



TOWN OF NEW LONDON, NEW HAMPSHIRE

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**NEW LONDON BOARD OF SELECTMEN
MEETING MINUTES
Thursday, July 28, 2022
Kearsarge Professional Development Center
165 Main Street
6:00 PM**

PRESENT:

Nancy Rollins, Chairman
Janet Kidder, Selectman
Bill Helm, Selectman
Kim Hallquist, Town Administrator

ALSO PRESENT:

Emily Cobb, New London Police Chief	Will Kidder, Town Clerk-Tax Collector
Bob Bowers, New London resident	Mike Williams, New London resident
Kris McAllister, Chief Assessor	Gary Wall, King Solomon's Masonic Lodge #14
Sherry Williams, Tracy Library Trustee	Crystal Schimpf, Tracy Library Director
Colin Beasley, New London resident	John Ellis, New London resident
Howard Hoke, King Solomon's Masonic Lodge #14	
Minette Sweeney, <i>Intertown Record</i>	

Selectman Rollins called the meeting to order at 6:00 PM.

PUBLIC COMMENT

Bob Bowers stated he was at a recent Housing Commission meeting and there was a lot of discussion regarding the development of the Cricenti property for affordable housing by Twin Pines. He is asking the Selectmen what they know and if they can provide an update. Selectman Kidder responded that no applications have been brought before the Planning Board at this point. Mr. Bowers stated he is asking if the Selectmen know what is going on. Selectman Kidder stated she has heard things but does not know if they are facts so will not comment. Once a proposal is made to the Planning Board, they will have a better idea about what is being planned. Chair Rollins stated this is similar to the Housing Commission as they have not heard and are waiting for it to come before the Planning Board and then it will become public.

John Ellis had a question about going into non-public session and whether those meetings are recorded. If they are recorded, do those sessions ever become public? Chair Rollins explained minutes are taken; minutes can be sealed. Town Administrator Kim Hallquist agreed and added that the meetings are not recorded like the meeting is, but minutes are taken as they are with all public and non-public meetings. The Selectmen can decide to seal them if they feel it is necessary. They can unseal and release them if the Selectmen feel that the reason they sealed them no longer exists. It is the discretion of the Selectmen and the decisions to enter nonpublic session and to seal the minutes is done in the public meeting session and recorded in the public meeting minutes.

Mr. Ellis asked if speed cameras were set up on Bunker Road to slow drivers down as discussed at the last Selectmen's meeting. Chief Cobb responded they did set up cameras on the narrow section of Bunker Road and were able to obtain some speed data there and it is now set up on the straight away section so they will gather that data as well. Chief Cobb also has some pricing information on new speed signs that she will share with people from Bunker Road tomorrow.

Library Trustees recommendation for the appointment of Joanne Palmisano to fill a vacancy created upon the resignation of Marianne McEnrue

Sherry Williams stated that Marianne McEnrue submitted her resignation in June so there is a vacancy. The Trustees recommend the appointment of Joanne Palmisano who is currently serving as an alternate and is enthusiastic about filling this vacancy.

IT WAS MOVED (Bill Helm) AND SECONDED (Janet Kidder) to appoint Joanne Palmisano to fill the vacancy created by the resignation of Marianne McEnrue. THE MOTION WAS APPROVED UNANIMOUSLY.

Library Trustees request for funds from Library Building Maintenance Fund (Capital Reserve) for Roof Repair

Crystal Schimpf, Director of the Tracy Library, shared that the library had a roof leak last year in 2021 and subsequent repairs were done. While those roof repairs are complete, they received a roof inspection which detailed areas of the roof that are still in need of repair. This request for funds is based on repairs needed this year. A memo detailing the proposed cost which has been approved by the library Trustees was submitted. The amount requested is not to exceed \$61,787.00 and this accounts for roof repair of two large sections of the roof, two areas of snow guard addition and a 10% contingency as outlined in the memo. These funds would come out of the Library Building Maintenance Capital Reserve Fund which the Selectmen are agents to expend. By doing these repairs these two areas will not need replacing for many years to come.

Chair Rollins asked if there will be a point where the entire roof will be repaired and all set. Ms. Schimpf responded yes and although she has only been in her role for one year, there were a few years during the pandemic when repairs were not being kept up with and it may seem there are a lot more now. Over the next 5-7 years they will get through the cycle of repairs noted during the inspection received last year.

Selectman Helm asked Ms. Schimpf if there was a schedule of maintenance so they can see the history of all repairs that have been done. Selectman Helm stated that this topic frequently comes up. Ms. Schimpf stated there isn't a schedule listed anywhere so it is something they have been trying to piece together however they can certainly work on this. She wanted to be clear that regardless of what repairs have been done in the past it doesn't change the fact that they need to take care of the building that they have now to prevent further damage to the inside of the building.

IT WAS MOVED (Bill Helm) AND SECONDED (Janet Kidder) to approve the request for funds in the amount of \$61,787.00 to be withdrawn from the Library Capital Reserve Fund for building roof maintenance. THE MOTION WAS APPROVED UNANIMOUSLY.

Consider recommendations on educational, charitable and religious tax exemptions as prepared by Chief Assessor Kris McAllister

Chief Assessor Kris McAllister attended the meeting to put forth two recommendations for denials for educational, charitable and religious tax exemptions.

The first application discussed is for the New England Forestry foundation. This entity applies every year and is denied every year as the property does not meet the qualification criteria. The property must be owned, used and occupied by them directly for the purposes of which they are established; in this case the property is vacant land and thus is not occupied.

IT WAS MOVED (Bill Helm) AND SECONDED (Janet Kidder) to deny the request of the New England Forestry Foundation for charitable tax exemption. THE MOTION WAS APPROVED UNANIMOUSLY.

The second recommendation for denial is for the King Solomon's Masonic Lodge #14. Ms. McAllister explained the state definition of a charitable entity: "...it is described as a corporation, society or organization established and administered for the purpose of performing and obligated by its charter to perform some service of public good or welfare, advancing the spiritual, physical, intellectual, social and economic wellbeing of the general public or a substantial and definite segment of the general public that includes residents of the state of New Hampshire with no pecuniary profit or benefit to its officers or members or any restrictions which combine its benefits or services to such officers or members or those of any related organization. The fact that an organizations activities are not conducted for profit shall not in itself be sufficient to render the organization charitable."

In a recent Board of Tax and Land Appeals (BTLA) order regarding the Masonic Lodge in the town of Ossipee, the Board found that Ossipee erred in granting a charitable exemption to the Masons. In light of that order, Ms. McAllister must recommend denial of the charitable exemption for the Masonic Association of Kings Solomon's. Ms. McAllister also sought further guidance from the Office of the Attorney General who forwarded the guidebook for New Hampshire charitable organizations. Registered charitable organizations must comply with its reporting obligations. In addition to its filing status with the IRS, the organization must file with the New Hampshire Secretary of State every five years. They must also register and annually file reports with the Attorney Generals Charitable trust unit. The Lodge has not complied with any of these requirements, and they are not listed as a registered charitable organization on the NH Secretary of State website.

Also, according to the guidebook for NH charitable organizations, a non-profit is any organization not organized for "as for profit" business is considered to be a non-profit. Some non-profits are charities and some are not. Examples of non-profits that are not charities are the Masons or Elks, veterans' groups or cooperatives like Credit Unions. Based on all of this, Ms. McAllister cannot recommend to the Board to approve the exemption application.

Howard Hoke, member of the Lodge, requested a copy of all of the information Ms. McAllister provided. He is unsure about the situation in Ossipee or its foundation but one thing he is quite sure is different about King Solomon's Lodge #14 is that in 1862 in a legislative session, the State of New Hampshire granted King Solomon's lodge permission to be incorporated as a charitable and benevolent business. They granted permission for the corporation to have transactions buying and selling things, including real estate and other assets, in the amount of \$5,000 annually. He would like to continue the non-profit and tax-exempt status. They are registered in the State of New Hampshire as a domestic, non-profit corporation but he does understand there is a difference between a non-profit organization and a charitable organization.

Mr. Hoke stated that the impact of having the tax-exempt status revoked would put a severe financial strain on them. If they have to pay taxes, they would have to generate income. One source of income would be charging the town of New London for trailer parking for the boat ramp. They currently don't charge any community groups or the public for using the lodge building. They do raise money from the public and use the money for support of their scholarship program and to support community builder's award given to a community organization (i.e. Habitat for Humanity, Visiting Nurse Association, Boy Scouts). Mr. Hoke stated a fundamental difference between their Lodge and other Lodges is the act of legislature from 1862. He urged the Board of Selectmen to consider continuing the exemption.

Chair Rollins asked if Mr. Hoke has the 1862 document from the legislature and the charter. He can furnish a copy of it and the charter is in the New London archives. Chair Rollins stated the qualifier does seem to be this matter of the charitable entity with the Department of Justice and that they don't meet the definition of charitable. Chair Rollins would like to defer this to the next meeting to do more research.

Selectman Helm stated they have an obligation first and foremost to protect the interests of the town and they should get more information. It seems the ultimate path may be for the Board to deny the request and for them to appeal the decision to the BTLA.

Kris McAllister then provided a list of the religious, educational & charitable exemptions that she recommends for approval as meeting the statutory qualifications for exemption.

IT WAS MOVED (Nancy Rollins) AND SECONDED (Bill Helm) to approve all of the recommendations of the Chief Assessor as contained in her memorandum of July 27, 2022 related to tax exempt status with the exception of the WFK Icehouse Foundation Inc. THE MOTION WAS APPROVED UNANIMOUSLY.

IT WAS MOVED (Nancy Rollins) AND SECONDED (Bill Helm) to approve the request for tax exemption for the WFK Icehouse Foundation Inc. THE MOTION WAS APPROVED. Janet Kidder recused herself from the vote.

Discuss Kearsarge Klassic bike event on August 6th that will pass through town

New London Police Chief Emily Cobb stated due to the change of time to for the Hospital Days Parade this year, several events in town have experienced a conflict. One of these events is the Kearsarge Klassic bicycle ride so they will be changing their route to avoid Main Street.

Chief Cobb stated the bicyclists will take Elkins Road all the way to the end, take a right onto Andover Road, pass through the Flying Goose intersection onto King Hill Road and take a right onto Old Main Street. They will continue through onto Knights Hill Road and take a left onto County Road and a left onto Stoney Brook Road. This will bring them back out to where their route would have been. They changed the location of their rest stop from the Cougar Court School Outing Club area to the Presbyterian Church. There will be about 250 bicyclists coming through between 10:00am – 12:30pm.

Consideration of encumbered funds from FY2022 as prepared by Finance Officer Lynn Lewis

Town Administrator Kim Hallquist reported that Finance Officer Lynn Lewis has compiled a list of those funds that were paid in fiscal year 2023 but were for purchases made in fiscal year 2022 and will be charged as fiscal year 2022 expenditures. They are required to put this list together; the Selectmen approve it and the auditors will go over it. The total is \$77,690.14.

IT WAS MOVED (Nancy Rollins) AND SECONDED (Janet Kidder) to accept and approve the encumbered funds report as prepared by Lynn Lewis. THE MOTION WAS APPROVED UNANIMOUSLY.

TOWN ADMINISTRATORS REPORT

Town Administrator Kim Hallquist provided the following report:

- The town received the state swim line permit for Elkins beach today. Recreation Director Putnam Kidder is working on the application for Bucklin Beach. They are also working with the group that manages the mooring field in Elkins to ensure the moorings are far enough away from the swim lines so the swimmers are safe.
- Budget Committee members will be touring various town departments in August and she has shared those dates with the Selectmen. All of these meetings will be posted to the website and are public meetings.
- Dan Snyder of the Barn Playhouse reported that they have received their final certificates of operation for the two elevators on the property. He was very happy with the cooperation of the Board of Selectmen, town staff and especially the fire department personnel to get the project done.
- The sale of the town's King Hill road property that was the subject of two town meetings is complete. The \$48,500 sale price will be going into the town's general fund.
- The next Board of Selectmen's meeting will be on August 4, 2022. The Selectmen have been meeting on the 2nd and 4th Thursdays of the month but will be moving to the 1st and 3rd Thursdays because of a conflict with school board meetings.

COMMITTEE MEETINGS & REPORTS

Housing Commission – Chair Rollins stated that the Housing Commission met last night and is finalizing another panel that will include developers of workforce housing. This will be held at the Professional Development center on September 14, 2022.

Waste Reduction Committee – Selectman Helm reported that the new Waste Reduction Committee launched last week and have agreed to meet on Thursday mornings every 2-3 weeks. Liz Meller was elected Chair of that group and they are in the process of refining their charge. Their focus will be on compostable waste and plastics.

MEETING MINUTES: Approve the Selectmen's Minutes from June 23rd and July 14th - Deferred until the next meeting.

UPCOMING MEETINGS & SPECIAL EVENTS

- Next Regular Selectmen's meeting – Thursday, August 4th – 6:00 PM - 165 Main Street
- Housing Commission – Wednesday, July 27th – 6:00 PM – Whipple Town Hall
- Whipple Hall 2022 Project Committee – Monday, August 1st – 1:00 PM – Whipple Town Hall
- Energy Committee – Wednesday, August 3rd – 7:00 PM – Syd Crook Meeting Room
- Recreation Commission – Wednesday, August 3rd – 5:30 PM – Whipple Town Hall
- Hospital Days - August 4th – 7th: Saturday Parade begins at 10am – Main Street will be closed
- Household Hazardous Waste Collection – Saturday, August 6th – 12:00-3:00- Highway Garage

APPROVAL OF PAY VOUCHERS, PERMITS etc.

Items to be signed:

- Town Use Application for Hospital Day Beer Tent (2)
- Tax Exempt (15)
- Timber Tax

Applications Approved &/or Denied

Building Permits-approved

- Cate Boathouse Realty Trust, TM 091-028-0-0-0. Repair & rebuild dock. BP 22-90. Approved. 7/25/22.
- Dennis & Roberta Aufranc Trust, TM 033-023-0-0-0. Adding 2 car garage, mud room & deck. BP 22-91. Approved. 7/25/22.

IT WAS MOVED (Bill Helm) AND SECONDED (Janet Kidder) to enter into a nonpublic session pursuant to RSA 91-A:3, II (a): the dismissal, promotion, or compensation of any public employee or the disciplining of such employee and (d) consideration of the acquisition, sale or lease of real or personal property which, if discussed in public, would likely benefit a party or parties whose interests are adverse to those of the general community.

Roll call vote: Rollins: Yes; Kidder: Yes; Helm: Yes
The Board entered nonpublic session at 6:50 PM.
The Board reentered the public session at 7:17 PM.

IT WAS MOVED (Bill Helm) AND SECONDED (Janet Kidder) to seal the nonpublic session meeting minutes. THE MOTION WAS APPROVED UNANIMOUSLY.

IT WAS MOVED (Bill Helm) AND SECONDED (Janet Kidder) to enter into a nonpublic session pursuant to RSA 91-A:3, II (i): Consideration of matters relating to the preparation for and the carrying out of emergency functions, including training to carry out such functions, developed by local or state safety officials that are directly intended to thwart a deliberate act that is intended to result in widespread or severe damage to property or widespread injury or loss of life.

Roll call vote: Rollins: Yes; Kidder: Yes; Helm: Yes
The Board entered nonpublic session at 7:17 PM.
The Board reentered the public session at 7:20 PM.

IT WAS MOVED (Bill Helm) AND SECONDED (Nancy Rollins) to seal the nonpublic session meeting minutes. THE MOTION WAS APPROVED UNANIMOUSLY.

IT WAS MOVED (Nancy Rollins) AND SECONDED (Janet Kidder) to adjourn. THE MOTION WAS APPROVED UNANIMOUSLY.

The meeting adjourned at 7:20 PM.

Respectfully submitted,
Trina Dawson
Recording Secretary
Town of New London