-minutes.

"Ski" stated that the Selectmen were not able to abate more than one year of taxes on a prior issue with a property owner on Sawyer Road who was taxed in Ossipee whose property was found to be located in Tuftonboro. Morgan added that the taxpayer had been paying taxes in Ossipee but also using services in Ossipee so he would not have been in favor of abating taxes if they were able to statutorily.

“Ski” stated that Straughan came before the Board two years ago for a problem with his tax bill but the issue was that he had forgotten to file the necessary paperwork. Further discussion took place on the incumbency of filing the proper paperwork.

Roy Barron asked when paving is scheduled for Sawyer Road. He added that it is washboard now. Morgan answered that it is scheduled for 900-ton of overlay in 2014. Riley responded that good overlay will take care of the issue. Barron opposed stating that it a waste of taxpayer money to pave over the washboard as it will create future issues. Morgan stated that he will have Brad Harriman, Public Works Director, address the issue when he returns.

Public Hearing:

Morgan called the Public Hearing to order at 5:00 PM. Morgan announced the purpose of the Public Hearing is to discuss the proposed Easement Agreement between the Town of Ossipee and Pamela Beaupre so she can maintain the lines running beneath Emerson Road to the leach field across the road.

Nellie Emerson, an abutter, stated the septic system is on Beaupre’s property but the pipe running under the road goes to the drywell located on Emerson’s property. Emerson questioned why Beaupre couldn’t just run a snake through the pipe if it got jammed up. She further stated she did not understand why Beaupre would have to dig up the road. White answered that the purpose of the easement is to be able to maintain the lines running beneath the road if something should happen. Emerson answered that it is only one pipe running under the road and that if she tears the road up it will never be restored to how it is currently. Emerson elaborated that there is an issue with construction debris being left on her property. Further discussion arose on the ownership and taxation of the land where the dry well is located.

Morgan stated there to be two separate issues being addressed. He clarified that the easement is to give Beaupre the ability to maintain the main line running beneath the Town’s right of way. The second issue of dumping on the land needed to be addressed separately. Emerson questioned if she had to give permission for Beaupre to maintain the dry well on her land. Barron asked if Emerson had granted an easement for the drywell being located on her land. Emerson answered that she had not. Conduct Billings stated that the proposed easement was presented to the Planning Board as lines running from the septic system to a leach field.

Emerson questioned whether she had to give rights to the dry well if the property was sold. She further discussed an instance where the septic system had been flooded in the past.

White stated that a survey was presented depicting it as a leach field. Emerson asked who conducted the survey. The full survey was not available to answer the question.

Morgan stated that if there is concern by the abutters and unclear information presented, the Board would not be in favor of granting an easement. He added that further information is needed for the questions to be addressed at the next public hearing. Riley expressed the need for further information.

Morgan read correspondence received from Attorney Sager addressed to Ellen White stating that with the information given, Beaupre will most likely have to obtain an easement from Emerson to keep a portion of the leach field on Emerson’s property to make it legal.

Morgan asked White to get a copy of the survey for the next Public Hearing scheduled for 4/28/2014.

Being no further input, Morgan made a motion to close the Public Hearing. Riley seconded. A unanimous vote was taken.

Being no further input from the regular meeting, Morgan made a motion to adjourn. Riley seconded. A unanimous vote was taken.

Adjourned at 5:30 PM.

Richard H. Morgan

Robert C. Freeman

Franklin R. Riley

To be approved 4/21/2014