



The Littleton Weekly Record

THURSDAY, AUG. 17, 2023

LOCAL NEWS

Board Adopts
Inclusivity Resolution

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FREE



Cyan Magenta Yellow Black



“Bright Threads...” Kings Remembered For
Positive Impact On Community. **Page 10**

Bethlehem Board Adopts Inclusivity Resolution

BY ROBERT BLECHL
Staff Writer

After mulling the placement of an “Everyone Belongs” sign at town hall and a subsequent inclusivity resolution, the Bethlehem Select Board on Aug. 14 adopted the resolution, following a revision.

During their meeting on July 31, board member Nancy Strand first resented the proposed resolution.

Other board members, though, held off on adoption after one board member asked if the town needs another resolution in light of Bethlehem already being a welcoming community and another said he supports it, though with some changes in wording.

Since the meeting, Strand and Selectman Mike Bruno met during a work session for the revision.

“This was definitely a process that started with the idea of putting a sign at the town hall lawn,” said Strand. “This is the finished product.”

The adopted resolution reads:

Whereas the town of Bethlehem welcomes all people regardless of age, gender, race, religion, sexual orientation, or any other variable that makes us who we are.

Whereas the town of Bethlehem has a responsibility to all its residents to keep them safe from discrimination, harassment, or from those who want to marginalize others for being different than themselves through prejudice or bigotry.

“We all feel this way and I think it’s important that Bethlehem as a town go on record to tell the world this is how we feel. I think it’s a really important document ...”

— Bethlehem resident Allegra Wright

Whereas recent events in the North Country have singled out the LGBTQ community and other minority groups as not welcome.

Now, therefore, be it resolved by the town of Bethlehem Select Board that the town of Bethlehem will welcome all to our community and that our town services and amenities and properties are available to all who live here and to our visitors passing through, following guidelines and policies that apply equally to all persons.

We are committed to providing a secure, welcome, and safe environment. We are committed to modeling respectful dialogue.

Select Board members Veronica Morris and Bruce Caplain thanked Strand and Bruno for their work.

Bruno said he and Strand worked on the revision for about 40 minutes.

“We went line by line,” he said. “We both went into the discussion that everything can be on the table, but we have things that are important to us and we could explain to each other. I think the product

that we came up with was one that mirrored what we both had in our beliefs.”

Bethlehem resident Allegra Wright, one of several resolution supporters who previously spoke in support, also expressed her gratitude.

“I just want to thank Nancy and Michael for getting together and figuring it all out because it’s really important to our community,” said Wright. “We all feel this way and I think it’s important that Bethlehem as a town go on record to tell the world this is how we feel. I think it’s a really important document ...”

Morris made the motion to approve the resolution, which was seconded by Select Board member April Hibberd. The motion passed 5-0.

The proposed “Everyone Belongs” sign at Bethlehem Town Hall remains tabled as the board studies and considers adopting an official policy for signs posted on municipal property.

Cyan
Magenta
Yellow
Black

August is NH Eats Local Month

Here at the Littleton Food Co-op, when it comes to Local, we’re not messing around. That’s why our shelves are jam-packed with products from over 238 Local farmers, artisans, and producers. It’s also why we jump for joy every time August comes around and we get to join in joyously celebrating NH Eats Local Month.

NH Eats Local promotes buying, supporting, and eating New Hampshire grown and produced food for the prosperity of our community, economy, environment, and culture by connecting Granite Staters with our farmers, restaurants, food producers, markets and farm stands, and other food-related businesses. NH Eats Local is a hub for information to find, support, and eat local food from the Seacoast to the North Country. Created and managed by the NH Food Alliance and its network, they gather resources, like Farmers’ Market guides and Pick Your Own lists, they share stories about farmers, chefs, brewers, and other food producers, they partner with local food-focused organizations and businesses to produce events and share information about issues that intersect with local food, like food access, equity, and the environment, and they rally around local food businesses, organizations, and the economy to continue to grow our vibrant New Hampshire food system.

Most Photos: Dan McMahon • www.DanMcMahon.net
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4.1 oz • Local, Select Varieties
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Local
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½ Gal. • Local
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Deli
Boar's Head Blackforest Turkey Breast
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12 oz • Local
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48 oz • Organic Select Varieties
Alden's Ice Cream
\$6.99



Local • Organic
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News Briefs

Mt. Agassiz Owners Say They Will Continue To Allow Public Access

After requesting and being granted a lot line adjustment by the Bethlehem Planning Board on Aug. 9, and following questions from abutters concerned about development and impacts to nearby roads, the owners of Mt. Agassiz said they have no current plans for development, and they intend to continue to allow public hiking access to the summit.

In December 2021, brothers Trevor and Thad Presby, under TTW LLC, bought the 130-acre Mt. Agassiz property — which features the popular 2,400-foot summit, the highest in the area — for \$500,000.

Since the purchase, the two dilapidated buildings at the entrance at Route 142 have been removed.

Trevor Presby said the 130 acres is divided into five lots with five different deeds and the lot-line adjustment will now put the summit road all on one summit lot/tax map.

In the future, if there's a need to access the other lots, roads would be built for those lots, but that doesn't need to happen now, he said.

Abutters on Mt. Cleveland Road and the private Mountain View Lane and Presidential View Lane voiced concerns about access issues and impacts to those roads and about development at the summit that could, with the steep slope, possibly impact properties below.

Planners, though, said the subject at hand is the lot-line adjustment.

"All we're talking about now is changing the lot lines," said Linda Moore, vice-chair of the planning board. "It's not what's going to happen in the future."

Presby offered to answer questions from abutters.

"We're very excited to own the property," he said. "There are no plans for any development or any change, except for cleaning up old debris and things over there ... Our main goal is to get the

road and other things on one property line."

Presby said what he and his brother would like to do is build a small parking lot to allow hikers to park off the road and leave the property the way it is for right now.

Currently at the summit are dumpsters, and crews have spent the last two months cleaning the entire summit building, he said.

"All the debris is gone, the house is wide open, and people can walk in there and start using it," said Presby. "We are not stopping any hikers from going up there and we want to give them parking at the bottom. That's our goal."

For more than 20 years, the property had been owned by Stan Harrison, who sold it to Blue Sky Towers III LLC, which has a cell tower on the peak and an easement to access it and which a day after that purchase sold it to the Presby brothers.

If that owner had continued to own it, it's likely that all public access would have been shut down, said Presby.

"At this point, there's five lots and we're not changing that," he said. "We're just changing the lines and are not asking for a subdivision and not asking for housing."

The property is named after 19th-century naturalist and biologist Louis Agassiz.

For much of the 20th century, it was run as a for-profit tourist attraction.

Decades ago, a commercial ski enterprise had been planned on the property, but it did not come to fruition.

Drag Story Hour Tensions Trigger New Board Procedures

LANCASTER — By unanimous vote, the select board on Aug. 7 adopted formal rules for the way it conducts meetings.

The 12-page Rules of Procedure were crafted in response to a series of contentious meetings earlier this year, where the debate over a Drag Story Hour event became heated.

Among other things, the Rules of Procedure are meant to allow board members and residents to discuss and debate matters of public concern in a courteous and respectful manner, and remove perceptions of bias.

The "Select Board Rules of Procedure" sets rules for public input. It allows members of the public to speak during public hearings or public comment periods, with a three-minute time limit.

However, the rules give the "presiding officer" the discretion to allow public input at other times. Those comments would be limited to "the motion under consideration."

The presiding officer — the ranking member of the board present, either the chair or the vice chair — will be responsible for preserving order and decorum and "shall decide all questions of order or procedure."

Town Manager Ben Gaetjens-Oleson drafted the Rules of Procedure at the direction of the select board.

While they may require adjustment, Gaetjens-Oleson said, "I do think this is definitely a good start ... for everybody to know what the expectations are."

Rules of Procedure are common practice for select boards in New Hampshire and most boards permit a public comment period, even though it is not mandated under state law (except as required in a public hearing).

Chair Troy Merner has said the Lancaster board's previous "loosey goosey" approach to public input had exacerbated tensions surrounding Drag Story Hour.

Discussion of the topic at select board meetings on May 15, June 5 and June 19 had been "a circus," he said.

During the June 19 meeting, three Drag Story Hour opponents spoke without interruption, and then LGBTQ+ resident Teri Anderson's remarks were cut short by Merner.

Merner subsequently apologized to Anderson and they both agreed that uniform Rules of Procedure were necessary to maintain order — particularly when subject matter was controversial.

Merner said his failure as board chair to consistently set and enforce guidelines was the root cause of the heated exchange with Anderson.

"I was wrong. I take full responsibility," he said.

Before the vote to adopt on Monday, the select board amended the Rules of Procedure to include a preamble written by Anderson.

It reads as follows:

"The Citizens of the Town of Lancaster are entitled to have fair, ethical and accountable local government which has earned the public's full confidence for integrity. The Select Board is the executive and administrative body that has the only authority granted to it by state law and carries out the votes of the Town Meeting. In addition to specifically assigned roles and powers, the Select Board has the broad duty to, "manage the prudential affairs of the Town." The Select Board is to demonstrate the highest level of professionalism, leadership and public service."

Duties and Responsibilities of the Select Board: Members shall make every effort to attend each meeting, having prepared and read materials in advance. Members are to be fully expected to be fully aware of, and compliant with, NH RSA 91-A regarding the public conduct of Town business.

Duties and Responsibilities of Visitors to Meetings: Visitors may be permitted to address the Board on any topic properly on the agenda. No person shall address the meeting without leave of the Chair, and all visitors shall address the Board through the Chair. Visitors wishing to address the Board will be asked to rise, state their name, place of residence, and purpose addressing the Board."

11-Lot Subdivision Proposed Near Whitefield Town Line

An 11-lot subdivision in Dalton is being requested, though Dalton planners have postponed their approval until they first obtain a copy of the state driveway permit application and determine that water runoff from logging hasn't impacted abutters, as some abutters allege.

Chet and Janet Savage, of Lancaster, are proposing the development on 80.33 acres accessed off of Route 142 and Mirror Lake Road, at the Whitefield town line, and with 1.33 acres in the town of Whitefield.

The proposed subdivision includes a private road accessing most of the lots, along with an existing private right-of-way for access to three existing lots on the nearby Mirror Lake.

During a public hearing of the Dalton Planning Board on Aug. 2, Chet Savage said the project also entails the rerouting of a snowmobile trail, which would be done before he would sell a piece of property.

His attorney, Jay Riff, has prepared a declaration of restrictive covenants, which will stipulate who will maintain and own the private road.

There are six restrictions, said Savage.

"Mobile homes are not allowed on any lots," he said. "Double-wide mobile homes are allowed if they are attached to a full foundation. No unregistered vehicles are allowed on any lots. Animals are allowed, but they cannot be a nuisance to any lot owner. Seasonal camping is allowed, provided the camper is registered. Lots 5 and 6 are the only lots that have access to Mirror Lake."

See **News Briefs**, Page 5

ON THE COVER: Katherine Fiegenbaum tubes down the Ammonoosuc River through downtown Littleton on Friday, Aug. 11, 2023. (Photo by Paul Hayes)

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News Briefs

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The rest of the covenants pertain to roadway maintenance.

Although he hasn't finalized it yet with Riff, Savage said he wouldn't want to see a lot of people target practicing with guns and making noise.

"We did address it and it will be put in the covenants," he said.

Planning Board Chairman Carl Lindquist asked what happens if five years from now a lot owner has a complaint about another lot owner.

There is a mechanism to address that, and lot owners can create a homeowners association with rules, said Riff.

"The homeowners association is the fallback," he said. "Other homeowners have the ability to enforce it."

Where a lot is located will determine the percentage an owner pays for road maintenance, with owners in the back of the subdivision paying more than those up front, said Savage.

The planning board's legal counsel will need to review the covenants, said Jo Beth Dudley, planning board ex-officio member.

Lindquist said lot owners also need to be aware that a logging road passes over three or four properties.

Several abutters at the hearing said the tree-clearing on the property that was done two years ago has changed the water flow, which they said flows under some existing nearby homes or beside them, and the logging has caused a problem that didn't exist before.

Earlier in the meeting, Savage asked for a conditional subdivision approval, contingent on the state approving the driveway permit, which is expected to take six to eight weeks to process.

But planners said additional documents need to first be reviewed and the water complaints explored before they can grant a town approval.

At the moment, planners can't judge whether water flow is a serious problem or not, but some neighbors are saying there's a new problem that wasn't there to the same degree as before and it doesn't seem unreasonable that some part of the logging operation changed something, said Lindquist.

He said it's also reasonable that a letter be sent to the snowmobile club informing the club of the proposed trail reroute.

Dudley said the board needs to see a copy of the New Hampshire Department of Transportation driveway permit application with road specifications so Dalton's road agent can review it to determine if it meets town standards, and the board also needs to see a hydrology report, along with town counsel reviewing the proposed covenants.

Savage suggested that photographs be taken to determine if water entering the property of an abutter is coming from his property.

Muddy Paw Sled Dog Kennel Sues State For Land Access

Muddy Paw Sled Dog Kennel, which since 2007 has offered dog sledding adventures for

Littleton: Reading Specialist's Premature Granddaughter Making Big Strides

Nearly three years ago, Baby Sienna, granddaughter of Melinda Morisette, Lakeway Elementary School's reading specialist, was born almost four months premature, at 23 weeks.

The daughter of Hardwick natives Will and Megan Hay, who currently live in South Carolina, Sienna spent five months in the neonatal intensive care unit (NICU).

The early weeks were uncertain after her weight dropped to 13 grams and she was given a 50-percent survival rate.

Local residents as well as Littleton's Lakeway school community, which organized a fundraiser and campaign in late 2020 called "Sienna Strong," rallied around Sienna, who turns 3 in November.

In the past two years, Sienna has made great strides.

On July 28, she graduated from physical therapy.

"I am very proud of all the progress she has made," said Morisette. "She is doing amazingly well."

Morisette said she is also proud of Will, her son-in-law, for recently publishing a picture book titled "The Littlest Penguin: A NICU Story," which chronicles Sienna's journey and offers support and a message of hope for other NICU parents with children born premature.

"He had a dream and made it become a reality," said Morisette. "He and Megan are the perfect parents for Sienna. They both support her in every way possible and do all they can to provide everything that can help Sienna's continued progress."

Will Hay said Sienna's journey has been a long road, and while she has completed physical therapy, she still has weekly occupational and speech therapy, has a feeding tube, although she can now eat by mouth, and still has a few specialists she follows up with several times a year.

"But she's doing great," he said. "It's amazing how much progress she makes. Once she finishes her therapy, there won't be much more."

Hay described a daughter with a perpetual smile on her face.

"She's always a happy little girl and so smart," he said. "She can count to 20, knows her a-b-c's, and all her body parts. She's enrolled in swimming, dance, and soccer. She loves Minnie Mouse, dolls, baking, swimming, and playing outside."

Hay detailed the process of writing his book.

"I've always wanted to write a book, but didn't know what to write about," he said. "But when Sienna came along, it made sense to me."

He began diving into the book five months ago, and in June, self-published it on Amazon.

The synopsis reads: "Sienna is a baby penguin who was born in the NICU. She has to face many challenges and obstacles, but she has also received a lot of love and care from her parents, doctors, nurses, and friends. This is a heartwarming and inspiring story of courage, hope, and healing for anyone who has ever been in the NICU or knows someone who has. Join Sienna as she goes from NICU to home, and discovers a whole new world of adventures waiting for her!"

Hay said, "It's a good way to connect with other NICU families, especially families that are going through it now. We try to give back as much as we can."

After Sienna came home, Megan and Will have been doing a yearly fundraiser around her birthday and Christmas, when they gift all of the NICU families with books, journals, blankets and more, things that he said will hopefully give them a little cheer around the holidays while they're in the hospital.

For one week in July, Will, who works at Bank of America in Charlotte, North Carolina, and Megan, who works for a hospice agency, visited Vermont.

It was Sienna's first time to her parents' home state.

"She's able to travel and we wanted her to meet her cousins and her aunts and uncles and extended family members for the first time," he said.

On the New Hampshire side, Morisette briefs her friends and students on her granddaughter's strides and achievements.

"I keep my colleagues at Lakeway up to date with Sienna's progress every chance I get," she said.

families, has filed litigation against the New Hampshire Department of Natural and Cultural Resources, arguing that the department is no longer letting it cross the state-owned recreational rail trail to gain access to two of its parcels of land in Jefferson.

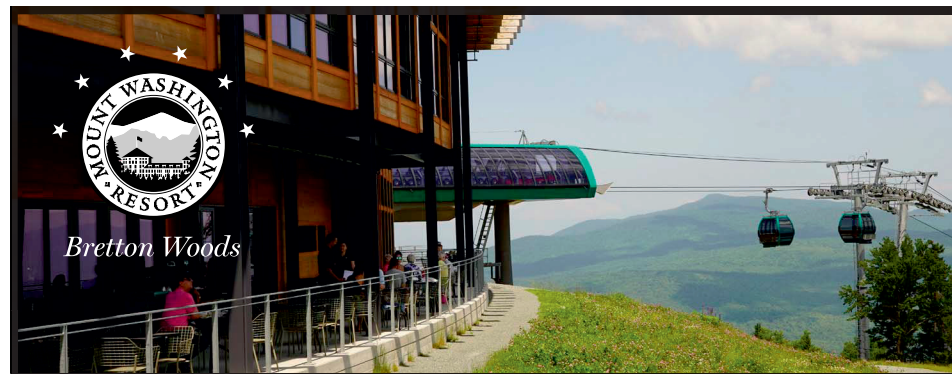
DNCR argues that the prior special use permit for crossing was temporary and not intended for commercial use and the public interest outweighs Muddy Paw's request that asks the court to prohibit DNCR from blocking access to its land via the rail trail or gravel road crossing.

In 2013, Muddy Paw acquired five parcels of land in Jefferson, two of which related to the lawsuit filed on June 23 at Coos Superior Court and went to a court hearing on Aug. 10.

The first of the two parcels fronts Valley Road, but is intersected by the old railway bed, which now makes up a segment of the Presidential Recreational Rail Trail, which is owned and managed by the DNCR, according to the lawsuit.

The second parcel is landlocked and has no public or private roadway frontage and is not accessible without accessing other parcels or the south branch of the Israel River.

While it is possible to access the second parcel from a portion of the first that is south of the rail trail, the southern portion of the first parcel can only be accessed by crossing over the rail



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OMNI MOUNT WASHINGTON

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Obituaries

Susie Jean (Roberts) King

On Aug. 6, 2023, Susie Jean (Roberts) King passed away tragically in a motorcycle accident 22 hours after her husband of 49 years.

Susie was born to Edwin and Stella Roberts on June 28, 1957. She was raised in Norwich and attended Hanover HS and Norwich Academy. On Oct. 26, 1974, she married Dan King and they moved to Lancaster in 1982. She owned and operated a house keeping business for the last six years. She loved her work and had a close relationship with her clients who she appreciated greatly and thought of fondly. Susie was a proud member of the Bethlehem Eagles club of which she was Past Madame President.

She most enjoyed spending time with her family and especially her grandchildren. Susie loved the outdoors, fishing, hiking, and riding motorcycles. Music and dancing were a great passion of hers. She was loving and kind to everyone, she touched many lives. She was known as "mom" to many friends and extended family.

Susie is predeceased by both her parents and four siblings Daniel, Raymond, Barbara and Florance (Tootie).

She is survived by her two children: son Charles King, wife Nicole and grandchildren Chelsea Jesse and Patience as well as her daughter Rhonda King-Clarke and step granddaughter Jaya. She has three remaining sisters Dorothy, Lila, and Leola. As well as many nieces, nephews and "adopted" children that she loved dearly.

Memorial visiting hours will be held for Dan & Susie King on Saturday, Aug. 19, from 3 p.m. - 6 p.m. at the Bailey Funeral Home, Lancaster.

A celebration of life will be held at Roger's Campground, Lancaster, on Saturday, Sept. 23 starting at 2 p.m.

Donations in lieu of flowers may be made to the Golden Eagle Fund, c/o the Littleton NH FOE 2629, 793 Main St, Bethlehem, NH 03574.

Please go to baileyfh.net for more information or to send an online condolence.



Roberts on Oct. 26, 1974, and they moved to Lancaster in 1982.

He was the Assistant Chief on the Lancaster Fire Department of which he had been a member since 1984. Dan was a proud member of the Eagles Club serving two terms as State President. He was also a member of the VFW of Littleton, N.H. He enjoyed the outdoors, including fishing and boating and loved riding motorcycles. Dan was a pillar of his community. He was loved by many and touched so many lives. His family was the most important aspect of his life and his greatest treasure. His sense of humor and joyous laughter will be remembered by all and greatly missed.



Dan is predeceased by both of his parents.

He is survived by his two children: son Charles King, wife Nicole and grandchildren Chelsea, Jesse, and Patience as well as his daughter Rhonda King Clarke and step granddaughter Jaya. He has four brothers: David, Bruce, Doug, and Steve as well as his sister Debbie. Dan also had

many nieces and nephews that he loved dearly.

Memorial visiting hours will be held for Dan & Susie King on Saturday, Aug. 19 from 3 p.m. - 6 p.m. at the Bailey Funeral Home, Lancaster.

A celebration of life will be held at Roger's Campground, Lancaster, on Saturday, Sept. 23, starting at 2 p.m.

Donations in lieu of flowers may be made to the Lancaster Fireman's Association, 25 Main St., Lancaster, NH 03584.

Please go to baileyfh.net for more information or to send an online condolence.

Joyce McCulloch Tucker

Joyce lost her valiant fight with cancer on Aug. 9, 2023. She was born on Memorial Day, May 30, 1955, to Betty H. McCulloch and Norman C. McCulloch. Throughout her childhood she always thought the Memorial Day parades were in her honor.

Joyce started her career at George T. Noyce insurance in Bethlehem and later for Geo M. Stevens insurance in Littleton. Joyce worked over 40 years in insurance and was always willing to help her clients. After retiring, she and her husband Daniel had the opportunity to travel the U.S. in a motorhome, visiting many family members and friends along the way.

Joyce served as a den mother for several years for the Bethlehem Cub Scouts and was active in the Bethlehem Ski Club. She



was a trustee on the Bethlehem Public Library Building Committees for several years. Her efforts on the committee helped build a new town library and she continued to be an active member of the Bethlehem Public Library.

In her free time, Joyce enjoyed pickleball, golf, crocheting, quilting, and knitting. She learned how to play various instruments including the guitar, piano, ukelele, and dulcimers. She was always willing to play her instruments for anyone. When she wasn't playing her instruments, she was learning many different foreign languages to include French, Spanish, Italian, and German.

She is survived by her husband Daniel C. Tucker, her son Benjamin Tucker and daughter in law Breanna Tucker, daughter Lindsay Tucker, sister Brenda Schmucker and brother in law Kurt Schmucker, niece Megan Sottak and her husband Tim Sottak along with their children Jasper, Rowan, Daya, nephew Kyle Schmucker and his wife Sara along with their son Kristopher, her Uncle Kenneth McCulloch and his wife Donna McCulloch, cousin Kenneth Hicks and his wife Debbie Hicks, cousin Allison Deegan and her husband Patrick Deegan, cousin Alan McCulloch and his wife Lori McCulloch, sister in law Anna Miner, brother in law George Tucker III, and many more relatives.

At Joyce's request, there will be no funeral services and in lieu of flowers, charitable donations can be made to the Bethlehem Public Library or the Norris Cotton Cancer Center at either the St. Johnsbury, Vt. or Lebanon, N.H. location.

Patricia Anne Harris

Patricia Anne Harris of St. Johnsbury, Vt., passed away in her home on Wednesday, Aug. 9, 2023 surrounded by her family and close friends.

Born to Lyle and Hilda Huntoon (Perkins) on Aug. 23, 1950 in Whitefield, N.H., Pat was the youngest of three children. She was predeceased by her parents; her brother, Wayne Huntoon; and her sister, Lila (Reis) Goshen.

She is survived by her husband of almost 50 years, Frederick Harris; daughter, Kim Fontaine, of Concord, Vt.; son, Adam Harris and his partner, Lisa of Vermont; grandson, Alexander Belliveau of Lyndonville, Vt.; cousin, Judy Russell of Whitefield, N.H., her great-grand-dog Copper; and by Fred's many beloved family members.

Per Pat's wishes, there will be no services at this time. The family will plan a gathering at a later date to be announced.

Memories and condolences may be shared with the family at CaledoniaLifeServices.com

**Daniel William King**

On Aug. 5, 2023, Daniel William King passed away tragically in a motorcycle accident.

Dan was born & raised in Etna, N.H. to Florence and Charles King on March 4, 1956. He was a graduate of Hanover High School and served in the U.S. Army Reserves. He married Susie

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**Barbara Roxanne Dexter-Bolduc**

Barbara Roxanne Dexter-Bolduc, 62, of Littleton, N.H., passed away on Wednesday, Aug. 9, 2023.

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5. One Creative Natives \$200 gift certificate
6. One \$200 Prepaid Mastercard
7. One \$200 Prepaid Visa Card

NOTICE:

If you can't make this, remember Moose Festival will also be held in Canaan, VT on Saturday, August 26th, 2023

Former State Sen. Jeff Woodburn To Appeal Criminal Mischief Convictions

BY ROBERT BLECHL
Staff Writer



During a Coos Superior Court hearing on Thursday, ex-state Sen. Jeff Woodburn, seen here being sworn in by his attorney, Mark Sisti, announced his intent to file what would be a second appeal with the N.H. Supreme Court, this one seeking a new trial on his May 2021 criminal mischief convictions. (Photo by Robert Blechl)

LANCASTER — Five months after the New Hampshire Supreme Court reversed his two domestic violence/simple assault convictions, ex-state Sen. Jeff Woodburn plans another Supreme Court appeal in an attempt to reverse his two criminal mischief convictions.

During an 80-minute hearing on Aug. 10 at Coos Superior Court, both parties declared their intent to go forward with a new jury trial, currently scheduled in March 2024, for the domestic violence/simple assault charges.

Afterward, the prosecutor, Myles Matteson, assistant New Hampshire Attorney General, asked the court to impose its 30-day Coos County House of Correction sentence for the criminal mischief convictions that were upheld by the Supreme Court, which he said has already decided the matter.

Woodburn's attorney, Mark Sisti, argued that Woodburn had ineffective prior assistance of legal counsel because his attorney should have severed the criminal mischief charges from the domestic violence trial, and by placing them in front of the same jury, she unfairly prejudiced his client.

He also argued that the 30-day criminal mischief sentence handed down by Judge Peter Bornstein in July 2021 was predicated on Woodburn being a continuing domestic abuser, which is now in question after the latter convictions were overturned.

The judge rejected both arguments, though he agreed to postpone the imposition of the criminal mischief sentence until the Supreme Court renders a decision.

The high court has the option to take an appeal and make a determination as to whether the trial court erred or to reject an appeal and not hear it.

In May 2021, Woodburn, 58, a Democrat from Whitefield, was convicted by a jury on four of nine Class A misdemeanor counts that charged him with assaulting his former fiancée, Emily Jacobs, 40, and damaging her property.

The four convictions were one count each of domestic violence and simple assault for biting the hand of Jacobs during a struggle over a cell phone in a car in December 2017, as well as two counts of criminal mischief, the first for kicking and breaking the door of Jacobs' clothes dryer, in August 2017, and the second for kicking in and damaging the locked door to her residence in Jefferson on Dec. 24, 2017.

The jury found Woodburn not guilty on five charges, which were a second count of domestic violence, three counts of simple assault, and one count of criminal trespass.

Woodburn took the stand during Thurs-

day's hearing to say he has no recollection of having a conversation with his prior attorney, Donna Brown, about severing the charges.

"They're separate and distinct cases," Sisti told Bornstein. "The two criminal mischief charges should have been severed from any domestic violence ... They're not related. They're different time periods ... If that was a strategy to bring them all together, that was not a good strategy. Three separate juries, that's fine. One jury, that's suicidal. I think that made a difference in the outcome of the case."

Matteson, however, argued that Woodburn was convicted for the charged conduct that he admitted to during the trial and that he has also not met the two prongs needed for a new criminal mischief trial — that he had constitutionally deficient legal counsel and the jury was prejudiced.

"He was acquitted of the charges he did not admit to and convicted of the charges he admitted to," said Matteson.

The judge agreed, and said the jury's guilty verdicts on the two criminal mischief convictions were based on Woodburn admitting to his conduct and Woodburn has not shown a reasonable probability that severing the charges for a separate trial would have resulted in a different outcome.

He denied Woodburn's motion arguing ineffective legal counsel.

Matteson then asked Bornstein to impose the sentence that the judge handed down in July 2021 for the two criminal mischief convictions — 12 months in the HOC for kicking the clothes dryer door, which was all suspended on condition of good behavior, and 12 months in the HOC for kicking in the locked

door to Jacob's home, all suspended except for 30 days to serve, making for a total 30-day jail sentence.

Sisti, however, argued that the second sentence should be fully suspended and that the basis for the sentencing was on Woodburn being a continuing domestic violence abuser, but that is legally no longer the case.

Sisti asked the judge to look at Woodburn's sentence like every other property crime in Coos County, where he said he's never seen a first-time offender like Woodburn serve time behind bars.

"These are fairly minor with regard to damage," said Sisti, adding that the court should consider the nature of the sentences independently.

Bornstein said he did consider the sentences independently, and he does with all sentences.

"In this case, there were two property crimes," said Bornstein.

Kicking the clothes dryer door occurred in August 2017 followed by kicking in the locked house door in December 2017, he said.

"Not to minimize kicking a dryer door, but that's not the most heinous kind of criminal mischief, at least that I've encountered over the years," said Bornstein. "Kicking in the door to the victim's home and damaging the door and the door casing is ... at least I concluded, more serious and warrants some imposition of stand committed time based on the nature of that charged conduct," he said. "I see no reason to reconsider the same sentences."

Bornstein, who said he would render the same sentence today, denied Sisti's request to amend the sentencing order for fully suspended criminal mischief sentence.

Following the denial, Sisti said he and Woodburn anticipate appealing the superior court's denial of their motion for new trial and asked that the court stay the criminal mischief sentence and allow Woodburn to remain free on bail.

"He's been out on bail for a considerable amount of time and is not at risk to not appear and his behavior has been appropriate," said Sisti. "I ask you stay the sentence and allow us to file an appeal with the New Hampshire Supreme Court within 30 days."

Matteson said the state will take no position.

Bornstein granted the stay and allowed Woodburn to remain free on bail as his appeal for a new criminal mischief trial pends at the Supreme Court.

In its March order, the Supreme Court reversed Woodburn's domestic violence/assault convictions on the grounds that Woodburn should have been allowed to present a self-defense argument to the jury, but was prevented from doing so by the trial court.

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trail, said Megan Carrier and Cassandra Rodgers, attorneys for Muddy Paw Land Holding LLC.

An easement allowing access to the parcels via a right-of-way across the railroad bed does exist and was recorded in 1930 with DNCR's predecessor, the Boston and Maine Railroad, and "the purpose of the existing easement — access — remains relevant today," they said.

"In order to gain access to those areas of land, it remains necessary to cross the rail trail," said the attorneys.

Absent an access easement across the rail trail, the two Muddy Paw parcels cannot be used without "disproportionate effort or expense," they said.

Citing past rulings from the New Hampshire Supreme Court, Carrier and Rodgers said it would be reasonable and practical to relocate the easement to the intersection of the rail trail and the existing gravel road, with no burden on the DNCR.

They said that Muddy Paw had been able to access the parcels from 2013 to 2022 under a special use permit, which is why Muddy Paw, confident that permanent access would be established, felt comfortable buying the parcels in 2013.

But in 2021 or 2022, the attorneys said Muddy Paw was informed that the permit had expired.

According to the litigation, DNCR requested nearly 50,000 square feet of easement area in exchange for about 5,000 square feet of easement area Muddy Paw required to access the parcels, the disparity of which Muddy Paw was uncomfortable with and which prompted it to propose several alternatives, said Carrier and Rodgers.

On March 31, legal counsel for Muddy Paw received an email from the DNCR's counsel stating that DNCR is no longer interested in trying to identify a crossing and no longer wants to continue conversations, they said.

In April, Muddy Paw received a letter stating DNCR intended to block the gravel road crossing.

"For various reasons, a decision by DNCR to block access to the parcels would have a devastating impact on Muddy Paw's business operations," said Carrier and Rodgers. "Muddy Paw requires access to the parcels for the purposes of turning dog teams around. There is no other safe location to turn dog teams around and, unwilling to put dogs at risk, Muddy Paw will likely be forced to cancel rides if it is unable to access the parcels from the rail trail with dog teams."

The concern is present in the summer, when dog teams pull wheeled carts, as well as in the winter, when they pull sleds, they said.

Legal counsel for DNCR said Muddy Paw should expect to no longer have direct access of any kind from its land onto or over the trail system after June 30, said Carrier and Rodgers.

In its four-count complaint, Muddy Paw requests preliminary and permanent injunctive relief asking the court to prohibit DNCR from blocking access to the parcels via the rail trail or gravel road crossing requests declaratory judgment to allow relocation of the existing easement, and seeks attorney's fees and costs.

In an objection to the requested injunction, Lawrence Gagnon, the New Hampshire Department of Justice attorney representing DNCR, argues that the request is moot because the crossing was already blocked following a 30-day notice and an additional 30-day extension to accommodate Muddy Paw.

"Plaintiff contends that they have no other means of accessing their property, while failing to acknowledge that they can access all parts of their property without the crossing via other public roadways and with the construction of a bridge on their own property," said Gagnon. "Instead they argue only that the crossing would be more convenient for their commercial purposes. Further, the crossing was previously authorized pursuant to a

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temporary special use permit for plaintiff specifically excluding commercial use of the crossing ... commercial use of the crossing [is] in direct violation of the trail's purpose."

It is also unclear if Muddy Paw is the true successor of the prior easement and Muddy Paw "was on notice that any crossing granted would be temporary unless an exchange could be arranged and approved by Governor and Council" ... and "the parties had come to a tentative agreement that was later canceled by plaintiffs' representatives," he said.

Gagnon argues that Muddy Paw is unlikely to succeed on the merits of the litigation, DNCR land is public land not subject to takings by private parties, the plaintiff has failed to plead "easement by necessity" and cannot create or significantly expand an existing easement for convenience, and the balance of the public interest outweighs the injunctive relief requested.

He asks the court to deny Muddy Paw's request.

According to the case summary viewed on Friday, the judge is taking the parties' arguments from Thursday's preliminary hearing under advisement, and no court decision has been rendered.

Eleven Veterans Honored With Quilts Of Valor

LITTLETON — In the largest local Quilts of Valor ceremony to date, 11 veterans were honored with quilts on Aug. 13 at the Littleton Veterans of Foreign Wars Post 816.

"Catherine Roberts [of Iowa] founded the Quilt of Valor Foundation in 2003 when her son was serving in the Iraq War," said Karen Locke, member of the local Sew Far North Quilts of Valor group that was founded in July 2021. "She envisioned the comfort that a quilt could give to someone touched by war This organization is celebrating our 20th year of service to veterans this year."

Sunday's ceremony honored veterans from Littleton, Bethlehem, Coos County, the Northeast Kingdom, and Maine. See full story at www.CaledonianRecord.com

New Hampshire's First African-American Judge Honored In Colebrook

On Aug. 11, the New Hampshire Supreme Court unveiled an official portrait of Judge Ivory Cobb (1911-1992), who served as a judge in the Colebrook District Court from 1964 until his retirement in 1981.

Judge Cobb is the first African-American jurist in the history of New Hampshire.

"Judge Cobb was a trailblazer among New Hampshire jurists," said Supreme Court Senior Associate Justice Gary Hicks, of Colebrook. "As the first African-American jurist in New Hampshire, Judge Cobb was committed to equal justice under the law. This was not just a professional standard for Judge Cobb. Instead, it was the calling of his lifetime. He was a true believer in the ideals of America and was determined to make his community and his country a more perfect union."

See full story at www.CaledonianRecord.com

State, Local Clubs Assess Rain-Damaged OHRV Trails

As rain storms hammer New Hampshire, state-owned and private OHRV trails have incurred damage and washouts, leaving state crews and local clubs scrambling to assess, repair and reopen trails as quickly as possible and leaving local communities feeling the economic impact from trails that remain off-limits.

"We've had a lot of damage this summer, similar to the last few summers, actually," Craig Rennie, chief supervisor of the New Hampshire Trails Bureau, said Aug. 9. "The worst of the damage appears to be in Pittsburg and the Swanzy area. There are some other smaller washouts around the state, but those are the two hardest-hit communities. There are still trails closed in Pittsburg."

See full story at www.CaledonianRecord.com

Nursing Home Continues To Cope With Staff Shortage

WEST STEWARTSTOWN — The Coos County Nursing Hospital continues to cope with a staffing shortage.

In a report to the Coos County Commissioners on July 12, Hospital Administrator Laura Mills said the nursing hospital had more than 30 full-time vacancies.

There are 420 open hours for Registered Nurses and Licensed Practical Nurses (10.5 full-time equivalents) and 812 open hours for Licensed Nursing Assistants (20.3 FTE), Mills said.

See full story at www.CaledonianRecord.com

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Kings Remembered For Positive Impact On Community

BY PAUL HAYES
Staff Writer

NORTH COUNTRY — Dan and Susie King were not wealthy.

But the high school sweethearts possessed qualities that money can't buy.

Together — because they were always together — they were a positive, affable, generous, caring, and supportive presence in the North Country.

"They were bright threads tightly woven into the fabric of our community," said longtime friend Mike Kopp of Lancaster.

Those threads were plucked too soon earlier this month.

The Kings died following a motor vehicle accident on Aug. 5 to the shock of those whose lives they touched.

The Dalton couple had many friends, family and acquaintances, and their tragic deaths set off a wave of mourning across the region.

"The Kings were widely known and widely liked by the greater community," Kopp said, "because it was easy to know them and it was easy to like them."

Dan, 67, and Susie, 66, met at Hanover High School, moved to Lancaster in 1982, and led blue collar lives.

Susie was a longtime self-employed house cleaner up until her death. Dan, who retired last year, held a series of jobs,

including manager of the Lancaster Jiff Mart and cook for many establishments (99 Restaurant in Littleton, Morrison Skilled Nursing Facility in Whitefield, and Olde Susannah's Restaurant and Country Village Center in Lancaster).

Humble and hard working, they raised two children (Charles and Rhonda) and were active in the community.

Dan and Susie were longtime members of the Fraternal Order of Eagles in Bethlehem and held state leadership positions: Dan a former state worthy president (like two of his brothers) and Susie a former state madame president.

Dan also served 24 years on the Lancaster Fire Department, rising to the role of deputy chief.

"They would do anything for anybody," said former LFD member Mike Currier. "Both of them were happy go lucky, always smiling and laughing, and if somebody was in need they were the first to step up."

"They didn't have much, but what they did have they shared, or tried to."

Lancaster Police Chief Tim Charbonneau said he frequently drew inspiration from the Kings.

"I never remember [Dan] being so down that he couldn't crack a joke. He always found the good in everything, even when there wasn't good to be found. And Susie was always very upbeat," Charbonneau said.

The Kings had been married 48 years. Many described them as a devoted, inseparable couple.

Former Lancaster Fire EMT Lori Robinson-Comeau said that, shortly after she met Dan, "I ran into he and Susie at Shaws in Lancaster ... The way he introduced her to me, I knew this was a very special couple. He said "This is my Susie, the love of my life." Well, if that didn't say how he felt about her I don't know what does. The whole time she looked at him with a huge smile and was so proud."

Over the years the Kings frequently rode motorcycles and later a Can-Am Spyder trike together. They were riding in the Spyder when last weekend's fatal crash occurred.

"In the summer you could guarantee seeing them together on the motorcycle/trike wherever they went. It was their thing. Both in their leather and bandana. Susie once said, "Just because we're senior citizens doesn't mean we have to act or look like it, we're young at heart and we don't plan on that changing anytime soon," Robinson-Comeau recalled.

The Kings also fished, traveled and did other things together.

Dottie Strout, Susie's older sister, fondly recalled a trip to a Fraternal Order of Eagles' national convention in Phoenix, Ariz., two years ago when Dan and Susie went for a float in the hotel's lazy river.

"Danny went to move and he flipped over the inner tube and Susie tried grabbing him and she flipped over. Everybody around them was applauding, it was funny," Strout said. "The two of them always had a good time."

Strout said that Susie (the youngest of eight) had the energy "of an Energizer bunny."

"She was awesome, I can't fathom I'm not going to have my baby sister anymore," she said.

A celebration of life will be held at Roger's Campground on Saturday, Sept. 23 at 2 p.m.

There, friends and family will gather together to share stories and celebrate life of Dan and Susie. All agree, they will be missed.

"They were wonderful friends to everyone," Strout said. "You missed out on something if you didn't meet them, because they just treated everybody great."

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Dan and Susie King (Courtesy Photo)

Obituaries

Continued from Page 6

Barbara was born to Clifton "Mutt" and Bernice (Estes) Dexter on Dec. 22, 1960, in Woodsville, N.H. She graduated from Littleton High School in 1979 and went on to graduate from the New England School of Beauty in the early 80s. Over the years Barbara worked as a manager at several NH State liquor stores, and as a housekeeper at the original Littleton Regional Hospital.

She enjoyed British comedies, cooking, and serving God. Barbara devoted her life to helping people and being a wonderful mother. She always thought of others before herself and had an incredible work ethic.

Barbara is survived by her son, Jeremy Bolduc of Littleton, N.H.; her husband, Philip Bolduc of Littleton, N.H.; her brother Billy Dexter (Cheryl) of Bethany, Mo.; her sister Maureen Dexter of Littleton, N.H.; and several cousins, nieces, and nephews.

In addition to her parents, Barbara was predeceased by her brother, Gary Dexter.

A graveside service will be held at the Bath Village Cemetery on Monday, Aug. 14, 2023, at 1 p.m.

Memories and condolences may be shared with the family at CaledoniaLifeServices.com

Yolande Bates

Mrs. Yolande Bates, of Waterford, Vermont, passed peacefully on July 30, 2023 after a long and beautiful life. She was born on Jan. 31, 1932 in Barton, Vt.

She grew up in a French speaking home in St. Johnsbury where she met her husband, Edward Bates. They were married on Dec. 27, 1952 after meeting at the roller rink where she quite literally fell into his lap. She worked as an insurance agent and assisted her husband in the property management of Waterford Springs for 35 years. She enjoyed welcoming guests from around the world and loved showing them their little corner of Vermont. They built a beautiful home to retire to in Waterford, Vermont. Her hobbies included bowling club, music, her church, playing bingo, cooking, snowmobiling in the winter as a young lady and fishing into her prime years. She loved spending time with her family. She spent her final years at Meredith Bay Colony Club.



Yolande is predeceased by husband Edward Bates and son Michael Bates; her parents Osias and Paula LaRose; brothers Paul and Maurice LaRose and sisters Theresa Bessette and Rollande LaRose.

She is survived by her sister Jacqueline Greenwood of Webster, Florida; daughter Barbara Hinerth and husband Alan Hinerth of Bethlehem, N.H.; and her son Rodney Bates and wife Patricia Bates of Laconia, N.H. She had many loving grandchildren: Connor Bates, Jaime Bates, Hilary Raulinaitis (husband Bill and children William and Bodhi Raulinaitis), Erika Taggart (husband John Taggart), Eliza Forsman (husband Michael Forsman and children Alexa and Johnathan Boutin- and his daughter Paisley Calais Boutin). She also had a large and loving extended family.

There will be a funeral mass at St. John the Evangelist Church in St. Johnsbury, Vt. in the near future, date to be determined. She will have a private burial. In lieu of flowers, donations can be made to a hospice organization of your choice.

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Neighbors in Action, a non-profit community organization based in Cabot, Vermont with a secondary location in Lyndonville, Vermont is seeking a qualified candidate to serve as Executive Director.

This part-time (20 hours per week) position serves as the leadership for a 5 person staff plus over 30 volunteers. The Executive Director serves as Neighbors in Action's primary spokesperson to the organization's constituents, the media and the general public, manages personnel, establishes and maintains relationships with various organizations throughout the state and utilizes those relationships to strategically enhance Neighbors in Action's mission.

In addition, this role is responsible for strategic planning and implementation, planning and operation of the annual budget, overseeing organization Board and committee meetings, marketing and other communications efforts, and reviewing and approving contracts for services.

For almost twenty years Neighbors in Action has provided food shares to low-income community members residing in Cabot and surrounding towns as well as the Northeast Kingdom of Vermont. We offer enriching programming for older Vermonters as well as programs for youth, families, and individuals focused on nutrition, well-being and self-sufficiency skills. Neighbors in Action also hosts an online farmer's market, the Cabot Harvest Hub, which connects local gardeners, farmers, and artisans with their neighbors, which helps to build our hyper-local economy and spur growth of these entrepreneurs.

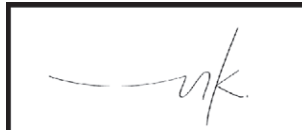
Interested candidates should submit a cover letter and resume to Elizabeth@NeighborsinAction-VT.org. This position will remain open until filled. More information can be found at: <https://www.neighborsinactionvt.org/job-openings>

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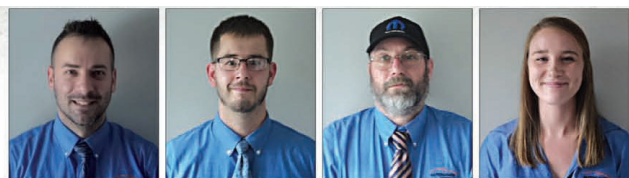
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