

## **Selectmen's Meeting Monday, June 7, 2021**

These minutes were transcribed by Angela Eldridge, Secretary. Matt Sawyer Jr., Town Administrator, and Todd Haywood, Granite Hill Municipal Services, was also in attendance. The meeting was held in the Bub Avery Gymnasium at Town Hall.

**Selectman Smith reconvened the meeting at 4:15 PM.**

**Call to Order/Roll Call: Completed in the Work Session- Jonathan Smith, Martha Eldridge and Susan Simpson.**

Chairman Smith opened the meeting with the Pledge of Allegiance.

### **Public Input:**

Dallas Emery asked if there has been any further guidance regarding the stipulations for the \$450,000 funding we are receiving. Smith advised they have not received anything from the State yet. Emery asked if they could find out and Smith advised that they are trying. Sawyer Jr. advised that he has reached out to the Treasury and NH Municipal. The concern is that it states you have to accept the terms and condition and he asked where that document is and what is in that document. Discussion ensued.

Harry Merrow asked about the status of the Whittier Covered Bridge bids. Sawyer Jr. advised that they have not received any bids yet but there is still a week left through the current timeframe and he believes contactors will be sending bids. They are scheduled to be opened on June 14, 2021. Discussion ensued.

Robert Steinhauer owes back taxes and it was explained to the Board that he has had a stroke and is currently disabled. His property was over assessed. He has paid some of the back taxes but asked the Board to reduce or forgive the remainder amount owed. Haywood advised that he has dropped the assessment value and an abatement would lower back taxes owed. Smith made a motion to grant an abatement for Good Cause going back to 2016. M. Eldridge seconded. A unanimous vote was taken.

### **Department Head Reporting:**

Highway Department, T.J. Eldridge, Public Works Director, advised that all town roads have been graded, watered, compacted, and applied calcium. The Town mechanic repaired the water truck which had complete pump failure. The crew helped Chris get caught up on the ballfields at Constitution Park and the Y Field. They received multiple driveway permits, which Neil and Rick are working on a little differently. Neil will go out to see what needs to be done at the property for a driveway to be put in and the driveway permit will be issued after that. Neil sprayed the pressure treated rail posts with sealant. They met with the Dam engineers to start the process to get those up to date. There has been a problem with beavers on John Hodgdon and Sawyer Roads, and Dore St. That has been taken care of. He met with a few paving companies and is working with one to reclaim Valley Rd. They repaired some street signs and flower gardens. Neil worked on lowering a pipe and redesigning a portion of Valley and Leavitt Roads as there has been a standing water issue.

Transfer Station, T.J. Eldridge, Public Works Director, advised that the new scale should be arriving soon. A concrete company is lined up to do the work and the scale company will set the scale. The Town crew is doing the digging. He does not know about the paving yet as he is waiting for the State of NH to approve.

Government Buildings, T.J. Eldridge, Public Works Director, advised that Chris Vittum has been mowing cemeteries, so they do not have to hire that out. They changed the locks in the Highway Department as they were old and needed to be updated.

Police Department, Anthony Castaldo, Police Chief, advised that the month of May was busy. They responded to 1030 calls with 14 arrests. Motor vehicle accidents are down, and he is working on getting the cruisers situated. They are also getting ready for Old Home Week. The fishing derby is June 26, 2021, and the pond will be stocked the Friday night before the event. Permits for this event was received last week.

Recreation Department, Justin Chaffee, Recreation Director, advised that May was a busy month. T-Ball wrapped up and they had 22 participants. Dodgeball also wrapped up with 35 participants. Softball 10U won the Championship this past weekend. There will be summer softball with Babe Ruth this year. 12U is participating in a tournament this weekend. The snack shack at Constitution Park is open during select events with Ossipee Community Center volunteering to run it. Leah Morrow painted the mural on the snack shack, and it looks great. Spring soccer is wrapping up with 41 participants. There is a few more weeks of Track and Field. Day Camp registration is open. He has some trips planned and is getting staff trained next week. Camp begins June 28, 2021. There will be a football camp at Ossipee Central School on June 15, 2021, for students in grades 1-6. Adult softball is underway and going well. They play on Wednesday and Friday at the Y Field. The skate park is set up for the summer and open gym is going well.

Town Clerk/Tax Collector, Kellie Skehan, advised that she attended the rabies clinic in May at Constitution Park in conjunction with Kindness Animal Hospital but there was not a good turnout. She believes the new venue may have confused people and suggests more advertising from Kindness Animal Hospital if we decide to do this event again. Dog licenses were due in April. There will be a \$1.00 late fee if that has not been done yet. If not registered by June 18, 2021, there will be a civil forfeiture of \$25.00 due. She is working on the year end inventory for the State of NH. The Town Clerk received \$161,506.64 in revenue with about \$29,000.00 via credit cards. The Tax Collector received about \$140,656.24 in revenue with about \$13,000.00 coming in from the kiosk. The first half warrant was for \$7,338,284.00 and the Tax bills were mailed on May 25, 2021. They are due on July 1, 2021. Total outstanding is \$7,920,224.40. Tax deeding is June 21, 2021. Water & Sewer bills went out for May usage. They are due July 12, 2021.

Building Inspector/Zoning Enforcement Officer, Matt Sawyer Jr. read the report into record. Last May there was 35 permits issued for a total of \$2,090.00 in revenue and this May there were 79 permits issued with \$5,233.00 in revenue. The full report is on file for review.

Selectmen's Office, Matt Sawyer Jr., Town Administrator, advised that the software for accounting is fully activated. It has been a 5-month project to change the 8 pages of accounts over to 1 page, which will mean more transparency and less errors. He spent some time trying to understand the Relief Act funds but he still has not received any answers. This is an ongoing effort. He updated permit applications online to reflect the new fees and corrected old information. He fielded concerns on the

Whittier Covered Bridge Bids. He is waiting on addendums. He navigated some legal issues, including the deeding situation and he attended the meeting with the Dam Engineers as well.

### **Masonic Lodge Tax Exemption Request Discussion:**

Dana Hall, present Master of the Lodge, presented the Board with some background information on the Masonic Lodge and what they do for the Community. The Lodge has been here for 157 years. There is currently no business at the Lodge as the Head Start program has moved on from renting that space. The Masonic Lodge has had influences with the Shriners, has been a longtime supporter of Old Home Week with donations, has helped with the GWSD expansion issues, donated to a Statewide charity that deals with child abuse and has helped the Head Start program that was there for 10-12 years before moving to Tamworth.

Todd Haywood of Granite State Municipal Services advised that he appreciates the charitable work the Masonic Lodge does, and it should be commended. As the Town of Ossipee Assessor, he recommended not to grant the exemption because they do not qualify as exempt. He based this decision on multiple BTLA cases, including Milford and the Elks in Hooksett. He advised that if there were tax relief then it should come from an abatement rather than an exemption but that is a policy issue to be left up to the Board. He referenced RSA 76.16 regarding Good Cause, which is usually a hardship scenario. Discussion ensued.

Rick Morgan commented that just because you can do something, doesn't mean you should. He believes this will have a ripple effect on other non-profits in the area. He said, they do not meet tax exempt status but neither does the food pantry or the VFW. The statute exempts churches and schools. He advised that historically, the Town has made the Masons come in every year with documents to renew the exemption, which guard against the concern of what happens if they stopped donating. Smith advised the correct action is an abatement for Good Cause. Discussion ensued.

Harry Merrow, 16-year member of the Masonic Temple, advised that there is material from Bill Gardner saying he certifies that Ossipee Masonic Temple as a NH non-profit organization. He also advised that there is a law giving the definition of a charitable organization and if you read it closely, he thinks it fits as charitable. He advised that even if it doesn't, the Board has the option of putting it there. Smith advised that just because you are a charitable organization does not mean you automatically qualify for the exemption. Discussion ensued.

Bobby Dokes has been a member since 2007 when his daughter was burned in a fire. The Masons at that time sent his daughter to the Shrine Center at no cost to the family. He became a Mason because of this reason. He states that they have given a lot of money to food pantries and if taxed, there will be less money to donate to them. Discussion ensued.

Selectman Smith asked if the financial documents provided are current. Hall advised the financials are from 2018, 2019, and 2020. Smith mentions that there is no donation for 2018, \$1250 donated in 2019 and no donation in 2020. He advised that they are stewards of the taxpayers' money, and the question is with the documents received by the Board. Discussion ensued.

Rick Morgan stated that there are organizations worthy of an exemption who are not covered in the Statute. Discussion ensued.

Dokes advised that there were a lot of costs that were not included on the donation line that were incurred including helping the Day Care stay afloat. Discussion ensued.

Ed Comeau asked if the issue is how the taxes are being forgiven. Smith advised yes. Haywood advised that it is at the Board's discretion, and it is not guaranteed that an abatement will be the same amount as the exemption. M. Eldridge asked if the Board could decide the amount of the abatement. Haywood advised yes.

Smith reiterated that they don't meet the requirements and Good Cause is at the discretion of the Board. Morgan asked if they would do the same with the other non-profits in town. Smith asked how many others are similar to this. Haywood advised that the food pantry didn't qualify and received an abatement and eventually was made exempt. Discussion ensued.

M. Eldridge made a motion to approve the exemption request. Simpson seconded. Smith called for discussion and asked for clarity if the motion was for an exemption or an abatement. Eldridge clarified "exemption." Smith asked Haywood again if he thought the exemption was allowed by law. Haywood said in his opinion no, but that other Towns do it and the Town could double check with the Town Attorney. Eldridge called the motion to a vote and said "aye". Simpson voted "aye" and Smith voted "no" clarifying that he would have voted for an abatement which was allowed by law and he has to follow his oath.

Todd Haywood advised that this decision wouldn't be unique to Ossipee. Smith asked if this falls under the law. Haywood said he believes it does not fall under the law and suggests the Town check with their attorney for legal guidance. He advised the abatement would fall under the law. He also mentioned that in the City of Berlin, abatements were given a few years ago and the BTLA said they were illegal abatements and made the City of Berlin pay it back.

### **Dam Update:**

Selectman Smith advised that the Dam Engineers came to do a Risk Mitigation Plan. He advised that the worst-case scenario, they must do 2.5 times the 100-year flooding waters, which is very high but that's how they do it. Mill Pond will need significant upgrades. There is an issue with the fence, and it can't stay there so we may need to remove the Dam. This would be a lengthy process. Sawyer Jr. advised it would take years to complete a dam removal. Discussion ensued.

### **Meeting Minutes:**

Selectman M. Eldridge made a motion to approve the minutes from the Work Session held on May 17, 2021. Simpson seconded. A unanimous vote was taken.

Selectman M. Eldridge made a motion to approve the minutes from the Work Session held on May 24, 2021. Simpson seconded. A unanimous vote was taken.

Selectman M. Eldridge made a motion to approve the minutes from the Selectmen's Meeting held on May 24, 2021. She then retracted that motion as those minutes need corrections and the Public Hearing minutes need corrections as well.

### **Accounts Payable & Payroll Manifests:**

The Payroll Check Voucher total was submitted for the week ending 6/05/2021 with a pay date of 6/08/2021 in the amount of \$110,186.35. Accounts Payable is \$34,618.93. M. Eldridge made a motion to approve. Simpson seconded. A unanimous vote was taken.

**Review of Red Folder:**

The Board received the Recycling Center Daily Cash Log for the month of May 2021. The total amount collected was \$22,347.00.

The Board received a Yield Tax Levy Warrant for \$3,154.09 for Map 263, Lot 015. Simpson made a motion to approve. Smith seconded. A unanimous vote was taken.

The Board received a Clerical Abatement Request for \$108.00 for Map 29, Lot 1, Sublot 336. The assessing clerk recommends granting this abatement. Simpson made a motion to approve. Smith seconded. A unanimous vote was taken.

The Board received a Supplemental Warrant for \$1.00 for Map 17, Lot 1. Simpson made a motion to approve. Smith seconded. A unanimous vote was taken.

The Board received a Clerical Abatement Request for \$1.00 for Map 17, Lot 1. This sold in October 2020. Simpson made a motion to approve. Smith seconded. A unanimous vote was taken.

The Board received a Supplemental Warrant for \$18.00 for Map 29, Lot 1, Sublot 405. This sold in October 2020. Simpson made a motion to approve. Smith seconded. A unanimous vote was taken.

The Board received a Clerical Abatement Request for \$18.00 for Map 29, Lot 1, Sublot 405. The assessing clerk recommends granting this abatement. Simpson made a motion to approve. Smith seconded. A unanimous vote was taken.

The Board received a Clerical Abatement Request for \$3.00 for Map 29, Lot 1, Sublot 389. The assessing clerk recommends granting this abatement. Simpson made a motion to approve. Smith seconded. A unanimous vote was taken.

The Board received a Clerical Abatement Request for \$127.29 for Map 29, Lot 1, Sublot 42. The assessing clerk recommends granting this abatement. The Bill of Sale was just received, and the new owners should have received the December bill. Simpson made a motion to approve. Smith seconded. A unanimous vote was taken.

The Board received a Clerical Abatement Request for \$88.00 for Map 29, Lot 1, Sublot 42. The assessing clerk recommends granting this abatement. The Bill of Sale was just received, and the new owners should get this bill. Simpson made a motion to approve. Smith seconded. A unanimous vote was taken.

The Board received a Water & Sewer Warrant for \$21,696.00. Smith made a motion to approve. Simpson seconded. A unanimous vote was taken.

The Board received a Water & Sewer Abatement application for \$133.95 for Map 90, Lot 44. The property owner should have been charged only basic at \$36.50 but was charged \$170.45. Smith made a motion to approve. Simpson seconded. A unanimous vote was taken.

The Board received a Supplemental Warrant for \$3.00 for Map 29, Lot 1, Sub lot 389. This sold in January 2021. Smith made a motion to approve. M. Eldridge seconded. A unanimous vote was taken.

The Board received a Supplemental Warrant for \$486.00 for Map 11, Lot 40. This sold in January 2021. Smith made a motion to approve. Simpson seconded. A unanimous vote was taken.

The Board received a Clerical Abatement Request for \$486.00 for Map 11, Lot 40. This sold in January and the deed was just received. Smith made a motion to approve. Simpson seconded. A unanimous vote was taken.

The Board received a Clerical Abatement Request for \$61.00 for Map 17, Lot 1, Sublot G1. Camper was registered as of April 1, 2021. Smith made a motion to approve. Simpson seconded. A unanimous vote was taken.

The Board received a Supplemental Warrant for \$88.00 for Map 29, Lot 001, Sublot 42. This sold in August 2020. Smith made a motion to approve. Simpson seconded. A unanimous vote was taken.

The Board received a Clerical Abatement Request for \$1,415.77 for Map 126, Lot 20. Property was assessed for a gravel operation and that no longer exists. Smith made a motion to approve. Simpson seconded. A unanimous vote was taken.

The Board received a Water & Sewer Warrant for \$33,838.13. Smith made a motion to approve. Simpson seconded. A unanimous vote was taken.

**Old Business:**

None presented

**New Business:**

None Presented

**Second Public Input:**

Dallas Emery asked about the Dam meeting and advised that he was there at 9AM. Smith advised that they had a meeting prior that ran a little late and he apologized for their tardiness.

Frank Burke asked where they are working on the Dam and was advised by Smith that it is at Mill Pond Dam and Big Dan Hole Dam. Smith explained that it was for the Risk Management Plan.

Emery asked about the School Budget and asked if the Board has inquired about why the budget was a million dollars more than last year. Smith advised that they went through it in the deliberation session. Emery also asked if the Joe Haas situation was revisited. M. Eldridge advised no. Smith advised taxpayers to attend the school budget meetings and get involved in the process.

Ed Comeau commented on the Masonic Temple Exemption, stating that he thinks legally the correct action is an abatement but asked that if this were challenged, could someone put in a petition warrant article for a permanent exemption. Todd Haywood advised that there must be a law that enables local options. Discussion ensued.

Comeau advised that the Board ask for a legal document for the Counties from the State of NH regarding the American Rescue Plan Act. Smith and Sawyer Jr. advised that this was already received but the question is if there will be any strings attached. Discussion ensued.

Nate Sequin asked the Board for extra time to pay back taxes on his mothers' property. He explained that he gave his mother the money to pay it, but it did not get paid. Smith advised that once the taxes are paid the owner can take ownership back on the deeded property. Discussion ensued.

The next Selectmen's meeting will take place on Monday, June 14, 2021.

**Adjournment:**

Being no further input, Smith made a motion to adjourn. M. Eldridge seconded. A unanimous vote was taken.

Adjourned at 6:02 PM.

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Jonathan H. Smith, Chairman

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Susan J. Simpson

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Martha B. Eldridge

To be approved 6/14/2021