

**Town of Gilmanton**  
**Minutes of the 2018 Deliberative Session**  
**Saturday, February 10, 2018**

**FIRST SESSION: (92 of 2,579 Voters = 4% Voter Turnout)**

**FIRST SESSION:**

**To the Inhabitants of the Town of Gilmanton in the County of Belknap, in said State, qualified to  
vote on Town Affairs:**

**You are hereby notified to meet at the Gilmanton School Multi-Purpose Room (Cafeteria) in the  
said Gilmanton, on Saturday, the 10<sup>th</sup> day of February 2018, at 10:00 a.m. This session shall consist  
of explanation, discussion and deliberation of the Warrant Articles numbered Two (2) through  
Thirty-One (31).**

**The Warrant Articles may be amended subject to the following limitations:**

- (a) Warrant Articles whose wording is prescribed by law shall not be amended, and**
- (b) Warrant Articles that are amended shall be placed on the official ballot for a final vote on the  
main motion as amended.**

*Moderator Sisti opened the Deliberative Session at 10:05 a.m. He asked for all non-voters to be in the designated seating section to his left. Mr. Sisti asked Stan Bean to lead the body in the Pledge of Allegiance and then to remain standing for a moment of silence for those who had passed and asked for prayers of the family of Bill Booth, who was a very present active member of our community and had just passed yesterday. Moderator Sisti yield the floor to Brian Forst, Chair of the Budget Committee, to explain the budget they were about to present.*

*Mr. Forst stated, "You will notice the Selectmen's recommendation and the Budget Committee's recommendation and as you see them today, they are both the same. That is because after the Budget Committee did their work, the Selectmen went back and looked at this and thought that our recommendations were valid; that we had talked to the department heads, the department heads had agreed with us where we chose to make cuts or to suggest an alternative method of funding and they agreed with these recommendations so they look the same to you today." "So, I would like to just get some numbers out there so you all understood the work that we had done. We started with Selectmen's recommended budget of \$3,812,555 from that the Budget Committee cut \$55,700 to come to the point where we recommended a budget of \$3,756,855. That budget is up \$136,165 from the previous year's budget, or about 3.75%. I have a list of the areas which we cut the money if anybody would like to ask questions in those area, we cut the money from the fire, police, transfer, the executive, financial, legal, planning board, the highway administration, general assistance and library budgets in different amounts. At any point*

*during the meeting you would like to hear the reasoning and the numbers we have cut, I'd be more than happy to answer those questions. Thank you."*

*Moderator Sisti stated, "One other reminder, I know you folks have been here before, but if you're making motions and if you're seconding motions, it would be greatly appreciated if you'd state your name, that has to be recorded as well. With that in mind, I'd like to start this off, this is a deliberative session. You understand this is an SB2 type proceeding, we're not going to come to final votes on anything here; this is basically an informative type of a gathering, we do encourage input if there are questions that this is basically just before the town voting by ballot on just what the warrant articles are. We will take certain motions on certain language and so forth during the course of this particular meeting. You have to understand we're constrictive and we do have legal counsel here today who can answer some questions with regard to the structure of these warrant articles as need be. Just to lay out a few things we, obviously, have a second session; it's March 13<sup>th</sup>, that would be your voting session. There is going to be the election of town offices at that time, I just want to make sure you know who those individuals were: Budget Committee, there is Anne Kirby; there is one vacancy on that particular committee so there will be a write-in candidate to fill that vacancy. Cemetery Trustee, Candace Daigle. Library Trustee, One Year, Elizabeth Clark; Library Trustee for three years, Donna White. Moderator is myself, Mark Sisti. Road Agent, Paul Perkins. Contested race for Selectman: Gary R. Anderson, Michael J. Jean, James "Dan" Shallow, Michael J. Wilson. Supervisor of the Checklist, Patricia A. Poslusny; Supervisor of the Checklist, Six Years, (Contested) Michelle S. Descoteaux, Katina L. Provencal. Town Treasurer (contested) Robert C. Carpenter, Glen A. Waring. Trustee of the Trust Funds, Frederick Buchholz., Neil R. Roberts. That would be the slate of individuals for election and the positions that they filed for. I'd like to move right to Article #2 at this time."*

## **Article #2 Amend Zoning Ordinance Personal Wireless Communications Facilities**

Are you in favor of the adoption of Amendment #1 as proposed by the Gilmanton Planning Board for the town Zoning Ordinance as follows:

To amend Article III of the Zoning Ordinance, Personal Wireless Communications Facilities, Section K as follows: Amend Purpose and Goals, Applicability, District Regulations including removing Class I & II Facilities and Sensitivity Zones including Overlay District Map, Use Regulations, Performance Standards, Site Plan Review Procedures, Abandonment including removing all bonding requirements, Appeals and Definitions in order to be in compliance with State Law and streamline oversight of Communication Facilities.

Recommended by the Planning Board: **yes**

*Dick de Seve, asks for explanation of what this Article actually does. There being no one from the Planning Board in attendance to answer, Nate Abbott stood to try and be helpful and could not speak for the Planning Board, but would speak to his understanding of this article, as a ZBA member, which they did review [as a board]. "There were some aspects of our zoning as it pertains to communication facilities, pertaining to cell towers that were not completely in*

*compliance with state law. There were provisions for bonding and for other aspects that did not conform with changes that had been made in state law since we implemented our zoning, so these have been amended to streamline, it should make it simpler for applications, it removes some provisions that were there for bonding of facilities. I had asked that question of the Planning Administrator and his response was that it was a liability aspect and the state provisions did not allow us to do that in a way that we had done it before so we removed that...it is to help us...it is to help us conform with state law and make it a little easier for the application process...” Mr. Abbott suggested that if you had more questions before voting in March that you research this article further.*

**Moderator Sisti stated that Article #2 will appear on the ballot as written.**

**Article #3 Petition: Amend Historic District Map to remove**

Are you in favor of the adoption of Amendment #2 as proposed **BY PETITION** of the voters of this town to amend the town of Gilmanton Historic District Ordinance as follows:

Amend the Official Historic District Map of the Town of Gilmanton by removing land known as Tax Map/Lot 000415-049000-000000, located at 11 Page Road and Tax Map/Lot 000415-050000-000000, located at 27 Page Road from being designated as being part of the Gilmanton Historic District. Said parcels are located near the intersection of Page Road and NH Rt 140.

Recommended by the Planning Board: **yes**

*George Roberts stated that this article is asking you to remove two parcels of land. This article allows, if it is adopted, for property owners to take down a cape which was probably built before 1810. It was originally in the Page homestead, with a lot of history behind that. It is a home that is in disrepair; but I don't know from the minutes of the Planning Board what the reasoning was for this petition, except that this property is repressed or needs repair. This is a double chimney cape. I'm not sure if there are any options opted by the Planning Board. I'm not what the total intent of the land owners is except to get it out of the district...it allows them to remove a home with a lot of history from the founding family of Gilmanton, the Page family...what you're being asked to do is to take it out of the district and then the owners can do as they please. As I said, not having the minutes of the meeting, if there are any, that allows the landowner from thereon in to tear the building down. A long time ago, and this is important, I think, to Gilmanton. I think that we are proud of our heritage and a long time ago, anybody that was a land owner put their land in the historic district, on purpose. They said they would put it in the district knowing there would be restrictions, knowing there would be a public hearing before the Historic District Commission to get permission anytime they wanted to change anything that would be a*

*significant architectural change. There's never been a petition to do that before this Commission, that I know of. If you vote to do this, then they can tear it down...and then they'll be a piece of architecture that will be gone forever...this is an opportunity for a person to divide this land and build a new home...I think tearing down this house would be a major loss of what's important to the Town of Gilmanton...I ask you to think twice about it..."*

**Moderator Sisti stated that Article #3 will appear on the ballot as written.**

**Article #4 Petition: Biosolids**

Are you in favor of the adoption of Amendment #3 as proposed **BY PETITION** of the voters of this town for the town Zoning Ordinance as follows:

To amend Article III, General Provisions Applicable to all Districts, by adding a new section, Biosolids: To protect the health and welfare of residents, and prevent pollution of surface and ground water resources, the stockpiling or land spreading of municipal sewage sludge, Biosolids Class A and Class B, as defined by New Hampshire statutes and regulations, is not allowed in the Town of Gilmanton.

To amend Article IV, table I by adding Biosolids (sludge): Not Permitted in all districts.

Recommended by the Planning Board: **yes**

*No Discussion.*

**Moderator Sisti stated that Article #4 will appear on the ballot as written.**

<b>WARRANT ARTICLES</b>
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**Article #5      Operating Budget****Est. tax impact \$4.39**

“Shall the Town of Gilmanton raise and appropriate as an operating budget, not including appropriations by special warrant articles and other appropriations voted separately, the amounts set forth on the budget posted within the warrant or as amended by vote of the first session, for the purpose set forth therein totaling Three Million, Seven Hundred Fifty-Six Thousand, Eight Hundred Fifty-Five dollars (\$3,756,855)? Should this article be defeated, the default budget shall be three million seven hundred ten thousand seven hundred twenty-one dollars (\$3,710,721) which is the same as last year, with certain adjustments required by previous action of the Town or by law; or the governing body may hold one special meeting in accordance with RSA 40:13, X and XV1 to take up the issue of a revised operating budget only.”

Recommended by the Board of Selectmen: **yes**Recommended by the Budget Committee: **yes**

***There was a motion to move Article #5, by Brian Forst in the amount of \$3,756,855; seconded by Michael Jean.***

*No Discussion.*

**Moderator Sisti stated that Article #5 will appear on the ballot as written.**

**Article #6      Self Contained Breathing Apparatus Capital Reserve      Est. tax impact \$0.03**

To see if the Town will vote to raise and appropriate the sum of Eleven Thousand, Seven Hundred and Twenty-Three dollars (\$11,723) to be deposited in the Self Contained Breathing Apparatus Capital Reserve Fund established in 2011.

Recommended by the Board of Selectmen: **yes**Recommended by the Budget Committee: **yes**

***There was a motion to move Article #6, by Brian Forst in the amount of \$11,723; seconded by Michael Jean.***

*No Discussion.*

**Moderator Sisti stated that Article #6 will appear on the ballot as written.**

**Article #7      Self Contained Breathing Apparatus      Est. tax impact \$0.00**

To see if the Town will vote to raise and appropriate the sum of one hundred Twenty-Six thousand, One Hundred and Seventy-Eight dollars (\$126,178) for the purchase of Self Contained Breathing Apparatus. And to further fund this appropriation by withdrawing One Hundred Twenty-Six Thousand, One Hundred Seventy-Eight dollars (\$126,178) from the Self Contained Breathing Apparatus Capital Reserve Fund established in 2011.

Recommended by the Board of Selectmen: **yes**

Recommended by the Budget Committee: **yes**

***There was a motion to move Article #7, by Brian Forst in the amount of \$126,178; seconded by Michael Jean.***

*No Discussion.*

**Moderator Sisti stated that Article #7 will appear on the ballot as written.**

**Article #8      Cardiac Monitors (2)      Est. tax impact \$0.14**

To see if the town will vote to raise and appropriate the sum of Sixty-Five Thousand dollars (\$65,000) for the purchase of two (2) replacement Cardiac Monitors. These monitors will be located in each ambulance.

Recommended by the Board of Selectmen: **yes**

Recommended by the Budget Committee: **yes**

***There was a motion to move Article #8, by Brian Forst in the amount of \$65,000; seconded by Michael Jean.***

*No Discussion.*

**Moderator Sisti stated that Article #8 will appear on the ballot as written.**

**Article #9      Purchase and Equip Police Cruiser      Est. tax impact \$0.10**

To see if the Town will vote to raise and appropriate the sum of Forty-Three Thousand, Five Hundred dollars (\$43,500) to purchase and equip a new Police cruiser.

Recommended by the Board of Selectmen: **yes**

Recommended by the Budget Committee: **yes**

***There was a motion to move Article #9, by Brian Forst in the amount of \$43,500; seconded by Michael Jean.***

*No Discussion.*

**Moderator Sisti stated that Article #9 will appear on the ballot as written.**

**Article #10 Purchase Transfer Station Skid Steer**

**Est. tax impact \$0.04**

To see if the Town will vote to raise and appropriate the sum of Forty-Seven Thousand dollars (\$47,000) to purchase a new Skid Steer for the Transfer and Recycling Facility and authorize the withdrawal of Thirty Thousand dollars (\$30,000) from the Recycling Equipment Capital Reserve Fund established in 2006. The balance of Seventeen Thousand dollars (\$17,000) is to come from general taxation.

Recommended by the Board of Selectmen: **yes**

Recommended by the Budget Committee: **yes**

***There was a motion to move Article #10, by Brian Forst in the amount of \$47,000; seconded by Michael Jean.***

*Dick de Seve asks for explanation of exactly what the skid steer is and what its purpose is.*

*Michael Jean responded that we are just replacing the old skid steer at the transfer station, that's used to load the bales of aluminum, steel and move stuff around at the transfer station.*

*Gary Anderson asks what will be happening with the old skid steer; will they be selling it?*

*Michael Jean responded that they were not sure, at this time, what would be done with the old one. Was not sure if it would be used as a trade-in on the new, or if it would be retained and used, maybe at the highway dept., not sure yet...*

*Dodie Smithers asked how old the skid steer is that we currently have.*

*Michael Jean responded that he believes it is approximately sixteen years old...guessing.*

*Liz Brulotte, "The statement that was just made was, 'we're not sure yet what we're going to do with it, we may give it to the highway dept.' Well, if the highway dept. can use it, why can't the transfer station continue to use it?"*

*Stephen McWhinnie responded, "Because it's just for a spare, it's pretty beat. If they can put it somewhere in a pit or something like that or utilize it as not a reliable piece of equipment, just like we did with the old command vehicle last year from the fire department, the old dump truck too."*

*Liz Brulotte questions, why it would be used anywhere, "if it's just going to cost us money to fix it? It's not reliable, correct?"*

*Stephen McWhinnie responded, “We’re not sure yet; they need a new one at the transfer station, that’s why we approved it. So, this is preliminary, we don’t know if we’re going to trade it in, we’re not yet sure of anything, but if it can be utilized, if we’re not going to get the money for what it’s worth and it can be utilized some other place, that would, I think, be the reasonable and smart thing to do.”*

*Liz Brulotte stated further that she feels if it’s unreliable, then she recommends that we get rid of it so that we are not spending money on it to make repairs, on something that was stated, is unreliable.*

*Stephen McWhinnie duly noted Liz Brulotte’s statements and thanked her.*

**Moderator Sisti stated that Article #10 will appear on the ballot as written.**

**Article #11    Stage Rd Bridges Final Design and Bidding                      Est. tax impact \$0.00**

To see if the Town will vote to raise and appropriate the sum of One Hundred Four Thousand Four Hundred Fifty-Three Dollars (\$104,453) for final design and bidding for the replacement of the Stage Road Bridge over Nighthawk Hollow Brook and the Stage Road Bridge over Unnamed Brook (Beauty Hill Road) and authorize the withdrawal of One Hundred Four Thousand Four Hundred Fifty-Three Dollars (\$104,453) from the Bridge Capital Reserve Fund established in 1995. The Town will be reimbursed 80% (up to \$83,562) of the actual engineering costs by the NHDOT State Aid Bridge Program. This is a non-lapsing appropriation per RSA 32:7, VI, and shall not lapse until December 31, 2021 or when the project is complete, whichever is sooner.

Recommended by the Board of Selectmen: **yes**

Recommended by the Budget Committee: **yes**

***There was a motion to move Article #11, by Brian Forst in the amount of \$104,453; seconded by Michael Jean.***

*No Discussion.*

**Moderator Sisti stated that Article #11 will appear on the ballot as written.**



**Article #12 Crystal Lake Rd Bridge**

**Est. tax impact \$0.19**

To see if the Town will vote to raise and appropriate the sum of Eighty-Five Thousand Dollars (\$85,000) for the preliminary design and environmental permitting for the replacement of the Crystal Lake Road Bridge over Nelson Brook. The Town will be reimbursed 80% (up to \$68,000) of the actual engineering costs by the NHDOT State Aid Bridge Program. This is a non-lapsing appropriation per RSA 32:7, VI, and shall not lapse until December 31, 2021 or when the project is complete, whichever is sooner.

Recommended by the Board of Selectmen: **yes**

Recommended by the Budget Committee: **yes**

***There was a motion to move Article #12, by Brian Forst in the amount of \$85,000; seconded by Michael Jean.***

*No Discussion.*

**Moderator Sisti stated that Article #12 will appear on the ballot as written.**

**Article #13 Police Detail Revolving Fund Add % to Make Legal**

Are you in favor of lowering the percentage of funds deposited into the Police Details Revolving Fund from Police Detail billings, from 100% of those billings to 70% of those billings; if approved the balance will go into the General Fund.

Recommended by the Board of Selectmen: **yes**

*Moderator Sisti didn't think there needed to be a formal motion or second on this article and deferred to legal counsel. Jae Whitelaw, representing Town Counsel from the Mitchell Municipal Group, concurred, that it was okay to bring it to the floor without a motion.*

*Malcolm McCloud asks for explanation of what the Police Detail Revolving Fund ordinarily be used for.*

*Michael Jean responded, "Right now the way that the fund is set up, 100% of it's for paying police officers and the cruisers and stuff; the Town does charge for the cruisers, but we can't take the funds and put it back into the general fund to pay the expenses of the cruisers, so this just makes it legal so that the town can take the 30% and use it for offsetting the cruisers and gas and all that."*

*Donald Guarino states, "[he] has an interest in this warrant article. We brought this forward to the voters a few years ago; what happened prior to this article was the police department had to charge the taxpayers in the general budget for the details and then the monies actually came back to the town through the billings, so it always became a discussion when you went to the*

meetings, like 'why are we putting \$70,000 additional dollars into the police department' and always got bogged down. So, we found that there was a need of taking funds with revenues, from let's say, a tree operation on 140, where the police were providing a detail and actually having a revolving account so that the funds that were received from the billings would go into this account and then pay for the details so that the taxpayer wasn't always having to be taxed for this. When I saw that it had come up in discussion, I couldn't actually see anything wrong with this warrant article, the one that was brought forth to the voters two years ago and so in conversations with the Department of Revenue Administration, I found, just like the Select board found, is that 100% of the funds that were from billing were going into the Revolving Account, but the last sentence that we voted on wasn't quite right. So, we had voted as a body to take 100% of the revenue, put it in the account, but we had no means of putting the excess amount into the general fund. So, the opportunity was here to make a correction, which the Selectmen looked at it and all the revenue is split at the beginning, it's not split at the end, so, if someone's here saying, well there's \$22,000 sitting in this account right now, it quite possibly can have that amount, but on 100% of the funds, at the moment are going into this account. If we make a change to this account the way that the Board of Selectmen are considering and then something changes on the police side, for instance, something as simple as gasoline going up to \$5.00 a gallon, it's quite possible that this Revolving Fund will be underfunded. With 30% going to the Selectmen and 70% going back to the department to pay for the details, I think it just takes a simple thing like that, I don't think it's worthwhile to change that in that direction; I think it would be much better if, the one time I thought it should say something like 90% goes to cover the details, 10% can go back into the general fund for the Selectmen to use as they wish. Then I thought that might be too extreme, so I've had conversations with the Chief and it would be better if it was like an 80/20 split. I actually think we should keep it so that it funds itself and provides some money for the details and then it would be awesome if we had excess money at the ~~end~~-beginning that actually can go back to the operating of the Town of Gilmanton in the general fund. At the moment the way that the original article was set up, the funds get hung up at the end; they can't be dispersed. I understand that we'd like to get the monies and I think that I'd like to offer an amendment that changes the calculations.

**Donald Guarino moved to amend Article #13 to where it says, "Detail billings, from 100% of those billings to 70%" to "Detail billings, from 100% of those billings to 80%"; seconded by Malcolm McCloud.**

Moderator Sisti stated that we now have on the floor a motion for an amendment and a second, which in effect, makes the article an 80/20 split. He acknowledges the floor for further discussion.

Liz Brulotte asks for the reasoning of making it from 100% to 70%.

Stephen McWhinnie stated, "[that they] wanted the money to back to offset taxes; we didn't want it to sit there."

Liz Brulotte asks how much money is sitting there currently.

Stephen McWhinnie responded, "20-ish, \$20,000".

*Liz Brulotte asks, "At who's discretion does it get used for what by the Selectmen?"*

*Stephen McWhinnie responded, "We don't have that discretion right now; that is why this article is here. DRA wanted this wording and we needed either a dollar figure or a percentage figure to figure out what we could do because right now we can't touch that money and I don't feel as though that it is fair to the taxpayer to have money sitting there and not be able to go back and offset."*

*Liz Brulotte states, "...and that money is currently, I'm just clarifying, is currently being used by the police department at their discretion for details?" "Can we ask that question, Moderator?"*

*Moderator Sisti replied, "Sure, go on and ask the question."*

*Liz Brulotte asks the Chief what the fund account is being used for.*

*Chief Currier responded, "So when we work a detail, we bill out for more than it actually costs. So that excess money is sitting in this Revolving Fund right now. That's where that \$22,000, or whatever, is in there right now. So, it is my understanding, from DRA, that with the previous warrant article, we can't spend that money, we can't access that money without a warrant article to pull it out or to do a percentage, such as this. My understanding is that 70% is not currently enough to pay for what we need to pay for. I would recommend a 75/25, but that's not being done that way."*

*Michael Wilson asks, "The extra funds, can that be used towards the police department buying cruisers and other items like that? Who makes the billing amount for the officers going on details? Like Mr. Guarino was saying, can we offset the cost if we do a (inaudible) raise by raising that amount of money to offset the cost?"*

*Town Administrator, Heidi Duval responded, "So the first question was, 'Can it be used for buying a cruiser?' The language of the existing article that has some incorrect language at the end per DRA, does not authorize the use of the funds for anything additional; so, it's likely that DRA would tell us we would need to make an amendment to our existing warrant article in order to be able to use the funds to purchase, and there are specific parameters of what you can use the funds for, but you do need that language in a warrant article. So, at this point it is my understanding that there's nothing other than the police detail that it can be used for."*

*Mr. Wilson asks, "The money that we are getting from that, is that to go to the police department, or the general fund or can be spent however?"*

*Heidi Duval responded, "Right now it's 100% into the Police Revolving Fund, so it's a separate accounting mechanism. Everything that's paid out of it at this point is the hard costs of the detail."*

*Mr. Wilson asks if that will stay the same.*

*Heidi Duval responded, "That would stay the same, in this instance it's just that then we wouldn't have the surplus sitting there that we do. Unfortunately, are unable to use in any of the fashions at this point. The second question was the billing. The detail rate is set, the Selectmen do have the authority to set that rate, they did recently, in the last year or two, working with the Chief, they did make a rate change and they do have the ability to do that again."*

*Mr. Wilson asks, "Would that change again if we did have costs increase in fuel or anything else so that it's not costing taxpayers?"*

*Mrs. Duval responded, "They would have to make that change for themselves, it wouldn't change automatically. Right now, the hard costs that are being paid for that do not include the cruiser and the gas, things of that nature. It's really the employee based."*

*Brian Forst states, "I'm out at this microphone as a taxpayer, I have a few questions. I think some of them were answered during our sessions, but I'd like an answer from the body right here, right now. The 70/30 split is something that can be re-looked at a year from now if this scenario doesn't work correctly, right?"*

*Heidi Duval responded, "We could absolutely do another warrant article, yes."*

*Brian Forst states, "Right now we have Twenty-Three Thousand and change sitting in limbo that we cannot touch, correct?"*

*Mrs. Duval responded, "Correct."*

*Brain Forst states, "If we do not fix this problem, that money continues to sit there, correct?"*

*Mrs. Duval responded, "Correct."*

*Mr. Forst states, "So the 70/30 is the best guess. It's not perfect; 75/25, it's not perfect. This warrant article needs to pass, otherwise taxpayer money sits some place doing nothing for us right now. I wanted to take this money, spend it on our new cruiser. We can't even touch the money. So, let's not get hung up about 70/30, 75/25, 80/20, 90/10. Let's move this warrant article, let's pass it, let's figure out if 70/30 works, if it doesn't, next year we come back here, we change it to 80/20, we change it to whatever we need to change it to make it work. But we need the warrant article to expend the excess money to offset taxes. Thank you."*

*Amy Brown asks, "So I just have a question to try and understand the numbers. So I'm not sure if I heard your explanation correctly, the Chiefs explanation correctly, so, if we move forward with this and make the change, is the intent to then, I know right now we can't touch that money so that's an issue in itself; but is the intent to move this through that if that money is now able to be touched, the intent is not to put it back towards the police department, it's meant to be put towards other things for the town?"*

*Heidi Duval responded, "It would go into the general fund which is.." Amy Brown states, "It could be for anything, so right now technically that excess..." Mrs. Duval states, "It wouldn't be*

*assigned to anything specific...” Amy Brown states, “So it’s just there to use for whatever we need it for but not specifically go back towards the police department.” Mrs. Duval states, “Your general fund would basically offset your taxes...” Amy Brown, “Okay, so I just want to make sure I heard that correctly because right now the intent was to be able to recycle that for the police department, but the way it’s written, nobody can touch it.” Heidi Duval states, “The original intention my understanding of the original article was that only the funds needed to pay the detail would go into, would be used for the detail and that anything beyond those costs, would go into the general fund. That’s the way the language read, the surplus would go into the general fund. We’ve been told by the Department of Revenue that that language is not legal and therefore, we cannot move the monies as originally intended.”*

*Donald Guarino states, “I agree with Mr. Forst, that we should move this so that the money doesn’t get hung up. I just think it would be a shame to move it where the Chief said that the split is too tight. We can revisit this and make it tighter the following year if we wanted to, but why would we actually place ourselves in a position where our police department was, I’ll just make a number up, looking for \$10,000 because they never made an adjustment on the detail rate that the town was charging and then had to find the \$10,000 within his own budget. It just seems tight, I want you to support the 80/20 split.”*

***Moderator calls amendment to vote: Are you in favor of lowering the percentage of funds deposited into the Police Details Revolving Fund from Police Detail billings, from 100% of those billings to 80% of those billings; if approved the balance will go into the General Fund.***

*Moderator Sisti called for a voice vote – too close to call; Moderator calls for a hand count.*

*Hand Count: Yes – 43 No – 22*

***The Amendment passes by 43 hand count votes in the affirmative.***

*Moderator Sisti asks if there’s any discussion on the amended article.*

*Dodie Smithers asks, “if an amendment can be made to use that money specifically to offset the cost of the police cruiser?”*

*Moderator Sisti responded, “No.”*

*Moderator Sisti calls for Article #13, as amended, to a voice vote.*

***Moderator Sisti stated that Article #13 passes by voice vote and will appear on the ballot as amended.***

**Article #14    Revaluation Assessment Update Cap Res**

**Est. tax impact \$0.05**

To see if the Town will vote to raise and appropriate the sum of Twenty-Four Thousand dollars (\$24,000) for the Statistical Update of all properties to be deposited into the Revaluation Assessment Update Capital Reserve Fund established in 2001.

Recommended by the Board of Selectmen: **yes**

Recommended by the Budget Committee: **yes**

***There was a motion to move Article #14, by Brian Forst in the amount of \$24,000; seconded by Michael Jean.***

*No Discussion.*

**Moderator Sisti stated that Article #14 will appear on the ballot as written.**

**Article #15    Court Cases Non-Cap Res**

**Est. tax impact \$0.07**

To see if the Town will vote to raise and appropriate the sum of Thirty Thousand dollars (\$30,000) to be deposited in the Court Cases Non-Capital Reserve Fund established in 2003.

Recommended by the Board of Selectmen: **yes**

Recommended by the Budget Committee: **yes**

***There was a motion to move Article #15, by Brian Forst in the amount of \$30,000; seconded by Michael Jean.***

*Brian Forst states, "As Chairman of the Budget Committee, I would like to make an amendment to this dollar number, when I spoke with you all earlier about what the Budget Committee had done with the budget, we removed \$15,000 out of the legal line; okay, I need to make the motion:*

**Brian Forst moved to amend Article #15 to increase the dollar amount to \$45,000; seconded by Michael Jean.**

*Brian Forst continued, "When I spoke to you earlier and mentioned we had removed money from the legal line in the budget, the request was to have a larger than normal legal line for the Selectmen's budget. This is a Non-Capital Reserve where if the money is put here, the money can be used for legal, but it cannot be used for any other purpose. If money is put in a budget, it can be moved at the discretion of the Selectmen to any position in that budget where it can be expended. The feeling of the Budget Committee was that this particular line and this particular Capital Reserve, Non-Capital Reserve, this year has been used quite extensively. There is not an*

*amount of money sitting in this Non-Capital Reserve at the current moment. The target amount, originally was \$50,000. There is currently less than \$5,000 in the account; so, our method of funding as the Budget Committee would be that you move this motion at \$45,000. I know that we took the money out of the operating budget and this just puts it back in another spot and some people may feel like we may not have done due diligence, but we feel this puts it in a much more protected spot for the taxpayer in that it can be used for one purpose only. Thank you."*

*Moderator Sisti asks for a voice vote on the amended language.*

**The Amendment to increase the dollar amount to \$45,000, passes by voice vote, in the affirmative.**

*Moderator Sisti calls for Article #15, as amended, to a voice vote, to now read: To see if the Town will vote to raise and appropriate the sum of Forty-Five Thousand dollars (\$45,000) to be deposited in the Court Cases Non-Capital Reserve Fund established in 2003.*

**Moderator Sisti stated that Article #15 passes by voice vote and will appear on the ballot as amended.**

<b>Article #16</b>	<b>Highway Equipment Cap Res</b>	<b>Est. tax impact \$0.13</b>
To see if the Town will vote to raise and appropriate the sum of Sixty Thousand dollars (\$60,000) to be deposited in the Highway Equipment Capital Reserve Fund Established in 2006.		

Recommended by the Board of Selectmen: **yes**  
Recommended by the Budget Committee: **yes**

***There was a motion to move Article #16, by Michael Jean in the amount of \$60,000; seconded by Brian Forst.***

*Paula Gilman asks, "What is the amount currently in the fund now?"*

*Brian Forst responded, "Currently in the fund, at the present time, we have \$353,344.00."*

*Paula Gilman states, "...and you want to raise this amount, \$60,000? Why does it have to be \$60,000?"*

*Brian Forst responded, "For some period of time, some of these accounts were not correctly funded. We currently sit in the town with a CIP program, Capital Improvement Program, that recommends what we should be saving for large ticket purchases. As you all know the town acquired a new six-wheel plow truck in the last year or two. That money was already saved, it*

*did not have to be raised by taxation. Right now, according to the CIP, we have a loader that's two years beyond its replacement point, with an estimated replacement cost of \$250,000.00. If you remove that from this equation, we need to be funding this at a minimum of \$60,000 a year to stay with the CIP, otherwise, in another five years, we're going to make purchases and there's going to be no money in the account and we're going to have equipment due to be replaced. This number was not something pulled from the air, it was something that was planned and calculated by people who put time into this to come to the conclusion that this number is where we need to be."*

*Paula Gilman responded, "Thank you."*

**Moderator Sisti stated that Article #16 will appear on the ballot as written.**

**Article #17    Salt and Sand Cap Res**

**Est. tax impact \$0.01**

To see if the Town will vote to raise and appropriate the sum of Two Thousand, Five Hundred dollars (\$2,500) to be deposited in the Salt and Sand Cover Capital Reserve Fund Established in 2006.

Recommended by the Board of Selectmen: **yes**

Recommended by the Budget Committee: **yes**

***There was a motion to move Article #17, by Brian Forst in the amount of \$2,500; seconded by Michael Jean.***

*No Discussion.*

**Moderator Sisti stated that Article #17 will appear on the ballot as written.**



**Article #18 Fire Radio Capital Reserve Fund**

**Est. tax impact \$0.01**

To see if the Town will vote to raise and appropriate the sum of Five Thousand dollars (\$5,000) to be deposited in the Fire Radio Capital Reserve Fund established in 2015.

Recommended by the Board of Selectmen: **yes**

Recommended by the Budget Committee: **yes**

*There was a motion to move Article #18, by Brian Forst in the amount of \$5,000; seconded by Michael Jean.*

*No Discussion.*

**Moderator Sisti stated that Article #18 will appear on the ballot as written.**

**Article #19 Replace Ambulance Cap Res**

**Est. tax impact \$0.09**

To see if the Town will vote to raise and appropriate the sum of Forty Thousand dollars (\$40,000) to be deposited in the Replace Ambulance Vehicles Capital Reserve Fund Established in 2001.

Recommended by the Board of Selectmen: **yes**

Recommended by the Budget Committee: **yes**

*There was a motion to move Article #19, by Brian Forst in the amount of \$40,000; seconded by Michael Jean.*

*No Discussion.*

**Moderator Sisti stated that Article #19 will appear on the ballot as written.**

**Article #20    Refurb/Replace Fire Trucks Cap Res**

**Est. tax impact \$0.11**

To see if the Town will vote to raise and appropriate the sum of Fifty Thousand dollars (\$50,000) to be deposited in the Refurbish and/or Replace Fire Trucks Capital Reserve Fund Established in 1998 and modified in 2003.

Recommended by the Board of Selectmen: **yes**

Recommended by the Budget Committee: **yes**

***There was a motion to move Article #20, by Brian Forst in the amount of \$50,000; seconded by Michael Jean.***

*No Discussion.*

**Moderator Sisti stated that Article #20 will appear on the ballot as written.**

**Article 21: Recycling & Transfer Facility Improvements Cap Res**

**Est. tax impact \$0.09**

To see if the Town will vote to raise and appropriate the sum of Forty Thousand dollars (\$40,000) to be deposited in the Recycling and Transfer Facility Improvements Capital Reserve Fund established in 2008.

Recommended by the Board of Selectmen: **yes**

Recommended by the Budget Committee: **no**

***There was a motion to move Article #21, by Michael Jean in the amount of \$40,000; seconded by Stephen McWhinnie.***

*Liz Brulotte asks, "How much is currently in this fund and what were we targeting in the year 2008, it's ten years ago, how much money is in the fund, what are we targeting, \$40,000 a year seems like a lot, do we have a specific need coming up or something targeted to use up these funds with?"*

*Heidi Duval, Town Administrator, stated she can give the amount. "...the balance right now of \$4,088.82 as of December 31<sup>st</sup>. I'm not positive what the balance is that we're always looking for there, but there were extensive costs taken out of that account this year and the intention of this article, I believe, Selectmen correct me if I'm wrong, was to replace the funds that were used for specifically the site work that was done for the compactor."*

*Brian Forst wanted to explain the Budget Committee's position. "As most of you can see, we did not recommend this; I'll reiterate some numbers here: this account at the start of the year had \$31,697; it had \$27,646 expended from it this year and that brought it with a balance of \$4,088.82. Historically the idea behind capital reserves is that we put an amount of money away*

*yearly for an anticipated project and the Budget Committee did not feel that replenishing this account for the \$40,000 number in one year was exactly in the spirit of capital reserves. It was our feeling that if this kind of money is going to be expended at the transfer station, that may have been better decided by a vote of the people or something of that nature, but we did not feel that replenishing that \$40,000 in this one year was what the Budget Committee could support.*

*Liz Brulotte asks Brian Forst, “Was there an amount that the Budget Committee thought was more appropriate? Is there something targeted by the transfer station that they need \$40,000 a year, cause that’s going to be yearly, I’m assuming. That amount is usually a target, so is there something targeted in the next year that they’re expecting to spend \$40,000 on?”*

*Heidi Duval responded, “This was not intended to be a recurring annual \$40,000 placement. This was, as we stated, to replenish the fund because it had been used. I do believe that there are some additional items looked at for this coming year. There was talk about extending the roof for the area along the roadside and that would also need some paving or some concrete work. There’s no firm numbers, nothing’s been acted on moving forward at this point; there’s also, I believe, work on roofing over the compactors. It was more the thought that this one time to replenish funds. That being said, I don’t know if the Budget Committee did have a thought on an amended amount that they might want to make.”*

*Brian Forst stated, “The Budget Committee heard numbers from the head of the transfer station. A number of \$20,000 was thrown around. I’m not sure that we’re here to make an amendment to this. I don’t think that we as a committee came to this meeting today with this intention. We would like to see a more progressive approach to how the money’s going to be saved and what it’s going to be used for. This is one of the accounts that is entitled with the Selectmen as agents to expend and this is not in any way the Budget Committee asking that the Selectmen do differently; it’s just our concern to replenish this account to a large number when I think as you’ve heard, there is no firm plan, there’s no firm, ‘we’re going to do this and it’s going to cost us \$65,000’ and the Budget Committee wants to see these kinds of numbers. So, that’s why we stand where we stand on it.”*

*Dan Shallow states, “I’ve contained myself long enough, I just need to ask a couple questions that seem to be consistent with these capital reserve funds. I assume that the spending authority are the Selectmen. Is that correct on all these cases and, if not, I would like to have that briefed when we go so that we know who has the authority to spend. Second of all, I would like to know what according to the capital improvement plan, what is the target value that is supposed to be in this particular warrant article? Do you have those figures?”*

*Brian Forst states, “I do not have exact accounts as to which ones the Selectmen are agents to expend from.” Dan Shallow, “and I understand that and that’s all I’m saying that, in the future, and I’m remiss in not attending the budget sessions, I admit that, okay. But, I think it’s important that we understand what the target is for that; if the capital improvement plan says that they want \$40,000 in, if that was the plan, then whether we put it in this year or next year that certainly should be target, okay, but I think it’s important we understand who has the authority to expend and what the target according to the capital improvement plan. I have comments on a*

*couple of others but I refrain from saying anything; I want to know, I don't know if anybody else does or not. Okay, thank you."*

*Heidi Duval states, "I can tell you, as we go through, which capital reserve funds Selectmen are agents on or not, I can certainly do that as we go forward. The CIP is...the committee was not extraordinarily active this year, so I don't know if I would be the best person to speak, I haven't actually attended a CIP meeting yet. I do have an older copy, I'm not entirely sure it covers all accounts, so I would probably defer to Brian on the CIP questions."*

*Brian asks to borrow Heidi's CIP copy. Mr. Forst asks the body to excuse him for not being completely prepared, but he will find the answer he is looking for.*

*Mr. Shallow states, "[he] doesn't mean to cause undue stress, that's not his intent, but we're putting all kinds of money into capital reserves and if we have a capital reserve plan, it would be nice to know what the target is of that to see how far we are, we need those guidelines and I agree with about the spending of those, I want to know who has the authority to spend because if the Selectmen decide this then they can spend it on whatever they want, we don't have any say. So, I think those are important questions for both, so, I don't mean to put you on the spot, that's not the intent.*

*Mr. Forst responds, "Dan, I don't know you, sir, but you will have to go a long way to put me on the spot. In the CIP, there is no projected projects that's concerning to the Budget Committee. If you look at the CIP there is a projection for when the skid steer is due to be replaced, there's a for when the loader or the grader or the plow truck or the fire engine or the ambulances are projected to be replaced. So, a target amount in this account is a tallied amount with no projected project and the Budget Committee is not comfortable with that, I guess, is the best answer I can give you. Give us a CIP with a target that we want to do this project in 2020 and we need this much money and the Budget Committee can support putting that money away; right now, the way this reads, we can't support it."*

*Moderator Sisti states that there was two parts to the question from what he understood, the other part was the authority to expend the funds and Mr. Shallow has a right to have that answered.*

*Heidi Duval responded, "Yes, the Selectmen are agents to expend the funds in this particular type of account, but not on all of them. This one, yes."*

*Liz Brulotte asks, "What has been historically put into this fund, prior to this year, on a yearly basis?"*

*Heidi Duval responded, "As Brian said earlier, for a few years now the CIP, in general, has not been actively funded; so, I'm not aware of anything in the recent past where there was a regular amount annually put into this account. I did, after I handed it to Brian, I did see on the CIP that there's no projected, there's no CIP recommendation for this fund, so, my guess is that the CIP Committee hasn't actually had that conversation at this point, which is what I think that Brian is speaking to."*

*Liz Brulotte asks, "So my next question is to the Selectmen. Do you feel that it is absolutely necessary that \$40,000 be put into it this year as opposed to making small incremental payments as every other fund has done?" "I mean if we can cut costs a little, maybe, not put as much into that fund."*

*Stephen McWhinnie replied, "That's fine. I wanted to have it replaced for what we took out of it."*

*Liz Brulotte stated, "You took out \$31,000; so why do recommend to put \$40,000 in that fund?"*

*Stephen McWhinnie stated, "Because he does have up and coming projects going on. He wants to, as far as the transfer station goes, I think he's doing a wonderful job up there, I think it looks fantastic." Liz states, "I do not doubt that." Stephen says, "...he wants to clean up the front of it. He wants to put the roof up over there and clean up the whole front..." Liz states, "But it's like your college student saying, 'Can I have a bunch of money, I'm going to be spending something this year, I just don't know on what.'" Steve responded, "No, they know what they want to do." He asks Heidi if they had the pricing on that and continues, "It's not just throwing money at the college kid..." Liz states, "I know, but..."*

*Moderator Sisti asks that they speak one at a time and states, "I don't mind you having a discussion outside, but inside, it's one at a time. We'll have a question, a distinct answer, a question, a distinct answer, thank you."*

*Liz Brulotte states, "As the Budget Committee had said, I think it would be more comfortable for all the taxpayers to have some sort of targeted budget, with a set amount of money and then be supportive of this."*

**Liz Brulotte made a motion to amend Article #21 to \$20,000; seconded by Dan Shallow.**

*Heather Carpenter asks for some clarification on the CIP. "Is it the department heads that usually bring it to the CIP for the discussion and if that's the case, I would like to remind everybody that we did have a changeover in management; so, the projects to come are still being fortified because of the management change. So, two parts, CIP, generally brought through to the CIP committee by the department heads...yes, no?"*

*Brian Forst, "I guess I can speak to that, Heather, that in the fifteen years I've been involved in the process, historically, the CIP has been very much looked after by the department head. They were responsible for giving the CIP committee the information that they needed to formulate the CIP. The whole process has gotten a little discouraged and we're trying to get it back on track. As Chairman of the Budget Committee, I was a member of the CIP, but I'm not in charge of that, I'm a member on that committee. So, historically, yes, the department head would bring a request forward, the CIP would ask, 'What's the cost, over what period of time, formulate a table as to how much money should be set aside. That is the correct process.'"*

*Heather asks, "So, with the department head, when was the last time the CIP met and can he bring it forward anytime to the CIP or is it only when you need it?"*

*Heidi Duval states that she can speak to this a little. "I believe that the last time that the CIP Committee met was December of 2016, that's the last date that I received minutes from, so I believe that that was their last meeting and I do know that we sent out some CIP forms...the CIP is under the Planning Board; so, the Planning Board Chair is the Chair on the CIP, I believe. So, I worked with the Planning Board clerk over this past year and we put together a couple of different forms that were sent out to the department heads to be filled out and returned. I do not recall when in the year that was, so, I do not recall who management was at that moment."*

*Heather asks, "My other question would be, I've heard that there were projects in the works, if this is voted down or amended to the \$20,000, where is that money for those projects and are they currently moving forward?"*

*Heidi replied, "I believe that the manager for the transfer station has spoke with the building department, so they are in the beginning stages on discussion on a couple of those items; I don't know that we have firm numbers yet for instance, nothings put out yet for bid if it were going to be concrete or pavement, of course that's a decision that would have to be made together with the Selectmen and they have not had that thorough discussion yet. There's no funding in the operating budget for any of these projects, so it would come from this capital reserve fund."*

*Brenda Sens states, "It's my understanding that capital reserve funds are to have money on hand for the unexpected so that you don't have a sudden break down of a fire truck and you have to come up with the total cost of that fire truck in a year without any kind of back-up or preparation and so I'm a little puzzled by this feeling that you have to have a special project in mind to put money in a capital reserve fund. I think we've all experienced this year break downs of the equipment at the transfer station and they've been rather disconcerting, or annoying and I think that having the capital reserve fund is so that they can fix these things when they happen rather than have to delay them. I feel that replacing the fund makes sense because as homeowners, I think we all know, it's the unexpected things that happen that really get you and I think that's what we need that money for."*

*Nate Abbott states, "This is a tough one because, I want to make it clear that the Selectmen, although they're agents to expend from this capital reserve fund, they do not have any authority to spend it on anything but a capital item for the transfer station; so, that needs to be understood. Whatever money goes in here can only be spent on a capital item for the transfer station. Having said that, it sounds as though the Budget Committee's support for this item is withdrawn for this because of the lack of a capital improvement plan item or anything that says, 'we plan to do this this year'. I think I'm going to differ with you, a little bit in a sense because the whole point of the capital improvement program is to project our expenditures as accurately as possible into the future and then to contribute to specific accounts that meet those requirements in a very even way. So instead of spending/raising money this year, for \$350,000 for a grader, we would contribute to a capital improvement program, excuse me, a capital reserve fund for \$60,000 for however many years so it's a light burden to the taxpayer, relatively speaking; then when we actually buy the loader or grader, you're not hit with that great big tax bill because you've bought that and another piece of equipment all in the same year. So, it's to even out the bucks, that's the whole point to make taxation level." "\$20,000 or \$40,000, I think we have to put some money in there; I think the Selectmen did owe it to the Budget Committee to tell them some*

*amount of planned, but to leave it at \$5,000 is probably not acceptable because a lot of things break and they tend to fix things themselves up at the transfer station.”*

*Moderator Sisti states discussion is on the number; the theory of the capital reserve has been vetted and if we could get on with the number itself and the rationale for the number.*

*Dan Shallow states, “In theory I support the \$40,000; however, I think the Selectmen have a responsibility when their spending capital reserve funds from what the total in the capital reserve fund and be careful not to draw it down too closely unless it’s an emergency situation and, therefore, that’s why I support the \$20,000 this year; I would feel much more comfortable about approving a \$40,000 warrant article if there were specific information available about what the plans were in the future.”*

*Brian Forst, speaking on the floor as a taxpayer and not as the Chairman of the Budget Committee, states, “I would like to see the Board of Selectmen, if they have a project in mind, that they budget for that project. If you’re going to spend \$15,000 at the transfer station, making improvements, I’m all with that, but, if there’s no money in the capital reserve to do it this year, instead of putting money in the capital reserve, take the money out to expend it, we put it in the budget, fix whatever is wrong and then we make a CIP that says, ‘this is our progression we will move forward that is why you’re hearing from resistance from me and this is my taxpayer explanation.”*

*Moderator Sisti calls the amendment, in the amount of \$20,000 to a voice vote.*

***The Amendment to decrease the dollar amount to \$20,000, passes by voice vote, in the affirmative.***

*Moderator Sisti calls for Article #21, as amended, to a voice vote, to now read: To see if the Town will vote to raise and appropriate the sum of Twenty Thousand dollars (\$20,000) to be deposited in the Recycling and Transfer Facility Improvements Capital Reserve Fund established in 2008.*

***Moderator Sisti stated that Article #21, passes by voice vote and will appear on the ballot as amended.***

**Article #22 Academy Building Mechanical Upgrades Cap Res Est. tax impact \$0.24**

To see if the Town will vote to establish a Capital Reserve Fund under provisions of RSA 35:1 for the purpose of Academy Building Mechanical Upgrades & Professional Engineering and to raise and appropriate the sum of One Hundred Ten Thousand dollars (\$110,000) to be placed in this fund, and to appoint the Board of Selectmen as agents to expend from said fund.

Recommended by the Board of Selectmen: **yes**

Recommended by the Budget Committee: **yes**

***There was a motion to move Article #20, by Brian Forst in the amount of \$110,000; seconded by Michael Jean.***

*Liz Brulotte asks, "What are the mechanical upgrades that need to be done on the Academy building?"*

*Stephen McWhinnie responds, "It's the fire pump and the generator."*

*Liz Brulotte asks, "Didn't we vote on the generator last year?"*

*Stephen McWhinnie states, "Two years ago."*

*Liz Brulotte asks, "...was it not replaced?"*

*Stephen McWhinnie states, "It was not replaced." Heather Carpenter interjects, "There is no generator." Stephen McWhinnie reiterates, "There is no generator."*

*Liz Brulotte asks, "So where's the money that we voted on two years ago?"*

*Stephen McWhinnie states, "It went back into, well, we incumbered it one year and then it went back into the general fund."*

*Liz Brulotte asks, "Is there a reason why, after voting yes to fund the generator it was never purchased?"*

*Stephen McWhinnie states, "Because it wasn't enough money. You could buy a generator and put it out on a pad..." Liz Brulotte states, "Obviously" ...Stephen McWhinnie continues, "...and go, 'oh, that's nice'; it's not big enough. From recommendation from the Chief of the Fire Department, he felt that the pump should be on it, he feels as though this should be operational, the building."*

*Liz Brulotte asks, "So is there a reason why there's been a two-year delay in the purchase?"*

*Stephen McWhinnie replied, "Yes, we're working on it."*



*Liz Brulotte asks, "But do we have a price? Have we gone out, figured out what we now need, when previously, obviously, whoever made the decision on what we needed was not correct?"*

*Stephen McWhinnie responded, "...by getting more quotes, they weren't correct. If you get one general...Liz Brulotte states, "If you get..." Moderator Sisti stops the discussion and requests for them to speak one at a time.*

*Stephen McWhinnie continued, "First generator and then a pump."*

*Liz Brulotte asks, "And what's the cost of that?"*

*Stephen McWhinnie responds, "\$110,000...it's for the fire pump too. But, they're still weighing out the pros and cons to it as far as to not have a load on the electrical and make the generator smaller, but there's quotes in there that we still have to sit down and figure out, do we want a diesel fire pump or do we want it to run off the generator or do we want it separate and we're still going back and forth as far as internal wiring and it's..."*

*Liz Brulotte states, "So our guesstimate is \$110" (thousand).*

*Stephen McWhinnie responds, "That's a good number."*

*Brian Forst states, "I've got some information on this so I am out here as a taxpayer, speaking to the body as a taxpayer. This is kind of a two-part problem. We have an Academy building that needs a new fire pump and it's going to be expensive. The fire pump is borderline non-functional. The whole generator issue is another think because we voted to put a generator in and the number wasn't a good number because people didn't do their homework, which is why you're starting to see the Budget Committee balking up against some of these numbers. If you aren't coming forward with a good number, we don't really want to hear it. We want to hear a good number, that we can come to you, we can support. As elected officials to the body, that this is a good number, as a taxpayer I'm standing up here now going, there's a need, but, in all due respect, there's no solid number yet. So we need to make sure that we're coming forward with these articles with a solid number; the Budget Committee, as a committee, saw that there's a need, the vote was to support this article. As a taxpayer, I need to see better numbers coming forward for me to support. We supported a generator two years ago, we don't have one yet. The money has now been raised in tax and put back in the general fund. I want to see solid numbers, as a taxpayer, I need to see these numbers. I cannot continue to say 'yup, we need to do it and let's do it'. I need to see solid numbers, move it forward, get it done. Therefore, as a taxpayer, I stand out here saying, I don't support this article."*

*Michael Wilson asks, "Was it a standard practice that we put these out for RFP and get bids on it before we go to a Budget Committee and have a line item of \$110,000 or do you just kind of say, roughly we think this is what it's going to cost and shoot at the hip? Because you said, the last time, the generator wasn't enough money."*

*Stephen McWhinnie responds, "There was bids out on it, its been bid out three or four times, it's the different options going every which way; whether it's the diesel pump, or it's the electric pump*

*and how much does the transfer box cost, it's more money this end and it hasn't played out and I don't want to rush it."*

*Michael Wilson asks, "Is there a set standard though, I mean we have somebody that we're going out to bid with it?"*

*Stephen McWhinnie replied, "Everything has pretty much gone out to bid. In fact, I'm going to reach out and then do some more on it. I'm not going to, we need to sit down as a board and have ten minutes to sit down and figure all this stuff out. I'm not going to just jump into it and put something in that's inadequate."*

*Michael Wilson stated, "I personally feel like that's kind of exactly, we're asking for \$110,000; you're not saying we have three bids, the highest one was \$70,000, the lowest one is \$40,000, this is where you want to go with the middle one and are we putting this out on Bluebook, Bluebeam, Contractor page, the White pages any of those sites?"*

*Stephen McWhinnie replied, "The unfortunate part and what complicates it is different companies have to bid the different things. We're dealing with generator people, we're dealing with fire pump people and we're dealing with the town electrician. So, this is trying to coordinate it all into that, like I said, I'm not going to jump into it but this is something that needs to be done."*

*Michael Wilson states, "I agree with that, it needs to be done, but I'm asking are we getting an engineering firm or someone to say, hey, you need 'X' pump, with 'X' generator or electricity capacity to do this and then putting that out to bid so that we have real numbers to work with?"*

*Stephen McWhinnie responds, "We're getting real numbers from major companies that, yes, it's not just winging it we've got real numbers from large companies that do their own engineering, we don't think we need to hire a project engineer to do this when these people that are selling the stuff and installing it are quite qualified to handle it."*

*Michael Wilson stated, "I don't know, I've been in construction since I was 16 and typically you get a RFI or a bid, a listed bid has all the specifications of what you're getting so everybody's bid is the same and it's uniform across the board; then you can say they're all bidding the same pump, this is the cost to do it, that's typically of what I've seen in the past."*

*Stephen McWhinnie states, "The pumps, you have a choice of pumps so if you're going to, so there's a 300 gallon a minute, there's a 500 gallon a minute and there's a 1,000 gallon a minute."*

*Michael Wilson stated, "That's my point..."*

*Heidi Duval states, "If I could just speak, real quick, the design of this article was to allow for hiring of an engineering firm, if needed, so that could be done, depending on how things progress because, as you said, there are several different vendors involved, there are different needs to be looked at and we want to make sure that the article did provide for that, for hiring an engineering firm, should the Board choose to and because of the consideration that we may need an*

engineering firm, we did need to put forward a warrant article so that we could have funding available to hire them.”

Dan Shallow states, “I would like to thank Mike for his comments, I think they’re right on. I guess my questions are more directed to the Select board that if the town passed an article authorizing a generator two years ago, or three years ago, there should have been planning in place at that time to buy something with the specifications for it with the bid process and I know from sitting in your folks position that it’s easier to say write a specification up; I’m not an electrician, I don’t know how to write a specification up and sometimes it’s a matter of comparing apples with oranges and it’s difficult to do, I understand that. But my question, specifically is, do you actually intend on spending any of the money this year, for this \$110,000 and if you do, what is the intent on spending it, what are you going to spend it for?”

Heidi Duval responds, “Please correct me if I’m misspeaking here, my understanding would be that should an engineering firm need to be hired, we would have the funding available to do that this year. The primary goal, at this point, is the fire pump, because at this point we’ve been told that if it is to break again, the company that services it will not be able to. So, we wanted to make sure that there was sufficient funding for a replacement fire pump and there are a couple of different options, as the Select board mentioned, to see if they wanted to go with the diesel or an electric and then the next level of discussion would be if they did go with the electric fire pump, do they then get a generator that that’s included on or not. Of course, if they get an electric one and they don’t put it on a generator, then if we have a power outage, the sprinkler system won’t work. But, the primary purposes were the fire pump so should it need to be replaced in an emergency we are able to do so and if an engineering firm is required, that we have funding in place for that.”

Dan Shallow responds, “Thank you, Heidi, that clears up that question, but, I’m just wondering if it’s a fire pump and an engineering firm, and according to the Selectmen, they don’t research on this, they’ve gone out for bids and proposals, what is the range of fire pumps that we’re talking about? Are we talking about from Twenty to Fifty Thousand? Seventy to One Hundred Thousand? Give us some ballpark figure of what you’re looking at.”

Stephen McWhinnie replied, “Electric ones are from \$29,500 to \$36,000 or \$37,000 and then the diesel one around \$92,000 or \$95,000” Heidi Duval states, “\$93,000 and I would just clarify, as Steve had mentioned earlier, these quotes do not, they’re not, full service. There’s also electrical work that would need to be done.

Dan Shallow asks, “It just includes the purchase of the equipment, correct? Not anything to connect it up or the internal wiring within the building and stuff like that?”

Stephen McWhinnie answered, “No wiring. The \$29,500...or whatever it was, is just install it without wiring.”

Dan Shallow states, “If I understand correctly, please correct me if I’m wrong, the primary purpose of the \$110,000, this year, is look at the engineering study to say everything that needs to be done and purchasing one piece of equipment, but not hooking that equipment up to the facility? Probably not? You can’t do it for the \$110,000?”

*Michael Jean and Stephen McWhinnie respond, "That's purchasing more than one piece, that's purchasing them all."*

*Dan Shallow states, "That's purchase and install. So, at the end of the year, this should be done, is that what you're saying?"*

*Michael Jean and Stephen McWhinnie respond, "Right. Why not." Stephen McWhinnie continued, "The fire pump, at the very least and the generator, why not, if the money is there, then we can do it." Dan Shallow states, "The money was there before." Mr. McWhinnie states, "It wasn't enough money." Mr. Shallow thanked him.*

*Debra Cornett stated, "I've been trying to follow and understand this too. So, the engineering firm is going to be a separate...it sounds like we've got four different entities on this; your engineering firm, and what was the ballpark that we're looking at for that?"*

*Stephen McWhinnie responded, "There's no engineering firm yet."*

*Debra Cornett replied, "You didn't consult, but you don't know how much, yet?"*

*Stephen McWhinnie stated, "No, we don't know how much yet, because I don't personally feel, we have to talk about it amongst the Board whether these people, they do this every day. The design them, they install them."*

*Debra Cornett responded, "Okay, but then there's the engineering, then there's the pump, people that do the fire/sprinkler systems, then there's the generator and then there's the electrical. [Mr. McWhinnie responded, "yes" after each statement] Debra continued, "So there's four different entities, so there's four different RFP's that have to go out and I'm not seeing how that's going to be done in one year. It just seems like an awful lot with not having those yet."*

*Stephen McWhinnie stated, "We will do our best; it's not like we took the \$18,000 for the generator and did something with that, we encumbered it once and then it went back."*

*Debra Cornett stated, "But it sounds like this is going to be much bigger than what was anticipated because of the sprinkler system having to be run from it. I understand Brian's concern too, that there doesn't seem to be enough information to come up with a final figure to say that it's going to be done this year, that's all, I'm just trying to follow all of this."*

*Stephen McWhinnie responds, "I think it's just the basic numbers, from the beginning on the \$18,000 was not big enough to run the fire pump and to do any other things you wanted to have done."*

*Heidi Duval asked to clarify, "The language was written to allow for an engineering firm, if needed and the number that we put forward was to allow for engineering if needed and to ensure that we had funding available for the fire pump, specifically. The intention, when we brought this forward to the Boards was to not to necessarily ensure that the entire project was done within a year, but*

*rather that we started the funding mechanism and had the funding available, because, as I said, the fire pump, they told us they would not be able to repair it again. So, we need to be prepared for that situation.”*

*Debra Cornett stated, “I just want to see it done once and done right.”*

*Heidi responded, “Right, we were just trying to properly label the fund so that it could be used for all of these items; I certainly did not, I put forward to the Board a specific number that I anticipated would cover all items, but more to get the ball rolling and be prepared to possibly deal with an emergency with the fire pump.”*

*Debra Cornett asks, “Okay, so more than likely, it wouldn’t be completed in the next year, totally.”*

*Stephen McWhinnie responded, “It’s a possibility. But the reason we are waiting is so we can do it right one time.”*

*Debra thanked them.*

*Amy Brown asks, “So, not knowing the full process, can the public view the bids?”*

*Heidi Duval responded, “Yes.”*

*Amy Brown asked, “Would we have to request those?”*

*Heidi Duval responded, “Yes, you can do that by email, just so you know.”*

*Amy Brown asks, “Say we move this through and approve the \$110,000; can the Board confirm that this will actually be done in the start of this year since we did vote on it back in 2016 and it wasn’t done?”*

*Heidi Duval responded, “Again, the language of this article does not specifically state that a particular item will be done; it’s to set up a capital reserve fund that would be proper for use for multiple items, such as the fire pump and the generator. Administration’s biggest concern is being able to address the fire pump this year.”*

*Amy Brown asks, “And was it the same language when we voted for this?”*

*Heidi responded, “No.”*

*Amy stated, “It was not.”*

*Heidi stated, “The previous warrant article specifically stated generator.”*

*Amy Brown asks, “But that hasn’t been fixed yet?”*

*Heidi responded, "There is no generator, there never had been one and to be honest, I have not even seen the documents, the bids, that were used to prepare that number, it was before my time."*

*Amy asks, "If all is said and done and we push through the \$110,000 and it's less than \$110,000, what happens to all that excess money?"*

*Heidi responded, "It's a capital reserve fund so it would sit in that fund for future use for items that it's applicable to."*

*Amy thanked Heidi.*

*Liz Brulotte states, "So the previous funds raised were put into capital reserve."*

*Heidi Duval responded, "I don't believe so, I believe it was a specific warrant article to raise money for a generator, so it went back to the general fund."*

*Liz Brulotte stated, "So we raised money, for this item, the item wasn't purchased and the money got spent."*

*Heidi replied, "No. The money did not get spent."*

*Liz Brulotte asked, "Then where is the money?"*

*Heidi replied, "It had reverted back into the general fund at this point because it was, I think a 2015 article, so it was: 'To see if the Town will raise and appropriate the sum of Eighteen Thousand dollars to purchase a generator for the Academy building'. The money would have been only able to be used to purchase a generator and no generator was purchased. So, at this point, it had reverted back."*

*Heather Carpenter stated, "It is my understanding that \$110,000 won't cover it depending on which pump is going to be used; so, I think there are four bids for the pump ranging, like the Selectmen McWhinnie said, between \$29,000 and upwards of \$93,000, of course, none of those include wiring. There is one specific company that, I believe they have engineering on staff, but I'm not 100%, I believe that's Superior, who is, at the time, is the lowest bid on the electrical unit. However, depending on what the Board thinks is appropriate for the building for future use, if that building were ever to be expanded in any way shape or form, you want to do it right one time in the appropriate amounts; however, again, the electrical issue is the biggest sway component. An electrical comp would be fantastic at \$29,000 as opposed to the diesel pump at \$93,000; however, it's what's appropriate for the building and the reason why the generator wasn't done was because at that time, when this Board came on, when I came on, the \$18,000 was no longer available to the Administration, as a point. Like the Board has stated, I have yet to see any paperwork on those bids; I'm not saying they don't exist, we just haven't seen any in the office. Moving forward, the fire pump does need to move forward in some fashion, it won't be able to be serviced again per the current Life Safety company that we have. So, in essence \$110,000 does seem like a lot, but it's based on a range. So, hopefully if we can get an electrical pump, for \$29,000, that'd be*

*preferred; however, if it's right for the building or not right, so that's my own clarification and the original \$18,000 for the generator was encumbered once and could not be encumbered again."*

*Heidi Duval stated, "If I could just clarify on that, my understanding was that we were not able to get a price that actually fit the amount that we had wanted, so we would have had to do an additional warrant article anyhow, unless we were able to find a vendor that was able to provide a generator at that price."*

*Katie Wilson, "I'm asking, like for the Police Chief or the Fire Chief asked for a guesstimate on a car or a truck for like an amount and not a hard amount, would that get passed? You guys are asking for \$110 but don't have any concrete estimates."*

*Heidi Duval responded, "We have several concrete estimates, they just haven't chosen which..." Katie Wilson said, "You're asking for \$110, but you're not sure, it might cost us \$130, it might cost us \$90, so I'm just kind of asking for more of a comp."*

*Heidi Duval responded, "We're attempting to establish a fund that would be used for multiple, the thought process is that it would be multiple projects that would be happening, it's not a one-time project. So, we're not putting forward a specific, we're going to do all of these items right now and this is the exact what we are going to do. This is to prepare for multiple."*

*Katie Wilson, "But there's no exact numbers, like you guys would want an exact number if a car costs so much, you kind of want an exact number of how much this is going to cost us."*

*Heidi responds, "That depends on the exact specifications that are chosen. We have bids on different items, but it depends on what specifications are chosen."*

*Dan Shallow, "Just a point of clarification; I just want to make sure my interpretation is correct and it says in this warrant article that it's the only way this \$110,000 can be spent. The only way for it to be spent is for the Academy building mechanical upgrades and professional engineering; it can't be spent for any other issues related to the building; carpentry or anything else, painting or anything, just those things, I just want to make sure we understand that."*

*Heidi Duval stated, "Correct."*

*Jane Sisti states, "I think there's a slight confusion in the audience. This is money that you're voting on to put in a capital reserve account. So, you don't really need an actual concrete figure of what it will cost to do the work, just like when you put money into a capital reserve account to buy a cruiser or to buy a fire truck, or to buy highway equipment. At the time you put the money into the capital reserve account, you don't have specs on what you're buying, it's money you're putting in there so that when you do need the fire truck, you do need the generator, you have that money there and you can spend the money and the remainder stays in the capital reserve account for future use."*

*Chief Hempel stated, "Maybe to bring a little clarification on the situation, currently, there is a couple of options before the Board that have to be determined before we determine what route*

*we're going to go. The fire pump needs to be replaced and the fire pump needs to be powered at all times throughout the building. There are a couple of options that are available to the Board to determine whether we power the fire pump with a stand-alone diesel generator and then in turn, maybe power the building with a smaller generator and provide the minimal needs for the building; or do we power everything with a large electric generator, which will power the fire pump and the necessary components of town hall. There are pieces that will make one decision better than another and so on and so forth. That hasn't been done yet. I think at this point, we do need to set some money aside and the Board needs to make a determination on what is the best, most efficient route that these choices provide us. Frankly, I'm not sure yet either. But, we need to do this and we need to have a firm come in and say, 'here's your advantages over a large generator that's going to power everything, or maybe you ought to consider a small generator to power the building and then a stand-alone diesel generator for the fire pump. Couple options to explore, but we aren't there yet.'*

*Donald Guarino states, "The number two years ago, for the generator, was a real number. I was involved with it. It came about because we thought we should be able to power the pump in all circumstances, power outages, whatever, we felt we wanted to be able to power the pump, power the lights, power the furnace. Through the existing Board and the people in the Administration to say that that wasn't a good number, if you look back on 2016, you can see that there was \$70,000 available for maintaining government buildings. Now, we had a loss, that year due to the sprinkler freeze-up and flooding the building. There's thousands of dollars that were reimbursed by the insurance company that I should put funds back into that account, as an example, the curtains were replaced by the insurance company; that alone was \$7,000. The Selectmen had the ability to expend money from that account and also take the \$18,000; they could have spent \$25,000 on the generator. They didn't do it, so, now we're sitting here with all these numbers wondering what's going on. They have the authority, they could've done it last year if they had the funds, they could've taken from the general government building maintenance line and put a new pump in and I'm hearing an electric pump at \$29,000. They spent \$44,000 painting the Academy. If they feel that this is really important, they have the ability to do it. I'm not going to sit here and take criticism over that not being a real number. Show me a number in 2016 that makes that number not a real number, don't tell me you don't see any numbers, just show me the number."*

*Scott Dunn stated, "I don't have a problem with the \$110,000 and I don't have a problem with the way the problem is moving along. My concern is we're taking this \$110,000 out of the tax rate. Was there any thought given to funding this through fund balance?"*

*Heidi Duval responded, "We had not discussed that."*

*Scott Dunn asked, "How much money is in the fund balance? I looked in the budget and I didn't see any use of fund balance in the budget at all and I know you can put some of that in when the tax rate is set; but, my recommendation would be that you consider using fund balance for capital item projects, such as this, so it's not coming out of taxes this year; there's money sitting there that's already come out of our taxes, this would be a good use of that money."*

*Stephen McWhinnie stated, "But we still have to maintain, what 10.5 – 15% is it?"*



*Scott Dunn replied, “Well that’s DRA’s recommendation, but there’s no absolute.”*

*Heidi Duval responded, “The Town does have a policy. I think it’s 11%”*

*Debra Cornett stated, “It’s 10%, that is the Town policy.”*

*Stephen McWhinnie stated, “Until the next audit, we won’t actually know what’s in it. We have numbers from before and I thought they were like 1.8 or something like that, 1.85 from an audit”*

*Scott Dunn states, “So let’s assume that it’s about Two Million dollars, and you need to retain 10%, what’s that figure? So, my point is, I asked the Board to consider, projects like this, funding it through fund balance, instead of putting it on the tax rate, cause our taxes are high enough, thank you.”*

*Moderator Sisti states, “seeing no further comments or concerns, it was actually a little educational, we will move on to Article 23”:*

**Moderator Sisti stated that Article #22 will appear on the ballot as written.**

#### **Article #23    Change Computer Replace/Repairs for Town Clerk Non-Cap Res**

To see if the Town will vote to change the purpose of the existing Computer Replacement or Repairs for Town Clerk/ Tax Collector Non-Capital Reserve Fund established in 2014 to the Computer Replacement or Repairs Non-Capital Reserve Fund, so that this fund will also be available for computer replacement/repair in other town departments. **(2/3 Majority required)**

Recommended by the Board of Selectmen: **yes**

*No Discussion.*

*Moderator Sisti asks if there’s any discussion or concern with Article 23; seeing none Mr. Sisti stated we will moved on to Article 24.*

**Moderator Sisti stated that Article #23 will appear on the ballot as written.**

#### **Article #24    Change Hwy Equip Cap Res to Hwy Equip & Repairs Cap Res**

To see if the Town will vote to change the purpose of the existing Highway Equipment Capital Reserve Fund established in 2006 to the Highway Equipment and Repairs Capital Reserve Fund, and to appoint the Board of Selectmen as agents to expend from said fund, to allow these funds to be used for repairs as well as replacement of highway equipment. **(2/3 Majority required)**

Recommended by the Board of Selectmen: **yes**

*Brian Forst, speaking as a taxpayer, states, "I have grave concerns with this article. There's \$353,000 of our taxpayer money in this account and I do understand that we had an episode this year where the grader inquired significant repairs, it amounted to a lot of money and it put quite a crunch on the budget at the Highway Department. Agents to expend by the Selectmen of \$353,000 that we put away to save for future purchases, is extremely dangerous to me; and this is in no way directed at this Board of Selectmen, it's directed at the principle that a Board of Selectmen can take that money, in any one year, and spend it however they see fit. We didn't set up a CIP and set up, you know, somebody asked, 'was \$60,000 being put in this account?', we didn't set this up with the intention of the Selectmen could expend, at their discretion, these amounts. We set these up so that we can come before this body and with a warrant article that said we want to replace a piece of equipment that is a big dollar item, and we have the money there to do it. We vote this article in, we may be standing here in three years with nothing left and not a lot to show for it. I really hope you understand where I'm coming from on this. I would like to see a Non-Capital Reserve account established for substantial repairs to any town equipment; the fire department, the highway department, the transfer station, all have equipment that, twenty-five years ago this stuff didn't cost this kind of money, it wasn't \$30,000 to put a new engine in it; now it is and we need to protect ourselves as taxpayers from these expenses. But changing the title on this account is just, in my eyes, as a taxpayer, dead wrong."*

*Dan Shallow states, "and I would like to echo those comments. My concern is when we say 'repairs'. I know through the budgetary process, you have to budget repairs and I know that sometimes there are emergency repairs that you don't plan on; but, this gives the spending body, which is, in this case, the Select Board, a wide range of authority, and I'm not saying that they would abuse it, or anyone else would abuse it, but you really have to be careful when you're looking at something; that type of account is set up to purchase major items, not as general repair. It would be great if we had a separate account for major emergency repairs, but that's not what this should be, it should not be authorized to repair items. Thank you."*

*Liz Brulotte asks, "I just have a general question, why are these articles that are coming up now, none of them have recommended by the Budget Committee, as a option, there's no yes or no."*

*Brian Forst responded, "Liz, the answer there would be because there's no dollar figure being appropriated. It's difficult as the Budget Committee because there is dollar figures effected here, but there's no appropriation, so we don't recommend or not recommend."*

*Dick de Seve states, "...we apparently had some significant repair costs this past year, my understanding, so, that money came from somewhere. Somewhere in the budget, there's money for repairs, is that right? I guess that's my question is, whether it's in a capital reserve fund or it's in*

*the main budget, it still comes out of our tax dollars. So, I'm not sure what the different effect would be if it comes from the general fund, where, apparently there must be a line item for repairs, or it comes from a capital reserve fund. If somebody would explain that, I would appreciate it, thank you."*

*Brian Forst stated, "I'll take a hit at that one. Does everybody understand the capital reserve concept? We put \$60,000 a year away in this account for the purchase of a \$500,000 piece of equipment or a \$250,000 piece of equipment. We're trying to level our tax base. We're saying, we're going to put \$60,000 a year away into that. That is a futuristic goal and that keeps our tax rate at some kind of a medium, it keeps from spikes and valleys. Now, we've talked a lot today about agents to expend and non-capital reserves verses capital reserves; non-capital reserves and I'm going to get corrected here in a minute because, I always understood non-capitals were Selectmen, agents to expend, capitals were vote of the townspeople to expend. There's been a lot of discussion about that in the last couple of years, we're going to another warrant article, here in a minute, where the Selectmen put the article forward as agents to expend. When you're putting money away for a future purpose, it's much different to me, in my eyes, then dealing with an immediate unknown cost, in that, like I said, the Highway Department suffered greatly this year from an unforeseen repair item that they had to pull out of their budget because it wasn't a foreseen problem. \$30,000 went into the motor and the grader and they had to find that money. They have a million-dollar budget. The Highway Department budget, in this town, is a million bucks. Yes, it was difficult to find it, but he was able to find it, he was able to forego other things; say, I'm not going to do this project because I had to fix the grader. The idea that we could say, 'nope, we're going to take \$30,000 out of the money that was set aside to replace the grader, I'm not comfortable with that idea. The townspeople voted, we're talking about changing an account in this warrant article that people have been putting money in since, I think it was established in 2001, they've been putting money in that with the intention that was saved for a bigger purpose. It wasn't saved to repair something. So, I'm not against a non-capital to repair things; but I'm against changing the verbiage on these articles as where money was saved over the last sixteen years or eighteen years for a particular purpose. Does that answer your question, Dick?"*

*Mr. de Seve responded, "Yes, thank you, I appreciate it."*

*Christine Hayes states, "I agree with Brian, totally. I go back to 1984 as a Selectman and at that time capital reserves, if you wanted to expend from a capital reserve account, you had to come back to the town meeting for a vote. You just couldn't access it. Selectmen were not agents to expend and obviously, I'm dating myself, because apparently, that has changed. Expendable trusts or non-capital reserves were ones that you could hold, and a posted meeting at your Selectmen's meeting, or at the School Board meeting, to access the funds from either a non-capital or a capital reserve. That gave the public the option to have some discussion about what was being expended and so, I do agree, I think that it probably would have been better to have a separate article to set up a separate expendable trust fund for the repair of equipment; and, as Brian said, not just the highway department, but all of our departments. So, I would encourage people to forego voting on this one"*

*Betty Ann Abbott asks, "I want to know if it is possible to amend this, to negate it?"*

*Moderator Sisti commented, "On March 13<sup>th</sup>, you could vote 'no'."*

*Legal counsel, Jae Whitelaw, states, "Mr. Moderator, pardon me, it can be amended...This article can be amended, all of these articles, except for the zoning articles can be amended; so, you can amend it, you have to decide what you want it to do; when you decide how you want it to be amended, I will give my opinion as to whether or not what you are doing is a lawful amendment and if I think it's not, I'll explain why I think it's not."*

*Betty Ann responded, "Okay, fair enough. I wanted to say that I am a firm believer in value of the capital reserve fund and the way they smooth our tax rate. So, I would make an amendment:*

***Betty Ann Abbott moved to amend Article 24 in the following way: "To see if the Town will vote to not change the purpose of the existing Highway Equipment Capital Reserve Fund established in 2006..." "How about that?"***

*Town Counsel responded, "I think it's problematic and let me explain why. You have brought authority to amend warrant articles at the deliberative session, you cannot change the subject matter of it, and I think that the subject matter is that this particular capital reserve fund; however, you can't set it up so that no matter what the people vote on in March, there's no effect, it results in the same thing. So, I think that if what you're trying to do is, there are other ways you can achieve the purpose of negating this. Let me make some, it sounds as though what you'd like to do is make this go away, but unfortunately, it used to be that we could just make these go away, but we're not allowed to do that anymore. But, you can effectively do that in a couple of ways. One think that you could do is delete, 'and to appoint the Board of Selectmen as agents to expend from said fund;' That fund would then be used to both purchase and repair highway equipment; but, the repairs aren't going to happen until there's a town meeting vote that authorizes those particular repairs. The other thing that you could do is you could vote to 'advise the Selectmen to consider changing the purpose of this fund...and keep it that way, that turns it into an advisory warrant article and whether it passes or fails, it doesn't have any legal effect because you're just telling the Selectmen, 'please think about this'. I think that you could do those two things..."*

*Moderator Sisti comments, "...make sure you understand what the ramifications are, what you're doing before you make this particular amendment. You know, you may be cutting off your head here, alright, not knowing it...I know the spirit of the moment now is everybody wants to defeat this think, okay, but we're not at town meeting, unfortunately, alright, be very careful...don't do something that's going to make it even worse, is what I'm telling you, alright...don't go there."*

*Betty Ann replies, "...Yes, I'm thinking, I'm thinking of sitting down!"*

*Ms. Whitelaw, Town Counsel, comments, "...Don't forget, if this particular article fails, as is, or if you amend it to change it, nothing will change what's currently in place. What's currently in place is going to stay there, unless it gets changed by what happens in March."*

*Brian Forst states, "No. Remember when you were a little kid and your Mom said, 'no'? Everybody in this room needs to remember, 'no'."*

*There were several concerns vocalized as to educating voters as to what transpired at today's Deliberative Session.*

*Brian Forst stated, "I understand that, but, we need to, as people in this room, make sure that your neighbor understands and everybody understands what we need to do to this article and I want to thank Betty Ann for her effort, but, then I want to thank her for sitting down; because, what happens, if we amend this in any way, is that it gets confusing and people get confused and things happen bad, so, no, N-O, no."*

*Stephen McWhinnie states, "I would take a vote to advise the Selectmen to consider changing the purpose; seconded by Michael Jean.*

*Stephen McWhinnie moved to change the warrant article to say, that it would be for repairs, but the Selectmen would not be agents to expend; seconded by Michael Jean.*

*Moderator Sisti states he doesn't have an articulated motion, he doesn't even understand what he's saying and asks for a moment. Addressing Chairman McWhinnie, "I want you to clearly state your motion."*

*Stephen McWhinnie moves to amend, "On Article 24, **To see if the Town will vote to change the purpose of the existing Highway Equipment Capital Reserve Fund established in 2006 to the Highway Equipment and Repairs Capital Reserve Fund; and to allow these funds to be used for repairs as well as replacement of highway equipment. (2/3 Majority required); seconded by Michael Jean.***

*Moderator Sisti asks for an advisory legal opinion.*

*Town Counsel, Jae Whitelaw, responds, "I believe that's legal what they're doing is crossing out the language to appoint the Board of Selectmen as agents to expend from said fund."*

*Moderator Sisti asks if everybody had gotten that and is that clear, it's been seconded and asks if there's discussion.*

*Stephen McWhinnie stated, "The intent was that, and Brian already said something, was that we did, we were scrambling to get Thirty-something Thousand dollars to fix the grader and to see \$350,000 sitting there was like a lot of scrambling when it was just sitting right there; but I understand, we're not the only Board, they'll be Boards after and that would have to be changed again, so, just get rid of it."*

*Moderator Sisti states, "You understand what this is now, we're talking about the amendment; we're striking language: ~~'and to appoint the Board of Selectmen as agents to expend from said fund'~~, that's what this discussion's about.*

*Michael Krebs asks, "Can somebody please explain, specifically, what 'agents to expend' means? Does an agent to expend out of a particular fund mean they can spend it on anything that they want to, or does it have to be for that specific purpose?"*

*Brian Forst responded, "It would be my understanding, as a former Selectman in the Town and having spent a lot of time on this side of the table, that they are agents to expend from that fund, for that fund, for the purpose of that fund. In other words, they could not expend from that fund to buy an ambulance. They can expend from that fund for highway equipment; which is why, when I said, that I would like to see a fund established, I would like it to be broad enough to include all pieces of equipment for the Town and not just the highway fund, the highway equipment fund and I understand what Selectman McWhinnie has proposed here, but I would ask you to think that if the road grader has a blown engine, are we going to wait until this body meets to vote to take the money out of a capital reserve to repair that engine, is this going to be effective? It's not going to be effective; so, I would really like to see this account stay as it is and I would like to see something brought forward for next year that addresses the issue of immediate, catastrophic failure of equipment in the Town. This doesn't do it. This is not a mechanism to get there."*

*Michael Krebs asks, "If the Selectmen are not agents to expend, who can expend the funds that are in a fund like this?"*

*Brian Forst responded, "A fund like this can be expended by a vote of the towns people; only by a vote of the towns people. When a warrant article is put forward, to purchase, I don't know if anybody here remembers, a year or two year ago we replaced the six-wheel plow truck, \$175,000 purchase, and a warrant article was put forth for that purpose, the plow truck was voted up, we expended the money from a capital reserve fund, no impact to your taxes, and bought a new plow truck. That is the wish of the voting body to purchase that piece of equipment; it's not the Selectmen as agents to expend; it's the people who put the tax dollars there get to vote on what it's spent on."*

*Mr. Krebs asks, "So if this continues as it is, whichever way that goes, suppose there's money put into this fund and an emergency comes up through the year, do we have to wait until next year to actually appropriate and spend the funds?"*

*Stephen McWhinnie replied, "You would have to wait or have a special meeting to spend anything out of it."*

*Betty Ann Abbott stated, "It's my understanding that that does not make it so we can't find funds for that repair using our usual methods. Am I right; so all this is doing is getting this back effectually, to the way it is now regarding it's being used for equipment; that the repairs that come along need to be done in a timely fashion and be done the way they've always been done. They cannot be taken out of this fund without having a special meeting, so, I just don't have the faith that the Town will vote this down because they haven't been here for this discussion."*

*Heidi Duval states, "I would agree with what Betty Ann just said, that this would change the name of the fund, but, for instance if there was a large piece of equipment that would cost a lot to repair, but the Road Agent actually felt that he could still save money and it would still be a good use of funds, then instead of, I'm thinking of, like fire engines, that there's been talk about rebuilds and reusing half of a piece of equipment and replacing the other half. I do think that this language would allow for more flexible use by the voters. I think that there was some clarification coming forward on 'agents to expend'."*

*Moderator Sisti states, “.... there’s some definition of things that are getting thrown around here that we’ve got to sit back and deal with what these terms mean.” Moderator Sisti yields the floor to legal counsel, Jae Whitelaw, who states, “There’s been a lot of discussion about agents to expend, and capital reserve funds and those kinds of things, so, the basics: monies are raised and appropriated by town meeting. Money doesn’t get spend unless town meeting votes for it. There are exceptions to that. The town meeting can vote to say, ‘we’re going to set up a special account and you the Selectmen, or you, the Conservation Commission, or you, somebody else, is going to be authorized to spend that money without coming back to town meeting. So, ‘agents to expend’ are appointed in those particular special accounts where the statutes say they can be appointed. They’re either appointed at the time that you set up that particular fund, or the town meeting can vote, after notice, it shows up on the warrant to appoint agents to expend. Those agents to expend, can only spend that money for the purpose for which that fund was established. So, that’s why the current fund was established to buy new stuff, so the money can only be spent for that. It can’t be spent for repairs of things, unless the purpose of that particular reserve fund is changed, which is what this warrant article is about. So, the whole thing about agents is just who’s authorized to expend that, being an agent doesn’t change what the money is spent on...”*

*Someone from the floor asked to call the question.*

*Moderator Sisti, said we would be voting on the amendment, “To see if the Town will vote to change the purpose of the existing Highway Equipment Capital Reserve Fund established in 2006 to the Highway Equipment and Repairs Capital Reserve Fund; we’re striking: ~~and to appoint the Board of Selectmen as agents to expend from said fund~~’ and to allow these funds to be used for repairs as well as replacement of highway equipment. (2/3 Majority required)”*

*Mr. Sisti called the amendment to a voice vote: too close to call; Moderator Sisti asks for a hand count.*

***Hand Count: Yes: 54 Moderator Sisti determined that it was overwhelming that the ayes have it the amendment passes; he asks if there’s any further discussion; being none, Moderator Sisti called the amended article to a question:***

*To see if the Town will vote to change the purpose of the existing Highway Equipment Capital Reserve Fund established in 2006 to the Highway Equipment and Repairs Capital Reserve Fund; and to allow these funds to be used for repairs as well as replacement of highway equipment. (2/3 Majority required).*

***Moderator Sisti stated that Article #24 will appear on the ballot, as amended; by voice vote.***

## **Article #25 Appoint Selectmen agents on multiple Cap Res Funds**

To see if the Town will vote to appoint the Board of Selectmen as agents to expend from the following existing Capital Reserve Funds: This would allow the Selectmen to expend funds from these accounts when the need arises.

Highway Sheds established in 2003

Town Septic Systems established in 2006

Town Driveways established in 2006

Town Roofs established in 2006

Salt and Sand Cover established in 2006

Solid Waste Storage Building established in 2010

Self-Contained Breathing Apparatus Fund established in 2011

Recommended by the Board of Selectmen: **yes**

*Michael Wilson asks, "Is this how, historically, this has been the way it's been done where the Selectmen have control of these funds, or are these more warrant articles, where the towns people vote on them?"*

*Heidi Duval responded, "When these warrant articles were created, they were not named as agents to expend, so it would go to a warrant article to a vote of the people. The Board looked at capital reserve funds that, maybe, there would be items that would come up for being addressed in a more urgent matter and maybe were not the typical capital equipment type items to bring forward to see if the townspeople..."*

*Mr. Wilson asks if there is a dollar amount of what is roughly in all of these accounts together.*

*Heidi responded she didn't have a grand total, but could read off each one; these balances are as of 12/31/17:*

*1.Highway Sheds - \$31,303.01*

*2.Town Septics - \$17,574.86*

*3.Town Driveways - \$18,285.29*

*4.Town Roofs - \$35,174.84*

*5.Salt and Sand - \$9,980.94 (also a warrant article this year to put more into this account)*

*6.Solid Waste Storage Building - \$18,421.52*

*7.Self-Contained Breathing Apparatus - \$132,179.40 (there are additional articles, this year, to complete the funding in this account and there's also a warrant article for the purchases).*

*Michael Wilson continues, "With regard to everything, but the Self-Contained Breathing Apparatus, I understand why the Chief needs that cause he has to replace that one way or the other this year, why is the Selectmen looking to have control of about \$120,000 dollars of our money, to expend the way they want?"*



*Heidi Duval responded, "...they would still need to expend for the particular items that are listed. Say we had a septic problem, they would be able to address that, or there was a roof that needed to be repaired and replaced, what have you."*

*Michael Wilson, "Are there any known issues right now on any of these?"*

*Heather Carpenter responds, "So, there's no known issues on the septic or roofs at the moment, but their life is at their max. We're looking at the particular septic at the Town Hall, as it exists, and I know the roofs, depending on which one they pick and I'm still searching for evidence of which one was picked, if they picked a fifteen-year life or a twenty-year life, and the roof system that we have at the Town Hall; if it's a fifteen-year life, it's pretty much at its' max."*

*Gary Anderson asks, "Just with all the talk of people be expending to make all these decisions, how long does it actually take to have a special town meeting to make this decision? Is this something that can be done in a couple of days and, historically, have there been any issues in town that could have been fixed by agents to expend, but were not able to be done because they had to wait for the town's decision?"*

*Heidi Duval responded, "I think it would be about two to three months to call a special meeting; we would likely have to go through the court system on that. I'm not aware of any specific items that were unable to be addressed, and, as discussed, we had a large grader repair, things of that nature; adjustments had to be made in the operating budget..."*

**Moderator Sisti stated that Article #25 will appear on the ballot as written.**

#### **Article #26 Sale of Town Properties**

To see if the Town will vote to authorize the Selectmen to sell the following properties in the Town of Gilmanton to be sold at public auction:

1. Map 117 Lot 012 - Willow Ave
2. Map 133 Lot 018 - Moccasin Path
3. Map 410 Lot 010 - Sawtooth Rd Backland
4. Map 412 Lot 024 - NH Rt 106

Recommended by the Board of Selectmen: **yes**

*No Discussion.*

**Moderator Sisti stated that Article #26 will appear on the ballot as written.**

**Article #27    Change Treasurer's term from 1 to 3 years**

Are you in favor of changing the term of the elected town treasurer from one (1) year to three (3) years, beginning with the term of the town treasurer to be elected at next year's regular town meeting?

Recommended by the Board of Selectmen: **yes**

*No Discussion.*

**Moderator Sisti stated that Article #27 will appear on the ballot as written.**

**Article #28    Est Non-Cap Res for donations for Stock Exchange Clock**

To see if the Town will vote to establish a non-capital reserve account for the purpose of accepting donations and making expenditures to maintain the Boston Stock Exchange Clock donated to the Town by Geraldine Besse, and to name the selectmen as agents to expend from the fund. No appropriation of funds raised from taxes may be deposited in this fund.

Recommended by the Board of Selectmen: **yes**

*Nate Abbott commented, "I just want to poll the group, how many are aware of the clock and the Go-Fund-Me page I created; so, it would be used for, I'm seeing like 50%; I'm just going to explain this briefly. Geraldine Besse was a long-time resident of the Town of Gilmanton. She migrated here from Billerica and raised her son here, she eventually married a gentleman, named Harry Besse, who's known as Colonel Harry Besse, these were all my neighbors on Halls Hill in Gilmanton Iron Works, I only knew Gerry, because she was still alive when we moved to town in the early 90's. While I was a Selectmen, in the early 2000's, she realized she had a clock that Harry had been given after he was President of the Boston Stock Exchange. It's an E. Howard #20 gallery clock, or wall clock. It's a nice piece, marble face, and she intended for it to be place on what you would call the 'choir loft' in the upstairs at the Academy building. That was done when I was a Selectman, it was a gift to the town. It's a lovely piece and it pulls the room together. It ticks nicely, it's a nice antique piece. Over time it had been refurbished so that it was working when it was installed. Then, it ceased to function...to wrap this up, I felt that the towns people, because these are not really cheap to maintain, but at the same time it's a small item, I didn't think that the Selectmen should be pulling money from the general fund, which we fund with our taxes to repair this clock on a periodic basis. It is going to need ongoing maintenance. It's a nice piece, it's a way that we can remember something of our history and Gerry Besse, who, had a huge commitment to the town. She donated money and time to all kinds of causes like the restoration of the Academy building and Old Home Day...so, I started with a Go-Fund-Me page, we raised \$855, Go-Fund-Me keeps a certain amount of that, we spent \$500 with...Carignan Watch Company, a watch company in Belmont. It's presently back up and running in its place; it still needs some*

*adjustment, I think it may need some help still...my intention was for this warrant article to be put forth before the people so that the Selectmen could receive donations directly to place the funds into this fund on a periodic basis. People like me and anyone else that wanted to, could ask the people to donate money to the town to maintain the clock and it could be maintained on an ongoing basis with no tax impact...please vote for the article and ask your neighbors to vote for it so that this clock can keep running and we can keep remembering Gerry Besse and all the good she did for the Town of Gilmanton. Thank you."*

*Heidi Duval states, "Mr. Moderator, I do think that we actually would like to make an amendment to clarify some language that was brought to our attention by the Department of Revenue...it's just to clarify the language for the expending and how to actually receive the funding; I'm going to let legal counsel speak to that briefly and then we do have an amendment."*

*Jae Whitelaw states, "DRA, the Department of Revenue Administration didn't like this one and at the last minute, it was too late to change anything before we got to this stage of the game. They recommended, in the way that DRA said you've got to do this; that you don't establish a non-capital reserve account. I suspect that the reason was that when the town gets donations, all of that money comes to the town in trust. It goes to Trustees of the Trust Funds; it can only be used for the purpose it was donated. The Trustees of the Trust Funds can only spend that money at the direction of whoever's authorized to have that money expended, which, in this case, would be the Selectmen, because it was donated to the town. So, keeping in mind the scope of what we can do to warrant articles to amend them and trying to walk that line, I recommended that the Selectmen move to amend it so that, again, it's sort of an advisory recommendation to the Selectmen to account separately for the donations, which has to happen by law, anyway; I think that meets the requirements of what you can do in amending, it also meets DRA's requirements."*

***Stephen McWhinnie moved to amend Article #28 to read: "To see if the Town will vote to recommend that the Selectmen account separately for the donations and expenditures related to maintaining the Boston Stock Exchange Clock donated to the Town by Geraldine Besse. No appropriation of funds raised from taxes may be deposited in this fund."; seconded by Michael Jean.***

*Christine Hayes asks, "Wouldn't it have been just as easy to establish an expendable trust to do exactly the same thing?"*

*Town Counsel responded, "Yes, but that wasn't warranted, so you can't do that at the town meeting, you would have to wait until next year to do it."*

*Christine Hayes asks, "You can't change it from a non-capital to an expendable trust?"*

*Town Counsel responded, "No, I don't believe that you can, I could be wrong, but, I don't think so and the reason why there are issues with due process issues in making sure that what you notify is going to happen at town meeting, or whatever you do is in the scope of that and it wasn't noticed to the public that there would be consideration of an expendable trust."*

*Seeing no further discussion, Moderator Sisti called the amendment which reads: "To see if the Town will vote to recommend that the Selectmen account separately for the donations and expenditures related to maintaining the Boston Stock Exchange Clock donated to the Town by Geraldine Besse. No appropriation of funds raised from taxes may be deposited in this fund."; to a vote.*

**Moderator Sisti declared the amendment to pass in the affirmative, by voice vote.**

**Moderator Sisti stated that Article #28 will appear on the ballot, as amended; by voice vote.**

**Article #29    Petition: GYR Library Funds**

**Est. tax impact \$0.10**

To see if the Town will vote to raise and appropriate the sum of Forty-Seven Thousand Dollars (\$47,000) for partial funding of operating expenses of the Gilmanton Year-Round Library for 2018. (BY PETITION)

***Fred Buchholz moved Article #29 in the amount of \$47,000; seconded by Michael Jean.***

Recommended by the Board of Selectmen: **yes**

Recommended by the Budget Committee: **yes**

*No Discussion.*

**Moderator Sisti stated that Article #29 will appear on the ballot as written.**

**Article #30    Petition: Wilson Sapiro Quitclaim Deed**

To see if the Town will vote to issue a Quitclaim Deed to Virginia Sapiro and Graham K. Wilson for a landlocked, 21-acre area shown on Town Tax Maps as part of Map 420, Lot 73. This land consists mainly of a beaver pond and swamp with no known legal access, and is located between the abandoned Town Farm and Johns Roads. The requested deed would clarify and correct the Town's 1997 Quitclaim Deed to prior owner, David Ladd, in which the land was not clearly identified. The requested deed would confirm Sapiro and Wilson as the owners of this land, for which they and prior owners paid significant funds to acquire, and on which they have paid property taxes for decades. The Town has already been treating this area as owned by Sapiro and Wilson in terms of its approval of forest management plans they have submitted for Current Use enrollment. The Town also has collected timber taxes for forestry activities carried out on this land by Sapiro and Wilson. Finally, the Town's Tax Maps have long shown this area to be part of the surrounding Tax Map 420, Lot 73. (BY PETITION)

Recommended by the Board of Selectmen: **yes**

*Graham Wilson states, “Mr. Moderator, I’d like to say that this our best attempt to clear up a messy situation; I want to thank the staff of the town to Heidi and the others for their patience as we’ve struggled with this. With your permission, I’d like to give out some explanations.”*

*The Moderator Sisti asks him to speak to his explanations as it would probably be helpful as well.*

*Mr. Wilson’s explanation read as follows:*

*“Over a year ago we began the process to place a significant portion of our property in a conservation easement to ensure that it is preserved forever as a beautiful part of this community. The first step is to do a survey.*

*The surveyor found a glitch 9in our property boundaries – some uncertainty in the ownership of a 21-acre area (in a contiguous property of 120 acres) that we and at lease three previous owners thought was a part of this property. Some time in the 1950’s this was part of property ceded to the town because of a default on taxes, and it appears that this piece may not have been restored to the owner. We say, ‘may not have been’ because no one’s records – not the town’s, not owners; is clear about that. The 1997 Quitclaim Deed that restored land to then-owner, was vague enough to create this problem. But owner after owner (including us) have paid taxes on that parcel and engaged in improvements such as maintaining footpaths and timber stand improvement on this piece. Let us emphasize: this piece of land is landlocked within ours. Much of the land in question lies under a beaver pond.*

*We have tried to work with the Town of Gilmanton for over a year to rectify this in some easy way so we can put the land into a conservation easement. The town has offered us no alternative but to offer a warrant article to ask the taxpayers of Gilmanton to approve the town issuing us a Quitclaim Deed to restore certainty to the ownership so we can proceed with the conservation easement.*

*We are happy to answer any questions. Feed free to email Gina at: [vsapiro@gmail.com](mailto:vsapiro@gmail.com) with your questions. Thank you for your consideration.”*

**Moderator Sisti stated that Article #30 will appear on the ballot as written.**

**Article #31    Petition: Change Planning Board from appointed to elected**

Shall we adopt RSA 673:2II(b)(2), Planning Board members to be Elected by the Legislative Body (Gilmanton registered Voters), thus changing the current method of being appointed by the Selectmen, to being elected by the voters. As current Board member's terms expire, their positions shall be placed on the ballot and be filled by a candidate voted on by the Legislative body on Town Meeting Election Day.

*Dick de Seve comments, "As the old saying goes, 'if ain't broke don't fix it'."*

*Nanci Mitchell states, "I wasn't on the Planning Board here, but I've been on the Planning Board for ten years in a town in the southern part of the state; I think this is a terrible idea."*

**Moderator Sisti stated that Article #31 will appear on the ballot as written.**

*Moderator Sisti stated that this concludes the business of the First Deliberative Session and asks everyone to hold on and yields the floor to Brian Forst.*

*Brian Forst states, "I'd like everybody to take a minute, we have a member here on the Committee who has been with us for at least twenty-five years. He's decided it's time to move on and I'd like everybody to recognize Mark Sawyer for his service to the town."*

*Mark received a standing ovation – "Thank you for your years of service, Mark!"*

The 2018 First Deliberative Session for the Town adjourned at 12:59 p.m.

Respectfully Submitted,



Debra A. Cornett  
Town Clerk/Tax Collector

A True Copy Attest