

January 30, 2010

DRAFT

**Town of Sandown
P.O. Box 1756
Sandown, NH 03873**

**Deliberative Town Meeting
Saturday, January 30, 2010**

Town Officials Present: Moderator Ted Winglass, Chairman of the Board of Selectmen Selectman Nelson Rheame, Vice Chairman Selectman Hans Nicolaisen, Selectman Roger Barczak, Selectman Steve Brown, Town Counsel Attorney Diane Gorrow, Town Clerk/Tax Collector Michelle Short, Deputy Town Clerk/Tax Collector Lynn Trahan, Budget Committee Chairman Brenda Copp, Budget Committee Members Melinda Salamone-Abood, Joanne Turner, Gail Cerva, Bookkeeper Darlene Ford, Office Manager for the Selectmen's Office, Lynne Blaisdell, Supervisors of the Checklist Rosemarie Bruno, Linda Meehan and Joanne Vey and Recording Secretary Paula Gulla.

Moderator Ted Winglass called the 2010 Town of Sandown Deliberative Session to order at 8:00 am on Saturday, January 30, 2010 at the Sandown Town Hall, 320 Main Street, Sandown, New Hampshire. Selectman Rheame led the body in the recitation of the Pledge of Allegiance.

Moderator Winglass introduced himself and those Town Officials who were present.

The Moderator pointed out several handouts including the Rules of Order that were available to all and could be found on the table in the back of the room. The **Moderator** read the rules to the body explaining the rules and answering any questions. He also advised those in attendance they could check-in with the Supervisors of the Checklist to obtain their voting cards.

Warrant Article 2. Shall the Town 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 with the warrant or as amended by vote of the first session, for the purposes set forth therein, totaling \$3,191,510.68. Should this article be defeated, the default budget shall be \$3,243,445.87, 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 XVI, to take up the issue of a revised operating budget only. This operating budget warrant article does not include appropriations contained in ANY other warrant articles.

(Recommended by the Board of Selectmen: 3-0-0)

(Recommended by the Budget Committee: 4-0-1)

MOTION by **Brenda Copp** to place Article 2 on the floor for discussion.

SECOND by **Melinda Salamone-Abood**

MOTION by **Angela Sherwood** to discuss Article 2 department by department

SECOND by **Scott Bassett**

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Tina Owens – asked the body to reconsider this practice and not discuss by department since each time this is done, the budget has increased.

Several points of order were raised regarding the procedural actions.

MOTION by **Jim Bassett** to move the question

SECOND by **Scott Bassett**

VOTE: MOTION to move the question **PASSED**

MOTION by **Tina Owens** to move the article to the ballot

SECOND from the floor

Brenda Copp pointed out there may be members of the body that have questions to be answered on the budget.

Moderator Winglass pointed out even though the body has elected not to discuss the budget department by department, individual questions can still be asked and answered. He then asked if there were any questions on the budget. There were none.

VOTE: MOTION to move the article to the ballot as written **PASSED**

Special Warrant Article 3. Shall the Town vote to raise and appropriate the sum of Two Hundred Sixty Eight Thousand Seven Hundred Dollars (\$268,700) to be added to the previously established Road Improvement Capital Reserve Fund.

(Recommended by the Board of Selectmen: 3-1-0)

(Recommended by the Budget Committee: 3-1-1)

MOTION by **Selectman Nicolaisen** to place Article 3 on the floor for discussion

SECOND from the floor

Selectman Nicolaisen stated he would like to see this article move along and cited the great job done by the Road Agent during the year and he would like to see that continue.

Jim Bassett – asked who has the authority to release the funds

The Moderator stated the Road Improvement Plan that was adopted last year he believed had the Selectmen as agents to expend and this warrant article is the mechanism to appropriate the funds.

Jim Bassett – felt this article as a Capital Reserve Fund usually means the funds are released in the future and since these funds are being appropriated and spent in the same year, it appears not to be a Capital Reserve Fund.

Selectman Rheume – stated the funds could carry into the following year if not all funds are used.

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100 **Selectman Barczak** – stated Mr. Bassett makes a valid point and in his opinion a Capital
101 Reserve Fund is saving towards a goal. Selectman Barczak explained that this was a Phase II
102 plan and that Mr. Bassett’s point was raised in previous discussions. However, the Road
103 Improvement Plan can also work in this manner and has been given the recommendation of both
104 the Selectman and the Budget Committee.

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106 **Ron DuLong** – asked if we were discussing warrant articles that are already included in the
107 operating budget

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109 **Moderator Winglass** stated that is not the case and pointed out several handouts that could
110 assist the body during discussion.

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112 **Angela Sherwood** – asked if the warrant article should state that the Selectmen are the agents to
113 expend.

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115 **Town Counsel Diane Gorrow** – stated that when the warrant article was established there may
116 have been a clause that defined the agents to expend however in each subsequent year, you do
117 not have to restate the agents in those warrant articles.

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119 **Paula Gulla** – in the 2008 warrant article, Board of Selectmen were the agents to expend.

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121 Again several points of order were raised regarding procedural points and those were addressed
122 to the satisfaction of the body.

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124 **MOTION** by **Selectman Nicolaisen** to move Article 3 to the ballot

125 **SECOND** by **Tina Owens**

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127 **VOTE: MOTION to move Special Warrant Article 3 to the ballot as written PASSED.**

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129 **Warrant Article 4. Shall the Town vote to raise and appropriate and authorize the**
130 **Selectmen to accept a Highway Block Grant in the sum of One Hundred Thirty Eight**
131 **Thousand Seven Hundred Ninety Five Dollars (\$138,795) for the road improvement**
132 **programs to be recommended by the Sandown Highway Department and approved by the**
133 **Sandown Board of Selectmen, said sum to be supplied by the State of New Hampshire.**

134 **(Recommended by the Board of Selectmen: 4-0-0)**

135 **(Recommended by the Budget Committee: 5-0-0)**

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137 **MOTION** by **Selectman Brown** to place Article 4 on the floor for discussion

138 **SECOND** by **Jim Bassett**

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140 **MOTION** by **Diana True** to move Article 4 to the ballot as written

141 **SECOND** by **Louise Pajak**

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143 **VOTE: MOTION to move Article 4 to the ballot PASSED**

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145 **Petitioned Warrant Article 5. Shall the town vote to create an unpaid position of Elderly**
146 **Affairs Director. The board of selectmen shall determine the qualifications, and duties of**
147 **the position. The selectmen shall insure the person is properly trained and supervised.**

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They will also insure that there are no violations of state or federal laws, when accepting the service of the person they select.

There will be no tax impact by creation of this position.

(Not Recommended by the Board of Selectmen: 0-4-0)

(Not Recommended by the Budget Committee: 1-3-1)

MOTION by Selectman Brown to place Petitioned Warrant Article 5 on the floor for discussion

SECOND by Julianna Ball

Scott Bassett – questioned why the Budget Committee is placing recommendations on warrant articles that don't involve money.

Brenda Copp – explained that last year a warrant article passed to place numeric tallies on the articles and this year it was decided that both Budget Committee and Board of Selectmen would place recommendations on every warrant article.

Scott Bassett – stated he was not being rude, but that with no money the recommendation carries no weight.

Ralph Millard – September 1, 2009 11 citizens presented a letter to the Selectmen to create this position and also addressed some recommendations made with regards to ethical procedures. On October 22, 2009 the Selectmen sent him a letter stating they would not act on either item. Mr. Millard stated at a later time without being personally notified, the Selectmen appointed one of their own to the Elderly Affairs Director position. Mr. Millard continued to discuss several points that the Moderator asked him to cease since they were not relevant to the discussion at hand. Mr. Millard did not agree with the some of the Moderator's comments.

Moderator Winglass clarified his points and the reasons behind them.

Mr. Millard – stated the petitioners were never notified and the Selectmen appointed one of their own to the position.

Arlene Bassett – stated she was not sure she wanted her affairs directed and stated she would like one of the petitioners to explain what they had in mind for duties etc.

Selectman Nicolaisen – just wanted to comment that prior to receiving this petition, the Board discussed having an Elderly Affairs Director and appointed Selectman Rheaume.

Ken Sherwood – at a quick reading, he felt the article was somewhat was innocuous and wondered what the reason for the rejection by the Selectmen

Selectman Brown – clarified that the position was already filled and therefore the Board did not feel the need to vote on appointing one. It is not that the Selectmen did not agree with the need for an Elderly Affairs Director.

Ralph Millard – stated it was probably true they created the position before the warrant article was presented but Mr. Millard stated the Selectmen knew the warrant article was coming.

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Selectman Barczak – stated that he had no idea a petitioned warrant article was coming for an Elderly Affairs Director. He cannot speak for the other Board members but he did not believe they knew either. Regarding the job description, it is forthcoming.

MOTION by **Scott Bassett** to move the article to the ballot as written
SECOND by **Tina Owens**

VOTE: **MOTION** to move Petitioned Warrant Article 5 to the ballot as written **PASSED**

Point of Order – **Chris True** asked if we were operating on the notion that we cannot revisit an article. **Moderator Winglass** stated that would be true only if a motion passed to restrict reconsideration.

Special Warrant Article 6. Shall the Town vote to establish a Capital Reserve Fund under the provisions of RSA 35:1 to be known as the Police Station Fund for the purpose of constructing and equipping a new Police Station and to raise and appropriate the sum of One Hundred Seventy Six Thousand dollars (\$176,000) to be placed in this fund. Further, to appoint the Board of Selectmen as agents to expend this fund. (Majority vote required) (Recommended by the Board of Selectmen: 3-1-0) (Recommended by the Budget Committee: 3-1-1)

MOTION by **Selectman Rheume** to place Special Warrant Article 6 on the floor for discussion
SECOND by **Selectman Nicolaisen**

Chuck Vey – Noted the Board of Selectmen are listed as agents but he asked specifically for what purpose the funds would be spent

Police Chief Joe Gordon – explained this article is part of the CIP program and stated that once the majority of the amount of funds had been appropriate, he would then ask the Selectmen to expend part of the funds. He further addressed the fact that in a previous year the Police Station article failed by only 3 votes, which indicated to him that the voters wanted the station. Last year’s vote was not as favorable, so it was decided to set aside the funds through a Capital Reserve Fund which would have less tax impact on the voters since the economy has been more difficult in the last year.

Jim Bassett – has never been in favor of Capital Reserve Funds and he doesn’t believe the Selectmen should be the agents since they could actually begin without the approval of the town.

MOTION by **Jim Bassett** to eliminate the last sentence of the article and replace it with “Expenditure of funds to be approved by Town Meeting”
SECOND by **Karen Bassett**

Chuck Vey – stated the motion should say approved by a Town vote

Jim Bassett – stated the motion covers the intent to include both Deliberative Session and the vote in March.

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Brenda Copp – stated the Selectmen are in charge of the funds in the town. She then pointed out the need for the words raise and appropriate which are a DRA requirement but she wanted to be sure the voters know that we must use those words. She cited an example of last year’s warrant article where the funds were already in the account but the article was voted down and she felt it may have been due to a lack of understanding due to the those words.

Chief Gordon – agreed and cited the example from last year which was the OHRV article and it failed even though the money was already in the fund.

Jim Bassett – stated he is giving the general population the benefit of the doubt and noted they are starting to figure it out. He felt the funds should be expended by the voters and not the Selectmen. He is in favor of the Police Station but he feels the voters should agree when to spend the funds.

Ken Sherwood – this wording may limit spending of funds until the following town meeting which puts a constraint on the project.

The Moderator asked for a suggestion from Mr. Sherwood who replied his intention was just to give food for thought.

Selectman Barczak – as a Selectman he is comfortable either way and he felt that if the Selectmen make the wrong decision, the voters can throw them out

Carroll Bassett – in favor of the Police Station but felt that the withdrawal of funds should be as it has been, which is at town meeting.

Angela Sherwood – offered a suggestion that a revised warrant article could be written to authorize the withdrawal of funds from the Capital Reserve Fund when they are needed.

Brenda Copp – concerned that when it comes close to the time to build the new station, it would have to wait for town meeting to expend the funds.

(Budget Committee member Jonathan Goldman joined the meeting at 9:00 am)

Tina Owens – agrees with Mrs. Copp’s concern and asked for Town Counsel to comment. She cited the library as an example. She felt 12 months could go by and we still could not have what we want.

Attorney Gorrow – stated you could raise and appropriate the last installment and in the same warrant article authorize the withdrawal and release of the funds needed for the station.

Jim Bassett – agreed this is not a new practice and agreed that is what had been done in the past.

MOTION by **Selectman Rheume** to move the question

SECOND by **Tina Owens**

VOTE: MOTION to move the question **PASSED**

MOTION by **Tina Owens** to move Article 6 to the ballot as amended

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SECOND by **Ed Mencis**

Tina Owens – asked why the notation of majority vote required is listed on this warrant article

Paula Gulla – stated the sample wording from the DRA was used to draft this article and it included that verbiage.

Chris True – asked how much money to build the new Police Station

Chief Gordon – the last proposal put before the voters was \$818,578

Selectman Barczak – stated the CIP estimated the cost at \$880,000 divided by a 5 year period which equals \$176,000 per year.

VOTE: MOTION to move Special Article 6 to the ballot as amended **PASSED**

Amended Special Warrant Article 6 will now read as follows:

Special Warrant Article 6. Shall the Town vote to establish a Capital Reserve Fund under the provisions of RSA 35:1 to be known as the Police Station Fund for the purpose of constructing and equipping a new Police Station and to raise and appropriate the sum of One Hundred Seventy Six Thousand dollars (\$176,000) to be placed in this fund.

Expenditure of funds to be approved by Town meeting. (Majority vote required)

(Recommended by the Board of Selectmen: 3-1-0)

(Recommended by the Budget Committee: 3-1-1)

Warrant Article 7. Shall the Town vote to raise and appropriate the sum of Twenty One Thousand Nine Hundred Dollars (\$21,900) to replace the furnace at the Town Hall.

(Recommended by the Board of Selectmen: 4-0-0)

(Recommended by the Budget Committee: 4-0-1)

MOTION by **Selectman Nicolaisen** to place Warrant Article 7 on the floor for discussion

SECOND by **Brian Butler**

Brian Butler – agreed the furnace needs replacing but stated he understood from a previous Selectmen’s meeting that there were no specifications put out and only rough estimates were obtained. There were estimates received in the amounts of approximately \$13,000 and \$21,000. He works in the field and felt to obtain estimates without specifications is foolhardy. He felt the specifications should be put and quotes obtained later not accept a quote of \$21,900 and maybe obtain a lower quote later. This means too much has been raised and appropriated and it should only be what is needed.

Brenda Copp – brought up the same comment at a previous meeting. The task should have been started earlier in the year and exact quotes should have been obtained and that office staff should not have been obtaining these quotes.

Selectman Barczak – stated all good points and gave a brief explanation of the problems with the heat. The furnace has been repaired by a volunteer and the Selectmen have been informed the parts may no longer be available for this furnace. The Selectmen stated they felt they needed to

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take action and stated the Selectmen obtained estimates from two reliable companies. He agreed the quotes were very variable in price and after discussing it, the Board agreed to go with the higher quote. The language was left broad since it is possible that maybe it would be determined in the project that a different furnace may be more appropriate. In accordance with the purchasing policy the specs and firm quotes would be obtained and a decision made. Also he noted there would be two furnaces replaced.

Paul Carey – asked if there was any glaring difference in the quotes since they are so far apart in price

Selectman Brown – pointed out general differences in the BTU’s, amount of efficiency and brand of the furnaces

Brian Butler – felt the Board should go for the lower bid and also noted to replace the heating system he wondered if the Board would expend up to \$21,900 or spend any additional funds

Angela Sherwood –stated she worked in the office for 3 years and approximately \$9,000 was spent over that period in repairs to the furnace not to mention the fuel use. She also stated she worked in the building without heat over and over again and it was unbelievable.

Linda Meehan – questioned why it was a warrant article and felt maybe it should have been put in the operating budget.

Selectman Nicolaisen – that is a good point but he wanted to reply to Mr. Butler. He felt cheapest isn’t always the best. He felt he wouldn’t go with the highest or the lowest but if it takes \$21,900 to do the job and do it right, it should be done.

MOTION by **Scott Bassett** to move the question

SECOND by **Tina Owens**

VOTE: MOTION to move the question **PASSED**

MOTION by **Scott Bassett** to move Article 7 to the ballot as written

SECOND by **Tina Owens**

VOTE: MOTION to move Warrant Article 7 to the ballot **PASSED**

Warrant Article 8. Shall the Town vote to revise Section 4.0 Ethics Awareness Training subsection 4.3 Implementation by replacing the entire section with the following: “An Ethics Awareness Training course shall be mandatory training for all Sandown public servants. This training shall be part of orientation and, at a minimum, conducted every 4 years”.

(Recommended by the Board of Selectmen: 4-0-0)

(No Recommendation by the Budget Committee: 2-2-1)

MOTION by **Selectman Rheume** to place Article 8 on the floor for discussion

SECOND by **Paul Carey**

Louise Pajak – asked to refresh the body of the language as it stands now.

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Moderator Winglass reminded the body a handout on the Ethics Policy was available on the table.

Selectman Brown – read the implementation section 4.3 from the current Ethics Policy. It reads as follows: 4.3 Implementation

An Ethics Awareness Training course shall be mandatory training for all Sandown public servants. This training shall be part of orientation and, at a minimum, conducted annually.

Donna Green – asked for the definition of a public servant and suggested striking the word public servant and put in employee and board members.

MOTION by **Donna Green** to replace the words “public servants” with the words “employees and board members”

SECOND by **Ken Sherwood**

Ken Sherwood – revised the motion further to add the word “appointed”.

Point of Order: Jim Bassett pointed out only one motion can be dealt with at a time.

Ken Sherwood – pointed out elected officials cannot be mandated to take the training.

Jon Goldman – agreed that elected officials cannot be mandated to take this training and offered the suggestion of adding only the words employees.

Selectman Barczak – read an excerpt of section 1.0 of the Ethics Policy defining public servant. It reads as follows:

1.0 Scope

This policy applied to all persons legally acting on behalf of the Town of Sandown whether or not they are an employee of the town, here and after referred to as public servants.

He agreed that after further clarification it was determined that elected officials cannot be mandated to take the training however it would be mandated for employees and volunteers. Mr. Barczak then stated the purpose of the Ethics Policy and asked the body to consider if these points are strictly to those handling money or just to employees, volunteers or appointed officials.

The excerpt regarding purpose reads as follows:

- a.) Able to understand legal and ethical issues that are involved in town business.*
- b.) Equipped to know how, when and where to ask for help*
- c.) More focused on treating residents and co-workers in an ethical manner*
- d.) Able to examine proposed actions from a number of ethical perspectives*
- e.) More aware of how their decisions and actions may affect external perceptions*
- f.) More secure in understanding the municipal town culture and how it will reinforce expected ethical behavior.*

Jim Bassett – stated if you need to be told what is ethical it is too late. He feels this is killing volunteerism. He also stated that if you cannot mandate elected officials go then he is okay with the wording.

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Paul Carey – expressed concerns even though he can appreciate what the Board is trying to do. He felt every 4 years is childish. He felt that is something in the policy changes, the person could read, sign and move on since it is very difficult for people to attend the training.

Chief Gordon – in Police training the term unfunded mandate comes up frequently and the Chief questioned if this is funded by the Board or by each individual department.

Moderator Winglass questioned the relevance to the amendment being discussed.

Donna Green – clarified that she did not intend to eliminate the last sentence of the warrant article and stated she would like to re-address the word “appointed”.

MOTION WITHDRAWN by **Donna Green**
SECOND WITHDRAWN by **Ken Sherwood**

MOTION by **Donna Green** to amend the article by replacing the words “public servants” with the words “employees and appointed board members”
SECOND from the floor

Dawn Nicolaisen – questioned the word mandatory and she did take the training but asked what would happen if you do not take the training. The Town is losing volunteers since they do not want to take the training.

Moderator Winglass stated he wanted to keep the focus on the amendment and would like to address Mrs. Nicolaisen’s comments at a later time.

MOTION by **Paul Carey** to move the question
SECOND by **Scott Bassett**

VOTE: MOTION to move the question **PASSED**

Dawn Nicolaisen again raised her previous question.

Selectman Barczak – stated the Selectmen had not yet had that discussion

Joanne Vey – questioned if the training is required for an elected official if you receive a stipend check

Jon Goldman – stated if you are elected regardless of the stipend or not, you are not mandated to take the training

Melinda Salamone-Abood – pointed out that some board members are appointed for a 3 year term, they may not need to take the training since it is being offered every 4 years.

Louise Pajak – stated the orientation would be sooner and covers that point.

Ken Sherwood – felt the wording was appropriate to cover employees and board members.

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Selectman Brown stated he took the training and noted the coercion that was needed to get people to the training along with the fact that some were paid to do so and others like the volunteers were not, he offered the following amendment:

MOTION by **Selectman Brown** to replace the entire article with the following wording:

Shall the Town vote to revise the Ethics Awareness policy by providing each volunteer, elected official, employee and board member with a copy of the current ethics policy and require each volunteer, elected official, employee and board member to sign a form stating that they have received, understand and will abide by the policy.

SECOND from the floor.

VOTE: MOTION to amend article 8 **PASSED**

MOTION by **Selectman Brown** to move Article 8 as amended to the ballot

SECOND by **Tina Owens**

VOTE: MOTION to move Article 8 to the ballot **PASSED**

Amended Warrant Article 8 will now read as follows:

Warrant Article 8. Shall the Town vote to revise the Ethics Awareness policy by providing each volunteer, elected official, employee and board member with a copy of the current ethics policy and require each volunteer, elected official, employee and board member to sign a form stating that they have received, understand and will abide by the policy.

(Recommended by the Board of Selectmen: 4-0-0)

(No Recommendation by the Budget Committee: 2-2-1)

At 9:45 am, the Moderator suggested a brief recess until 10:00.

MOTION from the floor for a recess until 10:00 am

SECOND from the floor

VOTE: MOTION to recess until 10:00 am **PASSED**

The meeting recessed at 9:45 am

The Moderator reconvened the meeting at 10:07 am.

Several announcements were made by the Moderator.

Tina Owens asked if the time was appropriate to restrict reconsideration on a warrant article.

Moderator Winglass he would allow that motion between article discussions.

Attorney Gorrow – stated restricting reconsideration can be done once an article has been discussed and closed.

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MOTION by **Tina Owens** to restrict reconsideration on Warrant article 2 which has been affirmatively placed on the ballot

SECOND by **Louise Pajak**

VOTE: **MOTION** to restrict reconsideration on Warrant Article 2 **PASSED**.

Special Warrant Article 9. Shall the Town vote to raise and appropriate the sum of Twenty Five Thousand Dollars (\$25,000) for the purpose of continuing a mosquito surveillance and control program, and to authorize the Board of Selectmen to continue to contract with a firm licensed in NH to apply insecticides, and conduct a larviciding and adult mosquito spray program at such times and in such locations throughout the Town as needed to accomplish effective mosquito control.

(Recommended by the Board of Selectmen: 4-0-0)

(Recommended by the Budget Committee: 4-0-1)

MOTION by **Selectman Brown** to place Warrant Article 9 on the floor for discussion

SECOND by **Paul Carey**

There was no discussion – Warrant Article 9 will be placed on the ballot as written

MOTION by **Selectman Rheume** to place Warrant Article 10 on the floor for discussion

SECOND by **Selectman Brown**

Special Warrant Article 10. Shall the Town vote to raise and appropriate the sum of Four Thousand Five Hundred Dollars (\$4,500) for the annual Old Home Day Celebration. The warrant article is sponsored by the Sandown Old Home Day Committee.

(Recommended by the Board of Selectmen: 4-0-0)

(Recommended by the Budget Committee: 5-0-0)

There was no discussion – Warrant Article 10 will be placed on the ballot as written

Warrant Article 11. Shall the Town vote to raise and appropriate the sum of Nineteen Thousand Six Hundred Fifty Dollars (\$19,650) to purchase and install a generator at the Recreation Building to be used for emergency purposes for the Town of Sandown.

(Recommended by the Board of Selectmen: 3-1-0)

(Not Recommended by the Budget Committee: 0-4-1)

MOTION by **Selectman Rheume** to place Warrant Article 11 on the floor for discussion

SECOND by **Paul Carey**

Paul Carey – questioned by the Recreation building was chosen versus the Town Hall, especially when we just voted for \$21,900 for a new furnace. He felt the town hall was larger, in the center of town, has a paved parking lot and was the better choice.

Selectman Rheume – stated the Selectmen considered the Town Hall originally but they were informed that it would need re-wiring for the generator since the wiring is obsolete. The only other government building that was suitable for an emergency shelter is the Recreation building and to be used only for emergencies not recreation. It has a stove, refrigerator, hot water, etc. and it would be an appropriate facility.

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Dean Sotirakopolous - had 2 questions – he was under the impression the Fire Station was already designated as an emergency shelter with a generator and he also wanted to know how the \$19,000 figure was arrived at and is that figure for one building only.

Fire Chief Bill Tapley – the Fire Department is not an emergency shelter. Emergency operations are run from the station but it is not equipped to be a shelter.

Deb Brown – wanted to point out this article is not being generated by the Recreation Commission but by the Selectmen.

MOTION by **Deb Brown** to insert after “to be used for” ..., the words “emergency shelter provisions and emergency management purposes” for the Town of Sandown.

SECOND by **Ken Sherwood** for discussion purposes.

Ken Sherwood – stated he was involved with both Selectman Barczak and Matt Russell on this subject. Mr. Sherwood stated if the word ‘shelter’ remained in the article, that term may cause the need to update some criteria including life safety purposes at the building which would cause some systems at the building to need to be updated. A generator for emergency purposes is fine but as a shelter, it may be different.

Selectman Barczak – stated the article was kept generic because at times the more specific the wording, the more restrictions may be imposed. The generator would be hard-wired into the building, so if the building loses power for 2 hours, the generator would come on and that means it may not only be used for an emergency shelter.

Jon Goldman – pointed out that the American Red Cross has shelter criteria and shelters are their business not the town’s. If the Recreation building is a shelter, the town will need to staff it and if it is not designated by the Red Cross as a shelter, we will not receive any reimbursement for that. There are nearby Red Cross designated shelters in neighboring towns. He hesitates that we should use it or designate it as a shelter, unless we take the necessary steps to have it approved by the Red Cross.

Lisa Sears – questioned if the Emergency Management Director (EMD) was consulted on this idea and she would like to know his opinion.

Fire Chief Tapley – stated the EMD was not consulted and the Fire Department was not consulted and he agreed with Mr. Goldman. There are shelters in other towns and he is against this warrant article.

Chuck Vey – stated he felt it makes better sense to have the generator at the Town Hall since it is a more centralized location. He also questioned the cost.

Moderator Winglass stated he would like the discussion to remain on the amendment.

MOTION by **Dean Sotirakopolous** to move the question

SECOND from the floor

Several points of order were raised on procedural items.

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VOTE: MOTION to move the question **PASSED**

VOTE: MOTION on the amendment **FAILED**

Paul Carey – questioned if the Recreation Commission explored paying for the generator from their revolving fund.

Selectman Brown – stated the Recreation Commission did not put this article forth.

Selectman Barczak – explained the sequence of events leading to this article which included the 2008 ice storm. He explained the process which included the suggestions of generators at both buildings, the Recreation building, the town hall and the possibility of a mobile generator housed at the Highway department that could be used in either place. He met with Matt Russell and found that the Town Hall wiring was not sufficient, there is no open circuit breaker in the panel and found that the Recreation building had the necessary components which made it the better choice. The portable generator idea was also nixed at that point again because the Town Hall is not ready, there was no readily available permanent fuel supply and transport lag time could be a detriment. A second proposal in future years would most likely come to deal with the Town Hall.

Deb Brown – stated she would like to see more communication in the future on these types of articles since she was unaware of the requirements of a shelter. She also clarified that the Recreation revolving fund cannot be used to pay for anything other than items related directly to recreation and not emergency purposes.

MOTION by **Melinda Salamone-Abood** to reduce the amount to \$0
SECOND by **Brenda Copp**

Ms. Salamone-Abood – stated her reasoning is that we may never see another ice storm like that again for years. She also stated that she would rather see the Recreation building put on-line first and then see what the usage will be and add the generator next year.

Paul Carey – stated he is not sure if he agrees with \$0. He wondered if there are any funds available from the impact fee or capital improvement program funds available.

Selectman Rheume – this was recommended in the Capital Improvement Plan

Kevin Major – stated the last time he checked, the American Red Cross requirements were liberal and stated this would be quick funds to get people sheltered when needed. It is a Selectmen responsibility and he supports the article whole heartedly.

Dean Sotirakopolous – is in favor of the amendment. He questioned federal funding for generators and suggested a committee be developed to research the generator and some other aspects such as the furnace, insulation etc. for the Town Hall.

Mark Traeger – had the chance to be in Atkinson during the ice storm and they were serving 3 meals/day and he felt the Recreation building is a perfect spot. He noted 3 100 year storms recently.

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Marilyn Cormier – stated she was on the CIP committee and the CIP has no money. All the money comes from the town and it was their job to gather the needs. The Selectmen decided on the final version of the article and they decided to move forward with it.

Selectman Rheaume – reviewed the CIP and stated a generator was scheduled for 2010 for the Recreation building and the Town Hall was scheduled for 2012.

Point of Order - Paul Carey again questioned if any funds could come from the impact fee account

Moderator Winglass stated it sounded as if impact fee funds were not explored

Tina Owens – stated she is in favor of the \$0 since she felt it was rushed and not thought through very well. She wondered if there was a disaster plan and asked for more details.

MOTION from the floor to call the question
SECOND by **Paul Carey**

VOTE: MOTION to call the question **PASSED**

VOTE: MOTION on the amendment of \$0 was too close to call so the Moderator asked for a hand count

RESULTS OF THE HAND COUNT:

IN FAVOR: 51
OPPOSED: 30

MOTION on the amendment **PASSED**

MOTION by **Pat Teague** to change the \$0 to \$10,000
SECOND by **Brenda Copp**

Marilyn Cormier – questioned what type of generator we would get for \$10,000 and would it be effective

Selectman Barczak – deferred to Ken Sherwood and Matt Russell to answer that question

Ken Sherwood – stated you would not get the capability needed but any additional could come from the budget

Brenda Copp – stated she felt like the numbers were now just being picked out of the air

Selectman Nicolaisen – agreed with Mrs. Copp –he would hate to see the article pass and then not have the funds to put it in place

Chuck Vey – felt the amount should remain at \$0 and study the item more

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Jon Goldman – stated he was in favor of the generator and/or a shelter. His opinion is to keep the amount at \$0 and he felt the American Red Cross, Police Chief and Fire Chief should be contacted. If a plan is in place, then he would support the article next year.

Deb Brown – stated maybe the body should consider \$1 since with a \$0 amount, no means no which would mean if an opportunity comes up for a grant or another opportunity, the town could not take advantage of it.

Moderator Winglass asked Town Counsel to verify this point.

Attorney Gorrow – stated yes, it was true you can use additional money from the budget. She also pointed out that the dollar could not be spent on anything else other than the generator.

MOTION by **Jim Bassett** to call the question

SECOND by **Lisa Sears**

VOTE: MOTION to call the question **PASSED**

VOTE: MOTION on the amendment of \$10,000 **FAILED**

MOTION by **Jon Goldman** to change the amount to \$1

SECOND by **Selectman Nicolaisen**

Paul Carey – wanted the voters to know that by voting for \$1, it gives the Selectmen the power to move money from the budget surplus to purchase the generator at whatever cost.

VOTE: MOTION on the amendment of \$1 was too close to call and the Moderator asked for a hand count.

RESULTS OF THE HAND COUNT:

IN FAVOR: 45

OPPOSED: 37

MOTION on the amendment of \$1 **PASSED**

MOTION by **Paul Carey** to add language at the end of the article which reads... “The Board of Selectmen has the ability fully fund this project with budget surplus or grants.”

SECOND by **Jon Goldman**

Tina Owens – with this proposed amendment, this may not be what the body wants. She continued to explain that the outcome does not appear to coincide with previous comments made and she will not support this amendment.

Jim Bassett – agrees with Tina and it sounds like the \$1 would have to be funded by grants or surplus.

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Paul Carey – asked to clarify his intent. He wanted to make the voters aware that they are authorizing the Selectmen to fund the project.

Selectman Barczak – asked for Town Counsel’s opinion.

Attorney Gorrow – stated she understands what the intent is but the language proposed does not make the article clear. She does not think it is as clear as you want it to be and leads to some confusion.

MOTION WITHDRAWN by **Paul Carey**
SECOND WITHDRAWN by **Jon Goldman**

MOTION by Jim Bassett to call the question
SECOND from the floor

VOTE: MOTION to call the question **PASSED**

VOTE: MOTION to move Article 11 to the ballot as amended **PASSED**

Amended Warrant Article 11 will now read as follows:

Warrant Article 11. Shall the Town vote to raise and appropriate the sum of One dollar (\$1) to purchase and install a generator at the Recreation Building to be used for emergency purposes for the Town of Sandown.
(Recommended by the Board of Selectmen: 3-1-0)
(Not Recommended by the Budget Committee: 0-4-1)

Special Warrant Article 12. Shall the Town vote to raise and appropriate the sum of Thirty Thousand Dollars (\$30,000) for the purchase and equipping of a new forestry/utility vehicle for the Sandown Fire Department. This vehicle to replace the 24 year old vehicle we now have.
(Recommended by the Board of Selectmen: 3-1-0)
(Recommended by the Budget Committee: 5-0-0)

MOTION by **Selectman Brown** to place Warrant Article 12 on the floor for discussion
SECOND by **Selectman Nicolaisen**

Paul Carey – questioned if any part of this was from the CIP and could funding come from the impact fees

Donna Green – stated this was not part of the CIP since it was an immediate need and not appropriate for long term planning. She also addressed the question regarding impact fees and stated the Town has no authority to impose impact fees at this moment on development, so that source of revenue is not open at the moment. One of the benefits of CIP is to impose impact fees.

Fire Chief Tapley – stated this article was put on the ballot last year and it did not pass, although it is still a need. Since budget season started in September, the quotes are no longer valid because in March the vehicle will be for a 2011 vehicle. Therefore, the quote will need to be increased to \$35,000 with the necessary equipment.

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MOTION by **Chief Tapley** to increase the amount to \$35,000
SECOND by **Brenda Copp**

VOTE: MOTION on the amendment of \$35,000 **PASSED**

MOTION by **Jim Bassett** to add language to the end of the article which reads... “Existing vehicle to be sold at sealed bid and proceeds of sale to go to the general fund.”

SECOND by **Fred Daley**

Gail Cerva – questioned if there was a chance the vehicle could be sold or traded or the fact that we may have to pay someone to haul it away.

Melinda Salamone-Abood – is it typical to dispose of vehicles through sealed bid or could it be traded or sent to state auction. The City of Manchester typically sends their vehicles to state auction and receives more money that through the sealed bid process.

Scott Bassett – this is the usual and customary procedure and we may not get much but it is a way to get rid of the vehicle.

Selectman Barczak – asked for Town Counsel to comment on the language

Attorney Gorrow – stated the language is really necessary because the Town has the authority to dispose of the vehicle as needed and any proceeds would automatically go to the general fund.

Jim Bassett – clarified that his intention is to be sure that this vehicle is actually disposed of and not retained as an extra vehicle.

Lisa Sears – questioned if the language should also state that the sale will offset the costs and can that come off the price in the warrant article.

Moderator Winglass asked for clarification of this point.

Lynne Blaisdell – stated we need to raise and appropriate the full amount of the purchase price

Brenda Copp – suggested we leave the disposal of the vehicle to the Fire Chief

MOTION by Paul Carey to call the question

SECOND from the floor

VOTE: MOTION to call the question **PASSED**

VOTE: MOTION on the amended language **PASSED**

Amended Warrant Article 12 will now read as follows:

Special Warrant Article 12. Shall the Town vote to raise and appropriate the sum of Thirty Five Thousand Dollars (\$35,000) for the purchase and equipping of a new forestry/utility vehicle for the Sandown Fire Department. This vehicle to replace the 24

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year old vehicle we now have. Existing vehicle to be sold at sealed bid and proceeds of sale to go to the general fund.

(Recommended by the Board of Selectmen: 3-1-0)

(Recommended by the Budget Committee: 5-0-0)

The Moderator polled the body to see if they would like take a lunch break at this point. With a show of hands the body indicated they were not in favor of a lunch break at this time.

Warrant Article 13. Shall the Town vote pursuant to RSA 79-A: 25, IV to alter the percentage established by the 2005 Town Meeting which authorized 100% of the Land Use Change Tax revenue to be deposited into the Town of Sandown Conservation Fund and to change the percentage to deposit 50% of the Land Use Change Tax revenue into the Town of Sandown Conservation Fund and to deposit the remaining 50% into the Town of Sandown's general fund unreserved fund balance.

(Recommended by the Board of Selectmen: 3-1-0)

(Recommended by the Budget Committee: 4-0-1)

MOTION by **Selectman Rheume** to place Warrant Article 13 on the floor for discussion

SECOND by **Paul Carey**

Selectman Rheume – stated in 2005 the Town Meeting authorized 100% of the Land Use Change Tax (LUCT) and it was noted that there was no further tax impact for land purchases. In 2008 the Town authorized a purchase of the Minton property for \$1.6 million dollars, with a 20 year bond of \$1 million and the remainder from the Conservation fund. In 2009 \$45,970 was paid towards the principal of the bond and \$48,892.10 was paid in interest, for a total of \$94,862.10 which did impact the tax rate. In 2010 \$50,000 will be paid towards the principal and \$43,525 in interest for a total of \$93,525. This will be ongoing for 20 years. This amount affects the tax rate. Not all the funds for purchasing property are coming from the Conservation fund. The Conservation fund has a balance of \$261,200.79 as of 12/31/09 which Mr. Rheume feels is enough to purchase land for 2010 and beyond. At the setting of the last tax rate the Selectmen used \$291,477 from the fund balance to reduce taxes and there may be funds to reduce the taxes in the future. An additional 50% in the general fund will help to reduce future taxes if the Selectmen are in the opportunity to do so. Mr. Rheume felt he does not want to see this article zeroed out and he feels it should go to the voters to decide.

Selectman Rheume continued stating that residents may have received a brochure and his numbers do not agree. In October 2009 Sandown total costs to the Timberlane School district was \$13,667,000 but Mr. Rheume stated the brochure figures neglected to use the state education grant for \$4,780,235, the locally retained education tax of \$1,284,373 which results in a figure of \$7,602,767 which is not the same as the Conservation Commission's figure of \$14,397,000. Mr. Rheume continued and stated the Conservation Commission figures quote for Sandown is based on 2,135 households at a cost of \$3,561 per household. Per his figures at tax setting time, Mr. Rheume stated the cost is actually \$3,039 per household which is almost half. Mr. Rheume again hopes the body allows the voters to vote on this issue.

Paul Carey – would like to address some of the issues which were just raised. There is language in the warrant article that he felt was deceptive and not clear. Mr. Carey stated he is willing to go along with the 50% as long as language is added to make the article more clearly stated to the voter so they understand the impact of the article.

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MOTION by **Paul Carey** to add after the second set of words Sandown Conservation Fund, the words “which will limit the Town’s ability to purchase additional open space”.

SECOND by **Chuck Crowe**

Brenda Copp – suggested that if language is added to one side, then language should also be added that it may also lower taxes.

Dean Sotirakopolous – stated he understands the amendment but it really limits the Conservation Commission from purchasing land since they can always come back to the town to purchase more land. It won’t limit their ability it will only limit what they can purchase directly from their fund. The Minton property was a vote of the town.

Louise Pajak – stated it would mean the Conservation Commission could only purchase land once a year at town meeting and it would limit their ability.

Selectman Rheume – if funds were left at the end of the year in the fund balance, then the money could be used to reduce taxes and it could be used to purchase land if available.

Point of Order by **Paul Carey** – He doesn’t feel this comment is relevant to the amendment.

The Moderator asked Mr. Rheume to speak to the amendment.

Selectman Rheume – continued to state that about \$284,000 was removed from the general fund to offset taxes.

Gail Cerva – as resident not as Budget Committee member – explained that the LUCT is not a steady income and only comes to the Conservation Commission when land is taken out of current use. If land becomes available, then the Conservation Commission may not have the funds to purchase when the timing is right.

MOTION by **Jim Bassett** to call the question

SECOND from the floor

VOTE: MOTION to call the question **PASSED**

VOTE: MOTION on the added language was too close to call and the Moderator asked for a hand count.

RESULTS OF THE HAND COUNT:

IN FAVOR: 45

OPPOSED: 43

MOTION by **Deb Brown** for a recount since the vote was that close

SECOND from the floor

VOTE: MOTION on the recount was too close to call and the Moderator asked for a hand count.

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999 **RESULTS OF THE HAND COUNT:**

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1001 IN FAVOR: 50

1002 OPPOSED: 39

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1004 **MOTION** to call a recount **PASSED**

1005

1006 **Several Points of Order** were raised regarding procedural items and the Moderator explained
1007 what the recount was for and for what item the body was not voting.

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1009 **The Moderator** then asked for another hand count which is a recount on the amendment
1010 language.

1011

1012 **RESULTS OF THE HAND COUNT:**

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1014 IN FAVOR: 47

1015 OPPOSED: 39

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1017 **VOTE: MOTION** on the amended language **PASSED**

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1019 **Scott Bassett** – asked what the Conservation Commission brought in for LUCT deposits this
1020 year

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1022 **The Moderator** stated it appeared to be \$96,000

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1024 **Scott Bassett** – stated half of that figure could pay for a Fire truck since that figure could go
1025 back into the general fund and be raised and appropriated for other items like a Fire truck

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1027 **Matt Russell** – stated it was his understanding that the 50% of the LUCT would not go into the
1028 general fund but would go into a separate account and then has to go to a public meeting and
1029 anyone can vote to use that money for any purpose. He stated it does not automatically go to the
1030 general fund and he would like verification from counsel.

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1032 **Attorney Gorrow** – stated this article seeks to deal with revenues and that would be changed by
1033 having 50% going into the Conservation Fund and 50% going into the general fund. If it is going
1034 into the Conservation Fund it is a LUCT revenue first and then transferred to the Conservation
1035 Fund. What Mr. Russell is talking about is a different statute where legislative bodies can do two
1036 things: nothing which results in all of the funds going into the general fund or they can decide to
1037 put some or all into the Conservation Fund. They can change those percentages at any time. A
1038 third option is to put it into a special tax fund that is separate from the general fund. If you do
1039 that, then there are certain requirements as to spending the money from that fund. If you were to
1040 take action to take money out of the current Conservation Fund that been put in there it is a
1041 different process. She thinks what Mr. Russell is talking about is a different article.

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1043 **Brian Butler** – the fund that is in question is listed in RSA 79-A: 25-a I, II which states where
1044 this money can go.

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1046 **MOTION** by **Brian Butler** to deposit the remaining money pursuant to RSA 79-A: 25-a I, II.

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Moderator Winglass stated he would like the motion scripted.

Jim Bassett – stated he was confused by what Town Counsel said. 50% of the money should go offset taxes and 50% to go to the Conservation Commission. Mr. Bassett stated he understands the Selectmen have the right to use the money from the unreserved fund balance to offset taxes.

If the additional 50% is put into the general fund, then in a good year it could be used to pay for another warrant article item.

Point of Order – Police Chief Gordon stated there have been numerous changes this morning to warrant articles and he questioned if the recommendations by the Selectmen and the Budget Committee would then change.

Lynne Blaisdell – both the Budget Committee and the Board of Selectmen now have the right to hold a meeting to change their recommendations prior to the printing of the ballot.

The Moderator questioned the body if they would now like to break for lunch.

MOTION from the floor to take a lunch break

SECOND from the floor

VOTE: MOTION to recess for lunch **PASSED**

The meeting recessed at 12:15 pm for a lunch break until 1:00 pm.

The Moderator reconvened the meeting at 1:03 pm

Dave LaFleur – wanted to speak to several comments mentioned previously. It was mentioned that there is \$236,000 in the Conservation Fund but the unencumbered number is really approximately \$35,000 to \$40,000. There is a pending deal to purchase a piece of land with an appraised value of \$840,000 to be purchased for about \$234,000. This is being made possible through a federal program since it borders the Exeter River and the Town Forest. It was posed that purchases can be made at Town meeting but these purchases come at opportune times and they don't always coincide with Town meeting.

Selectman Barczak – wants to state he is an avid supporter of Conservation. He is impressed that the article has not been zeroed out. Mr. Barczak asked how many other departments have been asked to cut their funding in half and none have been asked to do that. This warrant article basically is proposing to cut the Conservation Commission funding in half. He also noted the 50% of the general fund cannot be specifically earmarked to reduce taxes. Mr. Barczak supports open space and stated it is extremely important and part of the master plan and he supports continuing 100% of the LUCT going to Conservation Commission.

MOTION by **Scott Bassett** to move the question

SECOND by **Jim Bassett**

VOTE: MOTION to move the question **PASSED**

VOTE: MOTION to move Warrant Article 13 to the ballot as amended **PASSED**

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MOTION from the floor to restrict reconsideration
SECOND by **Paul Carey**

VOTE: MOTION to restrict reconsideration **PASSED**

Amended Warrant Article 13 will now read as follows:

Warrant Article 13. Shall the Town vote pursuant to RSA 79-A: 25, IV to alter the percentage established by the 2005 Town Meeting which authorized 100% of the Land Use Change Tax revenue to be deposited into the Town of Sandown Conservation Fund and to change the percentage to deposit 50% of the Land Use Change Tax revenue into the Town of Sandown Conservation Fund which will limit the ability of the town to purchase additional open space and to deposit the remaining 50% into the Town of Sandown's general fund unreserved fund balance.

(Recommended by the Board of Selectmen: 3-1-0)

(Recommended by the Budget Committee: 4-0-1)

Warrant Article 14. Shall the Town vote to discontinue the expendable trust fund known as the Cable TV fund created in 2004. Said funds, with accumulated interest to date of withdrawal, are to be transferred to the municipality's general fund. Should Warrant Article 15 fail, this article shall be null and void.

(Recommended by the Board of Selectmen: 4-0-0)

(Recommended by the Budget Committee: 4-0-1)

MOTION by **Selectman Rheume** to place Warrant Article 14 on the floor for discussion
SECOND by **Selectman Nicolaisen**

Selectman Rheume – explained this warrant article and the next warrant article are combined and the first article is to discontinue the current illegal Cable TV expendable trust fund to the general fund. The next article also includes \$23,000 from the budget to be placed into the new revolving fund along with franchise fees which will be used to run the Cable TV station. In future years, we will not have to appropriate any budget funds for Cable which will reduce the budget.

Selectman Brown – stated he had not heard the current fund was illegal and asked for clarification of that.

Selectman Rheume – the 2004 warrant article appropriated only \$100 for the first year into the Cable fund. There was no wording to put all the monies into this fund.

Arlene Bassett – explained the current fund does carry over from year to year and they can expend it however they want, so she asked for clarification of these new funds.

Selectman Nicolaisen – Cable is now allowed to have a revolving fund and with these warrant articles Cable can have the franchise fees deposited into this fund and as of 2011 the Cable budget will be removed from the operating budget.

Moderator Winglass - further explained that if Warrant Article 14 passes, it will dissolve the current expendable trust fund which is being used for equipment etc. If Warrant Article 15 passes

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the money from the current expendable trust fund along with the franchise fees and the expenditures from the current budget will go into the revolving fund resulting in Cable being a self-funding department. The Selectmen agreed not to spend the current \$23,000 that is in this year's budget in the event these warrant articles fail and it will be additional overlay to be applied to offset taxes.

Betsey Donahue-Davis – the budget is set for \$24,000 to be included in this year's budget. Twice a year Cable receives \$14,000 in franchise fees, which total \$28,000. If these warrant articles pass, then the town budget will be reduced in future years by \$24,000.

Warrant Article 14 will be moved to the ballot as written

Special Warrant Article 15. Shall the Town vote to establish a revolving fund pursuant to RSA 31:95-h, for the purpose of operating the Town's public television station to be known as the Cable TV Revolving Fund. All revenues received from cable franchise fees will be deposited into the fund and the money in the fund shall be allowed to accumulate from year to year, and shall not be considered part of the town's general fund unreserved fund balance. The Town Treasurer shall have custody of all moneys in the fund and shall pay out the same only upon order of the governing body and Cable Committee and no further approval is required by the legislative body to expend. Such funds may be expended only for the purpose for which the fund was created. Further to raise and appropriate the sum of Thirty Two Thousand Six Hundred Fifteen Dollars (\$32,615) from the unreserved fund balance to be deposited into this fund. Should this warrant article fail, then Warrant Article 14 shall be null and void.

(Recommended by the Board of Selectmen: 4-0-0)

(Recommended by the Budget Committee: 4-0-1)

MOTION by **Selectman Rheume** to place Warrant Article 15 on the floor for discussion

SECOND by **Selectman Nicolaisen**

Jim Bassett – asked for someone to explain this warrant article. He questioned the amount of funds that would be over and above the franchise fees.

Selectman Nicolaisen – explained the amount from the existing expendable trust fund would be transferred from the general fund into the revolving fund.

Brenda Copp – franchise fees come in twice a year and at the end of the year whatever is not expended from their budget goes into their fund. If both these warrant articles pass, there will be no more appropriations from the operating budget and that will reduce the budget. Cable will have control over their money.

Jim Bassett – he is confused over the fact it is not supposed to cost anything but the article is raising and appropriating \$32,000.

Selectman Nicolaisen – pointed out that \$32,000 is coming from the unreserved fund balance and is coming from the dissolving of the existing expendable trust fund.

Lynne Blaisdell – explained we are not appropriating anything additional from the budget, it is coming from the unreserved fund balance. We have to 'raise and appropriate' the funds which is

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the term we are all uncomfortable with but it is the wording required to be able to use this money. The \$23,000 is remaining in this year's budget in the event these 2 warrant articles fail, then Cable will have their normal funds to run the station.

Michelle Short – Can we create the new fund with only \$1.00 and then transfer the funds to the fund.

Lynne Blaisdell – in order to expend any funds from the unreserved fund balance, it requires a vote of the town. The funds cannot be transferred from one fund to another.

Brenda Copp – the \$32,000 is coming from their fund in article 14 and article 15 is taking that money and moving it to their new fund.

MOTION by **Fred Daley** to strike the word 'raise' from the article.

SECOND by **Ed Mencis**

Attorney Gorrow – DRA will disallow this article if the word raise is removed. It is the language of the DRA since it is always gross budgeting and gross appropriation

Kevin Major – proposed looking at the wording of article 16 and wondered if the last sentence of that warrant article would be appropriate here.

MOTION WITHDRAWN by **Fred Daley**

SECOND WITHDRAWN by **Ed Mencis**

Dean Sotirakopolous – on the cable bill there is a franchise fee which is then reimbursed to the town twice per year. That is the \$28,000. Cable TV has to come before the Budget Committee each year and it was stated they have a \$24,000 operating budget. What happens to the additional \$4,000 each year and also if both these articles pass, they get the \$28,000 and they can spend it as they see fit with no oversight.

Betsy Donahue-Davis – with the money left over each year, the Cable TV board uses it to buy a piece of equipment. One piece of equipment can cost from \$5,000 to \$10,000 and they don't want to ask the town for the money but rather use the franchise fee money.

Jim Bassett – have \$28,000 in the budget and the combined fees will be going to Cable

Lynne Blaisdell – as of 12/31/09 there was \$24,450.72 in the existing expendable trust fund. There was \$10,650 leftover from 2009 to be deposited in the trust fund for a total in that fund of \$35,115.00. There was an expenditure still to come of \$2,500, so the Selectmen agreed to put into that fund \$32,615.00 which is just what was in the expendable trust fund. The \$23,000 is being left in the budget to operate the station in the event these 2 warrant articles fail.

Moderator Winglass stated he sat with the Selectmen since it was a very confusing article. He explained again the process of transferring the balance of the fund and he confirmed the operating budget expenses in 2011 will be coming from the franchise fees. He again stated this year's Cable budget appropriation will not be expended by the Selectmen but is intended to be used to offset taxes.

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Brenda Copp – the \$24,000 is only a projected amount that they will receive and the \$32,000 are two different fees. It gives control to Cable and again there will be no budget beginning in 2011.

MOTION by **Chief Gordon** to move the question
SECOND from the floor

VOTE: **MOTION** to call the question **PASSED**

Article 15 will move to the ballot as written

Warrant Article 16. Shall the Town vote to raise and appropriate the sum of Three Thousand Dollars (\$3,000) for the maintenance of the OHRVs and the outfitting of officers with safety gear while patrolling the trails. Further to authorize the withdrawal of that appropriation from the existing balance of the Police Department Safety and Enforcement Special Revenue Fund created for that purpose.
(Recommended by the Board of Selectmen: 4-0-0)
(Recommended by the Budget Committee: 5-0-0)

MOTION by **Selectman Nicolaisen** to place Warrant Article 16 on the floor for discussion
SECOND by **Matt Russell**

Chief Gordon stated again this was an article that he attempted to get passed last year. There is an existing account that is funded with fines and this article is just to allow the expenditure of funds that are already in the fund. It is to maintain and repair the OHRV's.

Brenda Copp – clarified that this money is already in his fund and it is only for permission to expend those funds.

Article 16 will move to the ballot as written

Warrant Article 17. Shall the Town vote to raise and appropriate the sum of Five Thousand Dollars (\$5,000) for the purpose of purchasing an in-car video system to replace and upgrade the current system. This appropriation is contingent upon the Town receiving a NH Highway Safety Grant to pay for 50% of the cost. The Town's cost will be Two Thousand Five Hundred Dollars (\$2,500).
(Recommended by the Board of Selectmen: 4-0-0)
(Recommended by the Budget Committee: 5-0-0)

MOTION by **Selectman Rheume** to place Warrant Article 17 on the floor for discussion
SECOND by **Selectman Nicolaisen**

Chief Gordon – stated the Police Department has received numerous Highway Safety Grants in the past and this is an already approved grant. This is to replace an outdated VHS tape system that is currently in the cruisers with a digital system.

Article 17 will move to the ballot as written

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Special Warrant Article 18. Shall the town vote to create an Expendable Trust Fund under the provisions of RSA 31:19-a to be known as the Town Disaster Management Expendable

Trust Fund for the continuation of town services and repair and maintenance of town property as a result of an emergency situation and to raise and appropriate Seven Thousand Five Hundred Dollars (\$7,500) for this fund. This sum is to come from the unreserved fund balance (surplus) and further to appoint the Board of Selectmen as agents to expend this fund.

(Recommended by the Board of Selectmen: 4-0-0)

(Recommended by the Budget Committee: 3-1-1)

MOTION by Selectman Rheaume to place Warrant Article 18 on the floor for discussion

SECOND by Selectman Nicolaisen

Jim Bassett – if another storm comes at some point, we can deal with it then but he doesn't feel there should be any funds set aside now.

MOTION by Jim Bassett to amend the dollar amount to \$0

SECOND by Russ Collins

VOTE: MOTION to amend the dollar amount FAILED

Warrant Article 18 will move to the ballot as written

Warrant Article 19. Shall the Town vote to establish a revolving fund pursuant to RSA 31:95-h, for the purpose of police special detail wages, benefits, supplies and equipment and to raise and appropriate the sum of Five Thousand Dollars (\$5,000) to be deposited into the fund. Further, all revenues received for police special details will be deposited into the fund, and the money in the fund shall be allowed to accumulate from year to year, and shall not be considered part of the town's general fund unreserved fund balance. The Town Treasurer shall have custody of all monies in the fund, and shall pay out the same only upon order of the Board of Selectmen and no further approval is required by the legislative body to expend. After payment of police special detail wages, benefits, supplies and other equipment, the fund may also be used for the purpose of purchasing new cruisers for police special details. Such funds may be expended only for the purpose for which the fund was created.

(Recommended by the Board of Selectmen: 4-0-0)

(Recommended by the Budget Committee: 4-0-1)

MOTION by Selectman Brown to place Warrant Article 19 on the floor for discussion

SECOND by Selectman Nicolaisen

Brenda Copp – this is a similar warrant article to the Cable TV. \$5,000 has been removed from the budget to create this fund and after one year, that line item will be eliminated.

Warrant Article 19 will move to the ballot as written

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Special Warrant Article 20. Shall the Town vote to establish a Capital Reserve Fund under the provisions of RSA 35:1 to be known as the Highway Excavator Capital Reserve Fund for the purpose of a Highway Excavator and to raise and appropriate the sum of Thirty Two Thousand Eight Hundred Ninety Four Dollars (\$32,894) to be placed in this fund and further to appoint the Selectmen as agents to expend this fund. (Majority vote required). (Recommended by the Board of Selectmen: 4-0-0) (Recommended by the Budget Committee: 3-1-1)

MOTION by **Selectman Nicolaisen** to place Warrant Article 20 on the floor for discussion
SECOND by **Selectman Brown**

MOTION by **Jim Bassett** to strike the words “and further to appoint the Selectmen as agents to expend this fund” and replace them with the sentence, “Expenditure of funds to be approved by Town Meeting”.
SECOND by **Arlene Bassett**

Tina Owens – asked why we need a highway excavator

Arthur Genualdo – DPW Director – an excavator can be used where the backhoe cannot be used. The town has 65 miles of road and every road pretty much needs shoulder work which has not been done. The excavator can be used for culvert work, at the Transfer Station to clean out the burn pit and for other projects.

Marilyn Cormier – stated she was confused since the figure is higher than what was cited in the CIP and the actual cost is doubled. Mrs. Cormier questioned if an expenditure can be expended over the CIP recommendation.

Selectman Nicolaisen – stated the excavator is listed as \$65,787 with 2010 expenditure of \$32,894 and \$32,894 for 2011.

Donna Green – wanted to clarify the Capital Reserve Fund was used since this was a larger expense and will be budgeted over a 2 year period.

MOTION by Ed Mencis to call the question
SECOND by Marilyn Cormier

VOTE: MOTION to call the question **PASSED**

VOTE: MOTION on the amended language **PASSED**

Amended Warrant Article 20 will now read as follows:

Special Warrant Article 20. Shall the Town vote to establish a Capital Reserve Fund under the provisions of RSA 35:1 to be known as the Highway Excavator Capital Reserve Fund for the purpose of a Highway Excavator and to raise and appropriate the sum of Thirty Two Thousand Eight Hundred Ninety Four Dollars (\$32,894) to be placed in this fund. Expenditure of funds to be approved by Town meeting. (Majority vote required). (Recommended by the Board of Selectmen: 4-0-0) (Recommended by the Budget Committee: 3-1-1)

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Petitioned Warrant Article 21. Shall the Town vote to increase the elderly exemption dollar amounts as follows:

To a person 65 years of age up to 75 years is from \$85,000.00 to \$100,000.00
75 years of age up to 80 years of age from \$100,000.00 to \$125,000.00
80 years or older \$125,000.00 to \$150,000.00

In addition increase the income net limit dollar amounts in all three age groups as follows:

Single \$50,000.00 to \$65,000.00
Combine married \$70,000.00 to \$75,000.00
(Not Recommended by the Board of Selectmen: 0-4-0)
(Not Recommended by the Budget Committee: 0-5-0)

MOTION by Ralph Millard to place Warrant Article 21 on the floor for discussion
SECOND by Ed Mencis

Ralph Millard – stated as a result of the revaluation, elderly are losing the value of their exemption. He researched through the NH Senate, the DRA and the Eagle Tribune and stated that the revaluation does not address the equalization valuation. Every 5 years when a revaluation occurs, the elderly will lose more value on their exemptions. Sandown is not in line with the other towns, especially Danville, Atkinson and Plaistow. He cited neighboring towns that would be higher in their exemption amounts even if this article is passed. Mr. Millard continued to explain his reasoning for this article stating it would only cost \$2.56 to a tax payer with an assessed home of \$300,000.

Scott Bassett – stated everyone’s assessments have gone up, insurance costs have doubled, and he was okay with the first article and possibly the second but he feels that it has increased enough.

MOTION by Scott Bassett to insert after word “vote ” the words “to explore”.
SECOND by Jim Bassett

Ralph Millard – stated the town should periodically raise the exemptions after a revaluation.

Chuck Vey – stated he thinks the article should remain as is and let the voters decide.

Russ Collins – agrees with Mr. Bassett and stated the level of exemptions as they stand are fair and he feels this article is over reaching at this point and he supports the amendment.

Selectman Rheaume – stated he feels that enough is enough and he is opposed to this article. We are in line with the other towns.

MOTION by Tina Owens to call the question
SECOND by Karen Bassett

VOTE: MOTION to call the question PASSED

VOTE: MOTION to the added language PASSED

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Selectman Rheume – stated he would like to change the second set of numbers to read the same as they are today.

MOTION by **Selectman Rheume** to revisit article 21
SECOND by **Ed Mencis**

MOTION by **Selectman Rheume** to change the second set of numbers in each category to read:
From \$85,000 to \$85,000, from \$100,000 to \$100,000, from \$125,000 to \$125,000 and on the income from \$50,000 to \$50,000 and from \$70,000 to \$70,000.

SECOND by **Ed Mencis**

Deb Brown – questioned if this amendment would negate the word explore and asked if we are killing what already exists by changing the numbers.

Dave LaFleur – felt this amendment is unnecessary and felt there is no need to change the numbers to what they currently exist. We want to have the article read to explore the possibility of increasing the exemptions at a later time.

MOTION WITHDRAWN by **Selectman Rheume**
SECOND WITHDRAWN by **Ed Mencis**

Petitioned Warrant Article 21 will be moved to the ballot as amended

MOTION by **Matt Russell** to restrict reconsideration on Warrant Article 21
SECOND by **Louise Pajak**

VOTE: MOTION to restrict reconsideration on Warrant Article 21 **PASSED**

Amended Petitioned Warrant Article 21 will now read as follows:

Petitioned Warrant Article 21. Shall the Town vote to explore increasing the elderly exemption dollar amounts as follows:

To a person 65 years of age up to 75 years is from \$85,000.00 to \$100,000.00

75 years of age up to 80 years of age from \$100,000.00 to \$125,000.00

80 years or older \$125,000.00 to \$150,000.00

In addition increase the income net limit dollar amounts in all three age groups as follows:

Single \$50,000.00 to \$65,000.00

Combine married \$70,000.00 to \$75,000.00

(Not Recommended by the Board of Selectmen: 0-4-0)

(Not Recommended by the Budget Committee: 0-5-0)

Petitioned Warrant Article 22. To see if the Town will vote to approve the following resolution to be forwarded to our State Representative(s), our State Senator, the Speaker of the House, and the Senate President.

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1497 **Resolved: The citizens of New Hampshire should be allowed to vote on an amendment to**
1498 **the New Hampshire Constitution that defines “marriage”.**
1499 **(Not Recommended by the Board of Selectmen: 0-2-1)**
1500 **(Not Recommended by the Budget Committee: 0-1-4)**

1501
1502 **MOTION** by **Dean Sotirakopolous** to place Warrant Article 22 on the floor for discussion

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1504 **SECOND** by **Mary Winglass**

1505
1506 Warrant Article 22 will be placed on the ballot as written

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1508 **Fred Daley** – requested permission to discuss zoning amendment Z-3

1509
1510 **The Moderator** noted that the body does not have to discuss the zoning amendments. The
1511 Moderator stated he will allow the discussion but noted the body has the right to override him.

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1513 **Fred Daley** – Z-3 the end words refer to a buffer and he would like to offer clarification on the
1514 state definition of the buffer but he was unable to obtain one. When you review how the term is
1515 used in the shoreline protection act and utilize the West study as it applies here, there is a more
1516 restrictive buffer zone which will place more restrictions on property owners. Through his
1517 research Mr. Daley estimates that 88 existing residential structures that will be impacted by this
1518 amendment. If this passes, there will be restrictions on properties. His concern is over existing
1519 structures with septic and wells and he does not feel this will protect these existing properties
1520 and will make it more difficult and costly to the home owners. There may even be dwellings in
1521 this buffer and it was his intention to make the voters aware. He is in the process, in accordance
1522 with RSA 675:5, of developing a protest petition to this zoning amendment. If 20% of the
1523 owners impacted sign this petition, then it will cause this article to need to be passed by a 2/3
1524 majority vote. Mr. Daley stated if this will restrict property owners rights, then it should pass by
1525 a supermajority.

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1527 **MOTION** by **Matt Russell** to adjourn the meeting

1528 **SECOND** by **Dean Sotirakopolous**

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1530 The meeting adjourned at 2:33 pm.

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1534 Respectfully Submitted,

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1538 Paula M. Gulla
1539 Recording Secretary

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