

## **Selectmen's Meeting Monday, May 17, 2021**

These minutes were transcribed by Angela Rizzitano, Secretary. Matt Sawyer Jr., Town Administrator, 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 and Martha Eldridge. Susan Simpson was absent.**

Chairman Smith opened the meeting with the Pledge of Allegiance.

### **Public Input:**

Joe Haas of Gilmanton NH asked the Board if they have signed the Tax Collector's Warrant to collect property taxes. M. Eldridge advised no, and Smith advised that they will be making a motion to sign at this meeting. Haas asked the taxpayers to request it be put off as it is incomplete with one of the Selectman being absent. He advised that per Article 14 of the NH Constitution, everything should be complete. He mentioned speaking with the previous Board about a Statute that says, "You shall send local tax rate for schools to the Tax Collector" but another Statute passed after this one states, "You may send local tax rate for schools to the Tax Collector". He believes the local tax is unconstitutional and says the Board is violating their oath with the local tax in the Warrant. He discussed the Con-Val case as well. He asked that the Board wait until all 3 members are present to make the decision to sign the Warrant. Chairman Smith asked Haas if there was any success with other Towns regarding this request. Haas advised that multiple SAU's have started the process. Discussion ensued.

Dallas Emery asked it was only the school tax in question. Smith advised yes. Emery questioned whether it matters if the Statute says shall or may. Smith advised that Haas is stating the Warrant is unconstitutional. Emery agreed. Discussion ensued.

Dallas Emery asked if any Board members watched the School Board meeting. He discussed how the conversation regarding masks was handled by the School Board. He thought it was cowardly that the School Board walked out of the meeting instead of discussing the issue with the people. Discussion ensued.

Frank Burke advised that he is having a serious issue with dust on Ossipee Mountain Road. He advised that he is unable to open windows or go out in his yard due to the dust. T.J. advised that it will be done but the road needs to be back in shape first and there is a process. He advised that the process has begun, and it will be taken care of within a few weeks. Discussion ensued.

### **Meeting Minutes:**

Selectman M. Eldridge made a motion to approve the minutes from the Work Session held on May 10, 2021. Smith seconded.

Selectman M. Eldridge made a motion to approve the minutes from the Selectmen's Meeting held on May 10, 2021. Smith seconded.

**Accounts Payable & Payroll Manifests:**

The Payroll Check Voucher total was submitted for the week ending 5/15/2021 with a pay date of 5/18/2021 in the amount of \$83,053.38. Accounts Payable for the week ending 5/14/2021 is \$20,206.49. M. Eldridge made a motion to approve. Smith seconded.

**Review of Red Folder:**

The Board received the Tax Collector's Warrant, Property Tax Levy, addressed to Kellie Skehan authorizing the collection of property taxes in the amount of \$7,338,284.00. M. Eldridge made a motion to sign. Smith seconded.

The Board received a Yield Tax Levy Warrant for \$0 for Eugenia Bennet. M. Eldridge made a motion to approve. Smith seconded.

The Board received a Yield Tax Levy Warrant for \$0 for Eugenia Bennet. M. Eldridge made a motion to approve. Smith seconded.

The Board received a Water & Sewer Warrant for \$40.00 with penalties after June 21, 2021. M. Eldridge made a motion to approve. Smith seconded.

The Board received a Notice of Intent to Cut Wood or Timber for property located at Map 107, Lot 053, Map 106, Lot 003, Map 107 Lot 055, Map 107 Lot 047. The taxes are paid. Smith made a motion to approve. M. Eldridge seconded.

The Board received a Notice of Intent to Cut Wood or Timber for property located at Map 236, Lot 006. The taxes are paid. Smith made a motion to approve. M. Eldridge seconded.

The Board received a Notice of Intent to Cut Wood or Timber for property located at Map 103, Lot 001. The taxes are paid. Smith made a motion to approve. M. Eldridge seconded.

The Board received a Notice of Intent to Cut Wood or Timber for property located at Map 107, Lot 052. The taxes are paid. Smith made a motion to approve. M. Eldridge seconded.

The Board received a Notice of Intent to Cut Wood or Timber for property located at Map 103, Lot 024. The taxes are paid. Smith made a motion to approve. M. Eldridge seconded.

The Board received a Notice of Intent to Cut Wood or Timber for property located at Map 107, Lot 054. The taxes are paid. Smith made a motion to approve. M. Eldridge seconded.

The Board received a Wetlands Permit Application for Map 104, Lot 012 and 013 to replace the sand on the beach. It will be on file in the Selectmen's Office.

**Old Business:**

Smith advised there is a Public Hearing on May 24, 2021 to vote on Building Permit Fee increases.

Smith advised that the Whittier Bridge Project is out to bid and due on June 14, 2021.

Smith advised that he contacted the Governor's office to get clarification on the funds coming but he has not received a response yet.

**New Business:**

None Presented

**Second Public Input:**

Dallas Emery discussed the signing of the Tax Warrant. He agrees with Haas that all 3 Selectmen should vote on it.

Emery asked when the Town adopted the provisions for Tax Deeding and what rules did the taxpayers give for how to handle that process. M. Sawyer Jr. advised that it was adopted at Town Meeting in 1994 per RSA 80-80 and the wording is that the governing body may sell Town tax deeded property as justice may require, which leaves it up to the Boards discretion, including hiring a realtor. He advised that due diligence was done, and this provision is in effect until rescinded. Emery asked if taxpayers gave specific guidelines in 1994 as to how the properties should be sold. Smith advised that the Board reviewed the process, and they have the authority. Emery said it should be up to the taxpayers and not the Board. Discussion ensued.

Haas also discussed the deeding process and is contesting if it is being done correctly. He stated that the people who was sent the threatening letter should contest because the Statute says you can only deed the land. Discussion ensued.

The next Selectmen's meeting will take place on Monday, May 24, 2021.

**Adjournment:**

Being no further input, Smith made a motion to adjourn. M. Eldridge seconded.

Adjourned at 4:55 PM.

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Jonathan H. Smith, Chairman

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Susan J. Simpson (Absent)

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Martha B. Eldridge

To be approved 5/24/2021