

TOWN MEETING MINUTES  
ORANGE, NH MARCH 15, 2023

*Officers present:* Moderator Dan Hazelton; Selectboard members Betsy Coble, Tamara Fairbank, and Aaron Allen; Selectboard Secretary Sandi Pierson; Treasurer Trish Weekes; Building Inspector Doug Weekes; Budget Committee member Dave Stacy; School Board Representative Kathy Stacy; Planning Board members Donald McFarlane and Hilary Allen, Cemetery Trustee Anita Garland; Supervisors of the Checklist Donna Hazelton, Beth DiFrancesco, and Laurie Sanborn; Town Clerk Michelle Goffreda.

*Others present:* Gary Hamel, Guy DiFrancesco, Dave Johnson, Marilyn Johnson, Seth Johnson, Dewey Matthis, Sally Jaeger, Kip Riley, Chris Hausfeld, Amy Hausfeld, Renee Van Orden, Dan Thompson, Tina Buckwold, Walter Buckwold, Todd Buckwold, Dorothy Heinrichs, Jay Heinrichs, Cameron McFarlane.

At 7:00 pm, Moderator Dan Hazelton calls the meeting to order. To commence the meeting, Dave Stacy leads the room in reciting the pledge of allegiance.

Dan thanks everyone who came out during Tuesday's snowstorm to run the town election. He reviews some rules of the town meeting and describes how the deliberation will proceed.

Dan summarizes the results of the town election (Article 1):

ARTICLE 1: (by official ballot) To elect the following town officers for the following terms: 1 Selectperson (3-year term), 1 Town Clerk (1-year term), 1 Treasurer (1-year term), 1 Tax Collector (1-year term), 1 Deeding Agent (1-year term), 1 Road Agent (1-year term), 1 Budget Committee member (3-year term), 1 Cemetery Trustee (3-year term), 1 Trustee of Trust Funds (3-year term), 2 Planning Board Members (3-year terms), and any other officers as required by law.

The officers elected were Selectperson Aaron Allen, Town Clerk Michelle Goffreda, Treasurer Trish Weekes, Tax Collector & Deeding Agent Sharon Proulx, Road Agent Marcello Shelzi, Budget Committee member Bob Proulx, Cemetery Trustee Tamara Fairbank, Trustee of Trust Funds Pauline Emerson, and Planning Board members Donald McFarlane and Chris Hausfeld.

Dan comments that there were no contested races except for road agent, to which Marcello Shelzi was elected as a write-in candidate. As expected, all uncontested candidates were elected.

Dan proceeds to article 2.

ARTICLE 2: To see if the Town will authorize the Tax Collector to accept the prepayment of taxes pursuant to RSA 80:52-a. Taxpayers shall be allowed to prepay taxes no more than two years in advance of the due date of the taxes. No interest shall

accrue to the taxpayer on any prepayment, nor shall any interest be paid to the taxpayer on any prepayment which is later subject to rebate or refund.

*Recommended by the Selectboard (3-0)*

Moved by Chris Hausfeld; seconded by Judith Lindahl.

Chris Hausfeld asks: "If taxes are paid a year in advance, where does that tax money get held? Is it going to the general fund? Is it put in a separate account? How does it count?"

Sandi Pierson answers that she believes it goes into the general fund.

Chris asks if this ever creates an issue where the general fund in the following year is insufficient to cover that year's expenses. Tamara Fairbank answers that the effect is too minimal to ever have caused any issue.

Dan rereads Article 2 and takes a voice vote. By voice vote, article 2 is passed.

ARTICLE 3: To see if the Town will vote to raise and appropriate eight thousand dollars (\$8,000.00) to be paid in be paid into the Highway Equipment Capital Reserve.

*Recommended by the Selectboard (3-0)*

*Recommended by the Budget Committee (3-0)*

Moved by Dorothy Heinrichs, seconded by Sandi Pierson.

There is no further discussion on the article. Article 3 passes by voice vote.

ARTICLE 4: To see if the Town will vote to raise and appropriate ten thousand dollars (\$10,000.00) to be paid into the Town House Capital Reserve Fund.

*Recommended by the Selectboard (3-0)*

*Recommended by the Budget Committee (3-0)*

Moved by Donald McFarlane, seconded by Kathy Stacy.

There is no discussion on the article. Article 4 passes by voice vote.

Dan proceeds to read Article 5.

ARTICLE 5: To see if the Town will vote to raise and appropriate four thousand dollars (\$4,000.00) to be paid into the Revaluation Capital Reserve Fund for the purpose of revaluation of real estate. Revaluations of all real estate are required by law every five years.

*Recommended by the Selectboard (3-0)*

*Recommended by the Budget Committee (3-0)*

Moved by Dave Stacy, seconded by Judith Lindahl.

There is no further discussion on the article. Article 5 passes by voice vote.

ARTICLE 6: To see if the Town will vote to raise and appropriate fifteen thousand dollars (\$15,000.00) to be paid into the Town Road Improvement and Repair Capital Reserve Fund.

*Recommended by the Selectboard (3-0)*

*Recommended by the Budget Committee (3-0)*

Moved by Dorothy Heinrichs; Seconded by Dave Stacy.

No discussion is made on the article. Article 6 passes by voice vote.

ARTICLE 7: To see if the Town will vote to establish a new Capital Reserve Fund as authorized by RSA 35:1-1 which will be called the Bridge Capital Reserve Fund for the purpose of the maintenance, construction, and/or reconstruction of municipally-owned bridges, and to raise and appropriate \$26,507.49 to be placed in this fund to be under the custody of the Trustees of the Trust Funds, and to designate the Selectboard as agents to expend. The funds deposited into this Capital Reserve Fund shall come from the one-time bridge payment of \$26,507.49 received from the State of New Hampshire in accordance with Senate Bill 401 and not raised by taxation.

*Recommended by the Selectboard (3-0)*

Judith Lindahl moves. Laurie Sanborn seconds.

Kathy Stacy asks if the money for the Capital Reserve fund was received in 2022, or if it will be received in 2023. Aaron and Trish answer that it was received in 2022.

Kathy expresses that she feels the article is confusingly worded. Given this, as well as research on what other towns are doing with the corresponding fund, she proposes to amend the wording of the article so that it reads:

"ARTICLE 7: To see if the town will vote to establish a new capital reserve fund as authorized by RSA 35:1-1, and will be called the Bridge Capital Reserve Fund, which will be under the custody of the Trustees of the Trust Funds, and to designate the Selectboard as agents to expend funds. The funds deposited in the Bridge Capital Reserve Fund shall come from a one-time payment of \$26,507.49 received from the state of New Hampshire in accordance with Senate Bill 401, no amount to be raised by additional taxation."

Donald McFarlane seconds Kathy's article as amended.

Trish Weekes asks Kathy to clarify that she has removed the clause which says, "for the purpose of the maintenance, construction, and or reconstruction of municipally owned bridges." Kathy explains that this clause is redundant as it is self-explanatory in the Senate Bill.

Sandi voices her perspective as a Trustee of the Trust Funds that it would be most sensible to include language that states simply what this capital reserve is for, to ensure that it will be understood clearly by future town officers. She adds that the article as originally written was approved by the town's attorney.

Dorothy points out another notable change with Kathy's proposal – "not raised by *additional* taxation." She questions if this small change in wording would imply that the town would not be able to add money into this fund in the future. Dorothy suggests keeping in the original phrase "to raise and appropriate", however Kathy argues that the phrase would not be necessary to include in our warrant article, since the warrant article references the text of House Bill 401, which determines the amount in the fund granted to the town based on population and physical surface area.

Donald McFarlane expresses support for Kathy's term "additional taxation" because it clarifies that we are not intending to fund this at any point with municipal taxation. Kathy agrees and adds that the original wording of "one-time bridge payment" would limit what can go in the fund in the future. Chris Hausfeld comments that this is an important point, since although we are not funding it with property taxes, perhaps in the future the fund could be increased by an additional state fund. Chris suggests just adding the word "initial" so it reads "the initial funds deposited..." in order to more explicitly leave open this possibility. Sandi expresses support for this idea. Kathy agrees and adds the word "initial" to her amended article.

Trish Weekes comments that it is very restrictive to limit the purpose of the fund solely for maintaining bridges, and that it would make more sense to designate the money towards maintaining our highways more generally.

Aaron Allen responds that we have six bridges in total, including a bridge on Brock Hill Road which was assessed and is expected to cost \$1.1 million to replace. Laurie Sanborn affirms that the warrant article specifically designates the funds for the purpose of bridge construction and maintenance, and reiterates Sandi's earlier point that, as people come and go in different town offices, it's important to have this purpose spelled out in the text of the warrant article.

Donald says that although the fund is intended for bridges, he is actually not aware of any language in Senate bill that requires these funds to be used specifically for bridge reconstruction.

Renee offers an interpretation of the warrant article as really doing two different things: firstly, establishing the Capital Reserve Fund; then secondly, taking the money that we've already received into the general fund, and moving that into the capital reserve fund.

Kathy gives more explanation about the history of Senate Bill 401 and elaborates some details that were not included in the originally-worded Article 7. She says she does not necessarily object to writing in more details, but did feel it was important to state that this is a one-time bridge payment and that there is no additional tax money going into it.

Anita Garland asks to clarify that the fund was not raised directly by our town, but passed down from the state; Donald confirms this.

Beth DiFrancesco says that she appreciates the research that Kathy has done, however in reality, most people will not spend so much time researching the details of the senate bill. Although we do not need to include all the minutiae, the basic fact that

it is for construction and maintenance of bridges is important enough that it would not make sense to omit it from the article.

Donald proposes to Kathy that she should specify the year of the bill as *2022 SB 401*, in order to address people's concerns. It could indeed be difficult for town officers in the future to reference this particular bill otherwise, since the bill numbers are not uniquely assigned and an unrelated bill in a different year could also be called "SB 401". Kathy agrees to add in the year 2022 to her amended article.

Sandi cautions against editing the wording of the warrant article on the grounds that the language in the article came directly from the correspondence with the DOT and that the town attorney approved it exactly as it was written. She adds that each year, the board gets a list of bridge conditions and there is always a red-listed bridge by the Ells' house. Currently we are a candidate for a million-dollar grant to repair the bridge, of which we would pay just 20%. The road agent suggested to keep the fund open specifically in light of this.

Dan rereads Kathy's amended article. A voice vote is taken; the amendment does not pass. The discussion reverts back to Article 7 as originally stated.

Donald McFarlane makes a motion to amend the text of the article in a small way: "I would leave the article as the article is written except for the final clause where it currently reads 'the state of New Hampshire in accordance with SB 401 and not raised by taxation' and amend it to say 'the state of New Hampshire in accordance with *2022* Senate Bill 401 and not to be raised by *additional* taxation.'"

Chris Hausfeld seconds this. He questions whether to also amend the phrase "to raise and appropriate" as per earlier discussion. Donald agrees with Chris's reservations but feels that the phrase should be left alone in order to keep the changes simple and minimal.

Donna Hazelton suggests adding back the key word "initial" as Chris had suggested earlier. Donald agrees with the idea and adds "initial" to the amended article.

Finally, Dan rereads the article as amended: "To see if the town will vote to establish a new Capital Reserve Fund as authorized by RSA 35:1-1 which will be called the Bridge Capital Reserve Fund for the purpose of the maintenance, construction, and/or reconstruction of municipally-owned bridges, and to raise and appropriate \$26,507.49 to be placed in this fund to be under the custody of the Trustees of the Trust Funds, and to designate the Selectboard as agents to expend. The initial funds deposited into this Capital Reserve Fund shall come from the one-time bridge payment of \$26,507.49 received from the State of New Hampshire in accordance with 2022 Senate Bill 401 and not raised by additional taxation."

There being no further discussion, a voice vote is taken. Dan declares that Article 7 passes as amended. Judith points out that we had just passed Donald's amendment, not the amended article itself, and still need to take a vote on the actual warrant article.

With another voice vote, Article 7 is passed.

Dan reads Article 8.

ARTICLE 8: To see if the town will vote to re-adopt the previously adopted RSA 72:28, II - Optional Veterans' Tax Credit, by readopting the \$200 credit to include eligible active-duty veterans, as specified in the state legislature's 2022 amendment to RSA 72:28, and modifying, the previously adopted RSA 72:28-b - All Veterans' Tax Credit, by readopting the \$200 credit to include eligible active-duty veterans, specified in the state legislature's 2022 amendment to RSA 72:28-b. If readopted and approved, this article shall take effect for the 2023 property tax year.  
*Recommended by the Selectboard (3-0)*

Moved by Renee Van Orden; seconded by Kathy Stacy.

Kathy Stacy asks whether the intent of Article 8 is to limit the veterans' tax credit to only active-duty veterans. Dan answers that it does not limit eligibility, but rather expands it to include active-duty.

Kathy reads a list of all categories of veterans who would qualify for the All-Veterans' tax credit according to the relevant RSA. She puts forth a motion to amend Article 8 to state which veterans are eligible for the credit, as well as raise the amount to \$500. Her proposed amendment reads:

"To see if the town of Orange will vote to re-adopt the provisions of RSA 72:28-b, the All Veterans' Tax Credit. If adopted, the credit will be available to any resident of the state who is a veteran as defined in RSA 21:50 and served not less than 90 days on active service in the Armed Forces of the United States, and continues to serve or was honorably discharged, or an officer who continues to serve or was honorably separated from service, or the spouse or surviving spouse of such a resident, providing that training for active duty or the state of active duty by a member of the National Guard or reserve shall be included as service under this paragraph, provided however that the person is not eligible for and is not receiving credit under RSA 72:28 or RSA 72:35."

Dave Stacy seconds the amended article.

Dan opens the floor for discussion.

Amy Hausfeld asks for clarification on the inclusion of all the categories of veterans in the text of the article. Kathy says that that was the intent of the RSA 72:28, but the way it's written in our town report, it seems to suggest that it's only for those on active duty. Secondly, she argues, we need to increase the amount to \$500 given that inflation since the \$200 credit was instituted has largely depleted its value.

Dorothy Heinrichs asks Kathy if she has an estimate of what the cost to the town would be. Kathy answers that there are about 10 people identified to be town veterans, and when we talked about raising the veterans tax credit a few years ago, only about six people were eligible, which would put the cost at less than \$2,000.

Donald asks: "What is the current circumstance around standard veterans' tax credit and the optional veterans' tax credit of this town? What are the currently well-adopted amounts being paid?"

Sandi Pierson answers that currently it's \$200 and that the current total for the veterans' tax credit is \$2,900. Donald points out that 2900 is not divisible by 200. Sandi adds that the credit amount is \$700 for fully disabled veterans. Just one person in town had applied for this credit, and it was approved.

Beth DiFrancesco says that there is nothing in Article 8 which excludes all other veterans besides active-duty from eligibility, and that the article is only stating that they will now be included.

Chris Hausfeld gives a quick calculation that, if there was one person that had the \$700 credit out of \$2900, then there are currently 12 households in total receiving the credit. If the credit were raised to \$500, that means the total could be about 10 grand, or likely more, since it does not take into account all the additional people that would now become eligible as a result of the warrant article.

Kathy responds that the calculation overestimates the total impact, since the increase in amount would not apply to fully disabled veterans as per the RSA.

Dewey Matthis asks Sandi to confirm that the relevant RSA itself includes active-duty veterans, such that the article as amended would simply bring the town's verbiage in accordance with the definitions in the RSA. Sandi hesitates to speak on the definitions spelled out in the RSA as she herself does not process the veteran applications, and so cannot speak with certainty on the issue.

Dan reads aloud a brief explanation of the warrant article, as written out in the 2022 Town Report: "The Town adopted the All Veterans Tax Credit in 2020. In 2022, Governor Sununu signed HB 1667 into law which expanded the eligibility to include individuals who have not yet been discharged from service in the armed forces. If the All Veterans' tax credit is not readopted, the Standard Veterans' Tax Credit (\$50) will be in place for April 1, 2023 tax year."

Renee Van Orden explains further that if the town does not adopt the warrant article at all, then the amount of the tax credit would revert to only \$50 by state law. She expresses support for increasing the amount, though believes the wording as written is not excluding anyone. She discusses the distinction between RSA 72:28 II and RSA 72:28-b, and adds that many town assessors initially found the changes in the law last year to be confusing. In response to someone's question from earlier regarding who is eligible for the veterans' tax credits, Renee gives a list of the various tax credits on the DRA web site: The All-Veterans' Tax Credit; Tax credit for service-connected children with disability; Tax credit for surviving spouse, but it does not extend to children; Tax credit for combat service, if adopted by the town, though it currently is not.

Dan asks if there is further discussion. Kathy says that she did research with our neighboring communities, and that her amended article has almost the exact same

wording as the corresponding articles in neighboring towns, and her personal contribution was just to change the amount from \$200 to \$500.

Donald makes the suggestion that since Kathy is trying to amend two aspects of the article at once, it might make sense to vote on each of them separately. However Dan responds we are either going to vote down an amendment or we're going to accept it; we cannot amend an article and then amend it over again.

Dan rereads the amended article before taking a vote on it. By voice vote, the amendment to Article 8 does not pass, so the discussion reverts back to the original Article 8.

Dan rereads Article 8 as originally stated. There being no further discussion, a voice vote is taken and Article 8 is passed.

ARTICLE 9: To see if the Town will vote to raise and appropriate the Budget Committee's recommended sum of \$275,889.00, not including appropriations by special warrant articles and other appropriations voted separately, for the ensuing year for the Town's general operations.

*Recommended by the Selectboard (3-0)*

*Recommended by the Budget Committee (3-0)*

Moved by Chris Hausfeld; seconded by Donald McFarlane.

There is no further discussion on the article. Article 9 passes by voice vote.

Finally, Dan reads Article 10.

ARTICLE 10: To hear the reports of agents, auditors, committees and officers and to transact any other business that may legally come before this meeting.

Dan Hazelton thanks Dorothy Heinrichs for filling in for him as moderator last fall when he was out of town on the date of the primary election. He speaks a heartfelt tribute in memory of Dick Jaeger, who served as an original school board member and as the town's moderator for 13 years. He reminisces on how Dick led the town meetings in a way that kept everyone respectful and good-humored, and recounts memories of Dick's excitement over serving as the town's representative to the newly-created school district - "a big adventure," in his own words.

The Selectboard presents a painting by Gary Hamel as a gift for Scott Sanborn to honor all his years of service as road agent, notably during Hurricane Irene in 2011 and during the unprecedented flooding which washed out the roads in 2019. Since he is unable to be present at the meeting - incidentally, dealing with the aftermath of yesterday's storm - Laurie Sanborn accepts it in his stead.

A painting is also presented to thank Sandi Pierson for all her service in the office of the Selectboard for the past 13 years, as she will be retiring at the end of April.



Tamara says some words of appreciation for Sandi and says assuredly that at her last Selectboard meeting they will absolutely be doing something special to celebrate.

There being no other business to conduct, Dan concludes the meeting.

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RESPECTFULLY SUBMITTED

Michelle Goffreda

Town Clerk of Orange, NH.