

CARROLL COUNTY INDEPENDENT

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OSSIPEE, N.H. - 75¢

Supreme Court upholds Camp Marist's tax exempt status

BY MELLISA SEAMANS
Contributing Writer

EFFINGHAM — Sixty-eight years ago, Marist Brothers of New Hampshire (MBNH) purchased 159 acres on Ossipee Lake and Camp Marist was founded. For nearly half of its existence, there have been either agreements or a court battle to maintain its charitable property tax exemption. It appears the latest three-year battle is over, as New Hampshire Supreme Court issued its opinion Sept. 14, reversing a lower court decision, and granting the camp full property tax exemption.

Camp Marist, with a mission "aimed at advancing the educational, religious, and spiritual development of youth," operates a seven-week co-ed summer camp. Every year, about 500 campers from around the world attend.

Back in 1949, MBNH purchased the sprawling Camp Fritz, a family campground, for about \$45,000. According to the

Camp Marist website, The Marist Brothers, an international Catho-

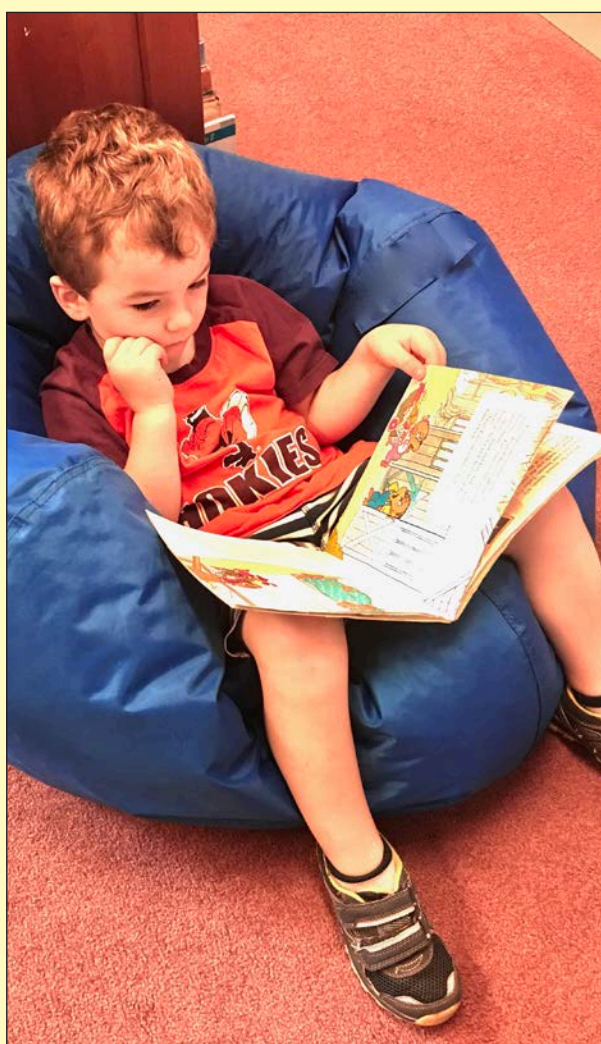
lic teaching order, had already established numerous elementary and

high schools throughout the country and the Brothers wished to

"create a special blend of friendship, communi-

ty, learning, character development and appreciation of the great out-

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ELISSA PAQUETTE

Story time

(Above) Librarian Polly Sheffer captivates her young audience during story hour at the Ossipee Public Library, on Main Street in Center Ossipee. Story hour is held every Tuesday from 10:30 to 11 a.m.

(Left) Emmett Hayford settles into a bean bag chair at the Ossipee Public Library to enjoy a good book. Library hours are Monday noon -8 p.m., Tuesday 10 a.m. - 5 p.m., Thursday noon-8 p.m., Friday 10 a.m. - 5 p.m., and Saturday 9 a.m.-1 p.m. The library is closed Wednesday and Sunday.

Denny Miller appointed to Wakefield Board of Selectmen

BY THOMAS BEELER
Contributing Writer

WAKEFIELD — At a special meeting last Friday, Sept. 14, Selectmen Chair Connie Twombly announced that she and Selectman Vin Wallace had chosen Denny Miller from a pool of 11 applicants to fill the seat on the board left vacant

when Lino Avellani resigned as selectman for health reasons.

Twombly and Wallace then formally voted to appoint Miller, who will serve until the March 12, 2019 elections. At that time there will be two selectmen positions available: a one-year term for the Avel-

lani/Miller seat and a three-year term for the seat currently held by Twombly.

When Twombly made the announcement that Miller had been chosen, the audience applauded.

Denny Miller was re-elected to the Budget

SEE WAKEFIELD PAGE A13

Humane Society announces results of Play Fore the Pets Golf Tournament

WOLFEBORO — The Lakes Region Humane Society (LRHS) held its 12th Annual "Play Fore the Pets" Golf Tournament and Helicopter Golf Ball Drop on Friday, Sept. 14 at the Kingswood Golf Club in Wolfeboro. Proceeds from player participation and sponsorships generated funding to keep displaced pets in need swaddled in nourishment, shelter and health care while they await new homes at LRHS.

LRHS wishes to thank the staff of the Kingswood Pro Shop and Morrisseys' Steak House for their help in making this event a success. We extend a warm note of gratitude to our Board of Directors for their volunteer work and especially

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COURTESY

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COURTESY

Duchesne named Chief of Police in Ossipee

Quickly following news of Ossipee Police Chief James Eldridge's pending retirement, selectmen here announced his replacement Monday night. The board interviewed and then voted to hire the department's second-in-command, Joseph Duchesne. He will be sworn in during a luncheon and ceremony Sept. 26. Duchesne joined Ossipee Police Department in 1999 and rose through the ranks. For many years he ran the department's K9 program with K9 Ronja. Duchesne is responsible for reforming the department's training protocol.

Pond Road residents ask town to maintain Class VI road

BY THOMAS BEELER
Contributing Writer

WAKEFIELD — The conference room at Town Hall was standing room only at the Sept. 12 meeting of the Wakefield Board of Selectmen. Most people in the audience were residents of Pond Road who came to urge the town to repair a section of their road that

has deteriorated since a culvert failed.

Also present was Town Counsel Rick Sager, who took questions and identified options residents and selectmen could take that would be allowed by state law.

At the heart of the matter was the fact that the section of the road at issue had been declared

a Class VI road which, under state law, means that while the town owns the road but has decided not to maintain it. Pond Road is located on the north side of Lovell Lake. Brackett Road, a maintained town road, becomes Pond Road and connects the end of Brackett to Oak Hill Road.

Norm Butler of 63
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CAMP

FROM PAGE A1

doors in a beautiful environment. They found the perfect place on Ossipee Lake in Effingham." Originally it was a boys' camp until it went co-ed in 2003.

According to court documents, the Town of Effingham just applied the religious property tax exemption to the property until 1987, when the town underwent a complete property revaluation and the assessed value of Camp Marist went up to about \$3.5 million. The town denied the Camp's application for charitable exemption and legal wrangle ensued through the New Hampshire Board of Tax and Land Appeals and on to Carroll County Superior Court. At that point, the town and the camp were able to reach a 25-year agreement that the camp would pay an annually increasing amount of property tax and would also provide scholarships to Effingham children. They went on to provide 30 scholarships per year that the town awarded through a lottery system.

Then the agreement expired. And in 2015, the board of selectmen apparently denied the Camp's request for a charitable exemption. (A copy of the meeting minutes where this denial vote occurred was not available as of press time) Though the camp was willing to work out a new agreement, according to MBNH's Attorney Jonathan Block of the firm Pierce Atwood, LLP in Portland, Maine, the town was not. The Camp appealed to the BTLA and when that board

held up the exemption denial, the case went on to Judge Amy Ignatius in Carroll County Superior Court in October 2016 who also ruled in January 2017 that the Camp did not meet the requirements of property tax exemption.

Throughout the steady battle, the scholarships for Effingham youth no longer existed, the town's tax collector kept sending property tax bills twice a year that went unpaid, and both sides incurred legal costs. The tax bills and related fees have added up to nearly \$500,000 according to the town's online property tax billing system. As of press time, the Town had not responded to a request asking for the total legal costs it paid to fight this battle over the past four years.

In January 2018, the New Hampshire Supreme Court heard brief testimony from both sides who then anxiously waited nine months for that court's decision. On Sept. 14, they issued their opinion, overturning Judge Ignatius' decision.

Reached for a reaction to the court's decision, Attorney Block said he was pleased with the thorough consideration the court gave to each of the four prongs used to test whether a charitable organization qualifies for exemption. Block mentioned that he knows the value of summer youth camp having spent his summers at camp in Wolfeboro. He seemed relieved that not only is this a win for the Marist Brothers who "take a vow of poverty and live the life of a monk" to do

this charitable work for youth but if the case had not been won it could have been "disastrous" for youth camps across the state. Judge Ignatius denied his request to enter into evidence a survey his firm conducted of about 40 other camps in the state. The survey

GOLF

FROM PAGE A1

to the players who came out to show their support of this wonderful cause and our generous local sponsors:

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concluded that none of the other camps – including religious, scouting, and YMCA camps – are taxed. Denying Camp Marist, the exemption could have set a precedent and caused towns and cities to begin sending them all property tax bills.

Reached by phone Sept. 18, Brother Benedict of Marist Brothers in New Jersey said he is "delighted" with high court's decision, and that the court examined the law carefully in this case, ultimately recognizing that the work the camp has been doing for more

than 50 years "remains tax exempt in its nature under New Hampshire law."

The full decision can be found on the New Hampshire Supreme Court Web site at www.courts.state.nh.us/supreme/opinions/index.htm.

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Congratulations to our tournament winners:
1st Place Gross Men's- George Pacheco, Ken Jones, Mike Morgan and Bob Deuchano

1st Place Gross Women's - Tully MacAlpine, Eileen Neal, Sue McSwain and Lisa Palmer
1st Place Gross Mixed - Vincent Cook, Davin Connor, Dennis Trombly and Patty Trombly

1st Place Net Men's - Rick Ward, Tom Cayon, Paul Preble and Craig Sontra

1st Place Net Women's - Sally Hunter, Sue Tobelman, Sandy Ballentine and Diane Mullen

1st Place Net Mixed - John Hardenbergh, Jini Hardenbergh, Sebastian Tordonato and Candace Tordonato

Longest Drive: Rob Karstedt (men's) and Karen Sanders (women's)

Closest to the Pin: Dave Vaillancourt (men's) and Sally Hunter (women's)

POND ROAD

FROM PAGE A1

Pond Rd., had set up the appointment with selectmen, introduced himself as a year-round resident and served as the chief spokesman. He introduced Hope John of 247 Pond Rd. as first speaker.

John said the town has maintained Pond Road and posted it with signs that made it clear the town maintained the road except in winter.

The signs disappeared about a year ago. They were found at the town highway garage and photographed. The signs read "Pond Road Not Maintained for Winter Travel Dec. 10 to April 10." The sign cited RSA 231:79 ("Towns shall be exempt from keeping open and repairing highways from December 10 to April 10").

Town Administrator Kelley Collins said the highway department removed the signs because the road was a Class VI road.

Virginia Morse of 281 Pond Rd. wrote a letter read at the meeting that cited the case of her sister who lived on Old Bulkhead Road, a road that runs off Pond Road. When the culvert broke and was removed, the post office stopped delivering mail and her sister was unable to get her medications. Morse also said the runoff from the road damaged the lake, reduced property values and raised insurance costs. Lake front properties also contribute 72 percent of tax revenue.

Carol Avery said Pond Road ran three quarters of a mile along the lake.

The residents had come to request that selectmen resume maintaining the road as a regular (Class V) road, at least during the summer.

Selectman Vin Wallace said he feels the town should put the signs back and grade the road.

Bob Morse pointed

SEE POND ROAD PAGE A13

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Fri. & Sat.: 1:15, 4:15, 7:15, 9:30 PM
Sun.: 1:15, 4:15, 7:15 PM
Mon.-Thurs.: 4:15, 7:15 PM

OPERATION FINALE R
Fri. & Sat.: 1:00, 4:00, 7:00, 9:45 PM
Sun.: 1:00, 4:00, 7:00 PM
Mon.-Thurs.: 4:00, 7:00 PM

Join us for the advance screening of **Smallfoot** on Thursday 9/21 at 4:00pm

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