

George H. Stowell Free Library Trustee Meeting Draft Minutes

September 30, 2024, 6:00 p.m. at the George H. Stowell Free Library

PRESENT: Trustees: Kathi Patterson, Laura Cousineau, Marie De Rusha **Librarian:** Lucy Applegate

CITIZENS: Merylynn Bourne, Judith Kaufman, Kim Patterson, Martha Zoerheide, Susan Chandler, Patrick O'Grady, Heidi Jaarsma, Jill Edson, Mariann Thompson

1. Meeting was called to order at 6:00

2. The evening's agenda was reviewed and approved.

3. The June amended meeting minutes were accepted and approved. The August meeting's minutes were amended, accepted and approved.

4. Librarian's Report: There are ten new card holders at the Library. Since the last meeting there have been 1,370 books checked out. On average around five people have shown up for programs. Fifteen to twenty three new books have been added to the collection. Lucy would like to see a policy instituted as when a child can receive an adult level Library card. As of this time a child can obtain a Library card at the age of six.

5. Treasurer's Report: Kathi stated there has been nothing added for interest for September.

As of September 30,2024:

- a. Building Fund balance is \$14,729.99
- b. Checkbook balance is \$11,210.07
- c. Donation Fund is \$1,556.88
- d. Non-Lapsing Fund is \$2,730.14
- e. Palmer Fund is \$1,007.08

There were no donations to report.

6. Correspondence:

a. Review of NH Charitable Trust letter (NHCTU): Laura read the letter from the NHCTU aloud as to their finding regarding Brian Meyette's request for the return of the funds donated by his mother in 2020. Laura asked if we all agreed the matter closed for the time being while taking into consideration Brian may want to readdress the matter at which time it will be reopened.

b. There was no other correspondence.

7. There was no new business.

8. Citizen's Comments: Judith reported the Friends of the Library had their annual meeting, elected new officers and their next meeting is scheduled for October 16th at 7:00 p.m. at the former Cornish General Store.

Heidi reminded the Trustees to send their agenda and meeting notices to the town website.

Lucy thanked Kathi for putting so much work into learning the systems that are used at the Library, for being in tune with them and for the effort she puts in.

Merilynn gave a report on the Cornish Community Initiative's pot luck they had. She reported the fundraising is now at \$1,251,000. \$700,000 (roughly) of which are pledges that have been paid with \$527,00 (roughly) pledges still to be given. The Howe Library in Hanover donated shelving to be used at the relocated Library.

9. Next meeting is scheduled for Wednesday, November 13th at 6:00 at the George H. Stowell Free Library.

10. Moved to non-public meeting pursuant to NH RSA 92-A:3 II to discuss employee matters: 6 month Librarian review. Non-public session was called at 6:35 p.m.

11. Public session reconvened at 7:35 and the meeting was adjourned at that time.

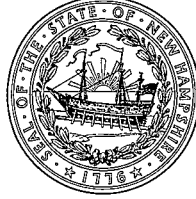
Respectfully submitted,

Marie De Rusha, secretary

**ATTORNEY GENERAL
DEPARTMENT OF JUSTICE**

1 GRANITE PLACE SOUTH
CONCORD, NEW HAMPSHIRE 03301

JOHN M. FORMELLA
ATTORNEY GENERAL



JAMES T. BOFFETTI
DEPUTY ATTORNEY GENERAL

September 17, 2024

Laura Cousineau
Chair, George H. Stowell Free Library Trustees
sent via email: lauracousineau@gmail.com

Brian Meyette
sent via email: bmeyette@gmail.com

Dear Laura and Brian,

You both contacted the New Hampshire Department of Justice Charitable Trust Unit (CTU) regarding a donation made by Margaret Meyette, as Trustee of the Meyette Living Trust, to the Town of Cornish. At the outset of this communication, I want to make sure that both of you understand CTU's role when a dispute of this nature occurs. Specifically, CTU protects the public's interest in the charitable assets, which includes protecting the donor's intent by ensuring that donated funds are utilized for the charitable purpose for which they were given. With that role in mind, CTU has reviewed the documents provided by both parties, and, based on the information provided, CTU cannot conclude that the donated funds were used for an improper purpose. Accordingly, CTU does not intend to take any action at this time.

On June 13, 2024, CTU received an email from Brian and Brenda Meyette asserting that, in 2020, their mother, Margaret Meyette, donated \$30,000 to the George H. Stowell Free Library in Cornish for needed renovations. The Meyettes asserted that their mother made this donation in the memory of her husband, Joseph Meyette, and her aunt, Evelyn G. Lear. They informed CTU that Margaret Meyette wanted a handicapped ramp to be added and a composting toilet be installed, as there was no toilet at the library. In response, CTU requested that the Meyettes provide any documentation they had relative to the donation.

On June 19, Brian Meyette sent documents, including a copy of a \$30,000 check Margaret Meyette issued to the Town of Cornish dated March 9, 2020. The check itself included no notation about its purpose, but a note accompanying the check stated: "To Update the Library in memory of Joseph C. Meyette and Evelyn G. Lear." Mr. Meyette also provided the Town of Cornish's Board of Selectmen Minutes, dated March 9, 2020, which state: "Peg Meyette came in to ask about the plan for the Library and made a donation toward the repairs and upgrades in the names of Joseph C. Meyette and Evelyn G. Lear." There is no dispute that the only library existing in Cornish at the time of the donation was the George H. Stowell Free Library.

On June 24, 2024, CTU contacted the Library Trustees regarding the Meyette complaint about the use of the Meyette donation. Ms. Cousineau indicated that in 2021 a citizen offered to donate the former Cornish General Store building to the Town to use as a library space. The Select Board commissioned the Library Exploratory Committee to explore the feasibility of accepting this offer. The Town authorized the use of funds from the Library Building and Operating Fund to cover the expenses of researching both renovation of the current library and the proposed new library.

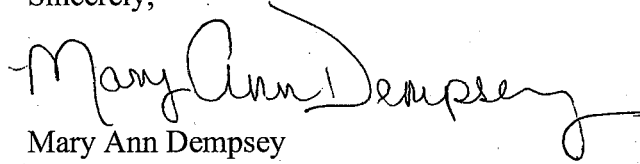
The Town was provided the Library Exploratory Committee's Final Report, dated November 1, 2022, where the Committee prepared three documents comparing the option of renovating the present library to constructing a new one. The Final Report recommended that the Town accept the proposed donation of the General Store property to build a new library. The property was accepted by a warrant and approved at the 2023 Town Meeting. The Town also provided CTU with an accounting of Library Building and Operating Fund between 2020-2023. The total amount in the Fund as of July 13, 2022, was \$40,157. This amount included the \$30,000 Meyette donation. In 2022, the Town paid \$14,383.75 in fees to Banwell Architect in connection with the plan to renovate the General Store into a new Library as well as legal fees incurred relative to the Town's acceptance of the property. As of December 31, 2023, the remaining balance in the Library Fund was \$12,337.42.

Margaret Meyette died on March 17, 2024. Margaret was alive when the Town adopted the Final Report (November 2022) and voted to accept the property to construct a new library (March 2023) as opposed to renovating the existing library. She was also alive when a portion of the funds she donated were used for plans to renovate the General Store into a new library. CTU does not believe the documentation clearly supports that Margaret Meyette's donation in 2020 was restricted to making repairs and upgrades only to the existing library where it is presently located. Given that the Town determined that renovations to the present library were not feasible, CTU cannot conclude that using the funds for plans related to building a new library is not an upgrade that fits within the intent of the Meyette donation. Therefore, absent additional documentation as to Margaret Meyette's intent that the funds only be used for the library located at 24 School Street, CTU cannot conclude that the Town failed to use them for the intended purpose set forth with the donation.

It is important to note that, even if CTU were to determine the Town failed to use the Meyette donation for its intended purpose, the remedy would be for the Town to reimburse the appropriate library trust and to hold such funds until making expenditures in accordance with the donor's intent or obtaining a court order approving modification. In no event would the library return the donation to the Meyette Trust, since no language in the trust instrument or the note from Margaret Meyette indicates it must be returned if any conditions were not met. I hope this communication provides all parties with guidance as to CTU's review of the matter and present position to take no action.

Town of Cornish
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Sincerely,

A handwritten signature in black ink that reads "Mary Ann Dempsey". The signature is written in a cursive style with a large, sweeping initial "M".

Mary Ann Dempsey
Director of Charitable Trusts
Charitable Trusts Unit
(603) 271-7549
MARYANN.DEMPSEY@doj.nh.gov

MADE/jwd
Enclosure