

Selectmen's Work Session and Selectmen's Meeting Monday, February 5, 2024

The following meeting was held in the upstairs conference room at Town Hall. Present were Selectman Martha Eldridge, Selectman Susan Simpson, Selectman Jonathan Smith, T.J. Eldridge, Public Works Director, Matt Sawyer Jr., Town Administrator, and Angela Eldridge, Secretary, transcribed the minutes.

Selectman Jonathan Smith called the meeting to order at 3:30 PM.

Roll Call: Martha Eldridge, Susan Simpson, Jonathan Smith

Non-Public Session 1:

Smith made a motion to enter a non-public session under RSA 91-A:3, II (c) for reputational risk at 3:01PM. Eldridge seconded. Motion passed. Roll call vote was taken. Simpson answered yes. M. Eldridge answered yes. Smith answered yes. Smith made a motion to adjourn the non-public session at 3:40 PM. Eldridge seconded. A unanimous vote was taken.

The work session reconvened at 3:40 PM. Present were Selectman M. Eldridge, Selectman Simpson and Selectman Smith.

Smith made a motion to seal the Non-Public Minutes for Session 1 under RSA 91-A:3 II (c). M. Eldridge seconded. A unanimous vote was taken.

Discussion:

Smith asked if anyone had anything to discuss before going to the meeting downstairs. Matt Sawyer Jr. mentioned the revaluation and BTLA. Smith said he would discuss that downstairs. Sawyer Jr. reminded Smith that he mentioned he was interested in making a motion regarding any other petitions.

Smith explained that part of the budget process is Petition Warrant Articles and that one outside agency has already been denied. He said that the Town is very generous to outside agencies so to be proactive when he goes to the Budget Committee even though the deadline is 2-6-24 for Petition Warrant Articles, that he make a motion to deny any additional monetary warrants because it is the right of the governing body to fund them or not even if they pass. Smith made a motion to deny funding any additional monetary warrant that may come in as of tomorrow afternoon, preceding Wednesday's budget hearing. Simpson seconded. A unanimous vote was taken.

Simpson asked if the Budget Hearing was in the gym. Smith said yes at 7PM.

M. Eldridge asked if Kellie has set a date for candidates night yet. Smith advised that it is March 4th at either 6PM or 6:30PM.

Chairman Smith made a motion to recess until 4:15PM. Simpson seconded. A unanimous vote was taken. The motion was made at 3:45PM.

Chairman Smith reconvened the meeting at 4:15 PM in the Bub Avery Gymnasium.

Pledge: Smith opened the meeting with the Pledge of Allegiance.

Public Input:

Robert Bowie of Center Ossipee came in to unify the division within the town. He asked to view Smith's resume and asked how many positions he holds within the town. Smith advised that he is the Chairman of the Ossipee Board of Selectmen and he is the part time Zoning Officer for the Town of Ossipee. Bowies asked if he was the Moderator. Smith advised that he was not the Moderator, and that Katie Bedley is. Bowie asked again for Smith's resume. Smith asked what he meant by that and Bowie advised that he would like to see who Smith is and that there are a lot of concerns within the Town. Smith asked Bowie to ask him a direct question. Bowie again asked for his resume. Smith said a resume is not a required document to be a Selectman. Bowie said he thinks the people in town want to see it. Smith asked Bowie what he wanted to know, and he would answer. Bowie said he wants to know his job history, where he comes from and what he did for a living. He knows Smith was a retired Police Officer and Firefighter. He asked what brought Smith to Ossipee. Smith said Freedom. Smith said this is the freest state in the country. Number one in economic freedom, personal freedom, taxes, property rights. Smith said Bowie was imputing that there is an integrity issue. Smith moved here over 10 years ago to seek freedom. Smith said he chose to serve this Town from day 1 in multiple forms such as Budget Committee member, Trustee of the Trust Funds, Deputy Treasurer and now as Selectman. Smith went on to say how much he loves this Town and loves this State. Smith also mentioned that he currently serves at the State House as our State Representative and has for the past 4 years and does it with passion. He said he's emotional because it feels like Bowie is questioning his integrity. Bowie advised that people are expressing displeasure because we are divided. Smith asked in what way we are being divided. Bowie mentioned that people are cease and desisted off their properties. Bowie mentioned 56 condemned properties. Smith advised that wasn't true. Bowie asked how many homes are condemned in Ossipee. Smith advised there was was one due to a health hazard about 2 and a half years ago. The hazard was raw sewage running downhill impacting the neighbors. Bowie mentioned Scott Morgon getting a cease and desist and getting kicked off his property. Smith advised that Mr. Morgan was dealt with accordingly and the Town has tried to accommodate him numerous times in exploring options to build on his land. Mr. Morgan chose not to follow the legal process that this Town has adopted through the Zoning Ordinance and the state building code. The Town's agent is responsible for enforcing that ordinance, which is he, the Zoning Officer. Discussion ensued. Bowie asked if there was a path for Mr. Morgan to take. Smith advised that Mr. Morgan was granted every opportunity to come in and apply for a continued newly revised building permit so we could extend his camper permit so he could reside in it. Mr. Morgan chose not to follow the legal procedure and guidelines set forth by the Zoning Ordinance and the building code of his own will. The people of Ossipee chose to adopt the Zoning Ordinance and the Board of Selectmen are obligated to follow it. This is Dylan's Rule state. This means only power derived in the municipality is granted to it from the State Legislature. So, everything this Town does gets authority from the State Legislature. We follow the law. Bowie mentioned Eckoffs autobody with a 5th wheel camper that Toby French has been living in for a few years and he asked if it is zoned for that. Smith said it is illegal to live in an RV fulltime. Smith said he will take a look at that one. Discussion ensued. Bowie said that he will take this information back to the people who asked him to come here to ask questions. Smith discussed that humans want to believe in a villain within this government and said that this Board has done nothing but uphold the law as required by the legislature and the people of this Town through the Zoning Ordinance. If you follow the law, everyone is treated equally. That's the purpose of laws. To eliminate inequality and disparity amongst how people are treated. Discussion ensued. Bowie said he is trying to be a unifier. Smith said he is glad Bowie is here because this is a great conversation. Smith wishes

more people would come to these meetings and ask these questions. He speaks the truth, and he follows the law. Smith said if you want someone that follows the law and treats people equally, then vote for him. Discussion ensued. Bowie asked if there is a path for Scott Morgan. Smith advised that he has spoken to Mr. Morgan and laid out all his options on how to proceed to get to the next step of building, which is a new building permit for the next phase of construction and then we will issue a new camper permit that he can reside in while he is building. The purpose of the camper permit is so you can build and make progress on your construction site and not so you can live in it perpetuity. Bowie asked how soon can Mr. Morgan get his permit reinstated. Smith advised as soon as he submits the plans like he said he would. Discussion ensued. Bowie asked if there is a minimum home size. Smith advised no but you must make progress within 6 months according to the building code. Discussion ensued.

Bowie discussed the Town Budget and said he thinks we need to discuss other issues before we put things like parking lots down at the covered bridge and things like that. We have sills that need to be replaced in this building and we have an investment in Constitution Park that gets vandalized. Smith said that is the entire budget process that people can be part of. There have been a dozen public Budget Meetings and Smith advised that the next one will be Wednesday, February 7th. Smith said people can attend and voice concerns. It is the Budget Committee's budget that is being presented to the people. The Board of Selectmen is the governing body that administers that budget. Smith also encouraged people to come to the Town Meeting. Smith advised that this Board is not doing anything nefariously and improperly but they are following the law. Discussion ensued.

Dallas Emery asked if Smith was still the Deputy Health Officer. Smith said yes. Dallas said he just wanted to make sure because it was not mentioned before. Smith advised that it is not a job. Discussion ensued. Emery said that the law doesn't matter because during Covid, the law didn't matter at all. Smith said that's not our fault. Emery said that they are following State law and that the State dictates everything but they don't follow the law. Discussion ensued. Emery also mentioned that the only way for people to resolve their issues with Zoning is to get rid of it. Smith advised that he says that all the time. Smith has said for years that people can submit a petition warrant article to go to Town Meeting for a vote. Discussion ensued.

Kate Alexander said that if we go through with no zoning, and even Tamworth where people say there is no zoning, you can't do anything you want to, how it would look in Ossipee if we went in that direction. Smith said you would have to follow the building code and you would still need the building inspector position. Zoning refers to land use only. Discussion ensued.

Smith closed the public input.

Meeting Minutes:

M. Eldridge made a motion to approve the minutes from the Selectmen's Meeting held on January 22, 2024. Simpson seconded. A unanimous vote was taken.

Accounts Payable & Payroll Manifests:

The Payroll Check Voucher total was submitted for the week ending 2/3/2024 with a pay date of 2/6/2024. Total payroll in the amount of \$46,288.42. Accounts Payable General Fund was \$68,553.81.

Water was \$20.00. Sewer was \$0. Total funds payments were \$114,862.23. M. Eldridge made a motion to approve. Simpson seconded. A unanimous vote was taken.

Review of Red Folder:

The Board received an application to tax credit Veterans Exemption for property located at 14 Skywalk Drive. M. Eldridge made a motion to approve. Simpson seconded. A unanimous vote was taken.

The Board received a request for Clerical Abatement for Map 029, Lot 001, Sub lot 638. The features on this site belonged to the previous owner and were removed prior to April 1, 2023. The abatement amount is \$5.84. M. Eldridge made a motion to approve. Simpson seconded. A unanimous vote was taken.

The Board received a Supplemental Warrant for \$353.00. Simpson made a motion to approve. Smith seconded. A unanimous vote was taken.

The Board received a Supplemental Warrant for \$110.00. Simpson made a motion to approve. Smith seconded. A unanimous vote was taken.

The Board received a Sewer Warrant in the amount of \$522.00. Simpson made a motion to approve. Smith seconded. A unanimous vote was taken.

T.J. Eldridge, Public Works Director, read a memo regarding the purchase of a smart fill fuel management system purchased through Lakes Region Environmental Contractors, Inc in the amount of \$13,605.00 for parts and labor of the system. It is to improve our fuel management. This system is more secure, using a four-digit pin. He recommends to the Board that we purchase this system. Smith made a motion to approve the fuel system management purchase as presented for \$13,605.00. Simpson seconded. A unanimous vote was taken. Dallas Emery asked if the system can be manually overridden. T.J. said yes and that him, Neil, and Eric will get recertified this Spring as the underground storage operators. Discussion ensued.

The Board received 5 Clerical Abatements. They are as follows.

Map 073, Lot 110, Sub lot 10B in the amount of \$ 110.00- The camper was in a different name for the 2023 tax season.

Map 029, Lot 001, Sub lot 417 in the amount of \$ 187.00- The camper was registered for the 2023 tax season.

Map 073, Lot 140, Sub lot 029 in the amount of \$ 353.00- The camper was in a different name for the 2023 tax season.

Map 017, Lot 017, Sub lot P13 in the amount of \$13.00- Due to value changes between 2 billing cycles, an abatement is needed.

Map 029, Lot 001, Sub lot 374 in the amount of \$ 74.00- The camper was registered erroneously, it is a park model, not a travel trailer.

Smith made a motion to approve the 5 Clerical Abatements. Simpson seconded. A unanimous vote was taken.

The Board has a letter to the Public Works and Highway Committee supporting HB 1468-FN-A, the railroad corridor bill that Smith is testifying to on Wednesday at the State House. Smith made a motion to approve. Simpson seconded. A unanimous vote was taken.

Smith acknowledged and thanked T.J. as we received the second check from FEMA for \$183,306.25. This would not have occurred without his due diligence, attention to detail, and administrative function. Dallas asked how close that brings us to the number we needed. T.J. said that would 100 percent for the December storm. This check is for category A, culverts. They had a culvert failure on Granite Road, and they got a 100% refund on that. The second storm was in June, and they are still going through the process as that one is more in depth. Discussion ensued.

The Board received their release from the Department of Revenue Administration regarding property tax exemptions that were being done in the past that were not lawful. This has been fixed through hard work and due diligence. This is not because of this Board doings. It goes back to previous Boards. Matt Sawyer Jr., Town Administrator, said he is relieved and happy it's over. Emery asked if that was about the meeting, they were supposed to have but never happened. Matt said yes. Emery said he waited a long time to hear about that. Matt advised that was going to be a second hearing and based on the responses that the Town had through the assessor and documentation, they moved past the second hearing. We have a new assessor, Avitar. Emery said that there are a bunch of changes that happened. Matt said now we are fully compliant. Smith said when you follow the law, everything falls into place. Discussion ensued.

T.J. Eldridge mentioned that there are going to be some changes at the Transfer Station. They have a permit by notification now. They haven't had one since 1981. The Board can change hours and anything else they want and they won't have to go through a long process to change it on the permit by notification. Also, the scales have been reinspected and recalibrated. They are working on more storage for the cardboard. Discussion ensued.

Old Business:

New Business:

Second Public Input:

Frank Burke mentioned that the dirt section of Ossipee Mountain Road is really getting bad with potholes and it's all iced up. Smith said it has been a challenging winter with the freezing for dirt roads and they are doing the best they can. T.J. said they can put stone in it and grade it in. Discussion ensued.

Dallas Emery wanted to remind everyone about the Budget Committee Meeting February 7, 2024 at 6:30PM.

Bowie asked if his Warrant Article is all set. Matt said it is already on the electronic warrant with the State.

Smith discussed the railbed bill being presented to the State on Wednesday with hopes to get a rail trial going. He will be testifying on this at 1:15PM. He has a ton of support for this. Bob Boose will be testifying as well. Discussion ensued.

Smith discussed House Bill 1532 that he submitted that is called landowner rights and responsibilities act. He said right now if you find a tree stand or game camera on your land, you're not allowed to remove it. Property owners should have the right to remove something they don't want from their own property. The law states you need to contact law enforcement to get permission. Smith believes this is wrong. This bill is to correct those issues. The law also states that Fish and Game can place a camera on your land without a warrant. He said this is supposed to be a free country. So, he will be testifying to that bill tomorrow. Emery said he's trying to figure out how it went in. Smith advised that it was through consent calendar which is when the House and Senate can't agree. Discussion ensued.

Kate Alexander mentioned that she is applying for a \$2500 grant for mental health care. She is looking for ideas on how to best use this if it is received. She left her email if anyone has suggestions. Email myossipee@gmail.com . Emery asked what the grants encompasses. Kate said community health. Discussion ensued.

The next meeting will take place on Monday, February 12, 2024.

Adjournment:

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

Adjourned 4:50PM.

Jonathan H. Smith, Chairman

Susan J. Simpson

Martha B. Eldridge

To be approved 2/12/2024