

2015

MINUTES OF THE

222nd MEETING OF THE

TOWN OF MILFORD

Submitted by Darlene J. Bouffard

Date: 3/23/15

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2015

222nd Meeting of the

Town of Milford

January 31st 2015 – Deliberative Session

March 10th 2015 – Elective Session

Total Registered Voters: 9864

Number of Voters at Deliberative Session: 99

Total Votes Cast: 2174

The Deliberative Session of the Annual Town Meeting opened at 9 o'clock in the forenoon in the Town Hall Auditorium.

The Moderator, Peter Basiliere, opened the meeting and advised that the inhabitants qualified to vote were called upon to act upon the Warrant in accordance with Senate Bill #2, more precisely known as New Hampshire RSA 40:13, officially known as the "Official Ballot Referendum form of Meeting". This was the twentieth Town Meeting under this law.

The Chairman of the Board of Selectmen put a motion on the floor, seconded by the Chairman of the Budget Advisory Committee and voted unanimously in the affirmative to suspend the reading of the Warrant.

The inhabitants were called upon to transact all business other than voting, and were advised by the Moderator that on March 10, 2015, the Second Session, voting by official ballot, would take place with the polls opening at 6 a.m. and closing no earlier than 8 p.m., to be held at the Milford Middle School Gymnasium, to act upon all matters of the Warrant as well as election of officers and other matters to be voted upon.

Present for the meeting were: Board of Selectmen, Gary Daniels, Chairman, Mark Fougere, Vice Chairman, Michael Putnam, member, Katherine Bauer, member and Kevin Federico, Member. The Budget Advisory Committee: Matt Lydon, Chairman, Bert Becker, Karen Mitchell, Peggy Seward, Jim Roccio, Chris Pank, Steve Sareault, and Jolie Whitten.

Board of Water and Sewer Commissioners: Robert Courage, Chairman, Michael Putnam, member and Dale White, member. Town Clerk, Peggy Langell; Deputy Town Clerk Clare Callahan; Town Administrator, Mark Bender; Police Chief, Michael Viola; Police Captain, Christopher Nervik; Police Captain, Craig Frye; Director of Public Works, Rick Riendeau; Fire Captain, Ken Flaherty; Director of Community Development, Bill Parker; Library Director, Michelle Sampson; Finance Director, Jack Sheehy; Welfare Director, Susan Drew; Recreation Director, Arene Berry; Water Utilities Superintendent, David Boucher; IT Director, Bruce Dickerson; Executive Assistant, Tina Philbrick; Community Media Director, Michael McInerney, Wendy Hunt, Milford Improvement Team, Marti Noel, Assessor; Town Counsel, William Drescher.

Election Officers present: Peggy Langell, Town Clerk; Clare Callahan, Deputy Town Clerk.

Audio Assistance and video taping was done by Michael McInerney, assisted by Dave Bosquet, Scott Scaeffler and Meghan Bouffard.

The Minutes were prepared by Darlene J. Bouffard.

The invocation was delivered by Gary Daniels.

The assembly was led in the Pledge of Allegiance by Pete Basiliere, Moderator.

The Moderator advised the assembly that the Annual School District Deliberative Session will take place on February 5, 2015.

The Moderator advised the assembly that the Board of Selectmen and the Budget Advisory Committee will be meeting this afternoon to discuss their support/lack of support on the warrant articles. The Moderator also noted that this year the ballot will include details of the support or lack of support for the ballot questions to be voted upon, as had been done in the past, but will not include numbers for or against.

The Moderator recognized and thanked Town Counsel, William Drescher, for his presence at this meeting.

The Moderator announced that the Milford Destination Imagination Team has provided various foods and coffee for purchase, which is available in the Banquet Hall.

The Chairman of the Board of Selectmen, Gary Daniels introduced the members of that Board: Mark Fougere, Katherine Bauer, Michael Putnam and Kevin Federico. He also introduced the Town Administrator, Mark Bender, and the preparer of the minutes, Darlene Bouffard. He introduced Jack Sheehy, Director of Finance and William Drescher, Town Counsel.

The Chairman of the Budget Advisory Committee, Matt Lydon, Chairman, introduced members of that Committee: Bert Becker, Karen Mitchell, Peggy Seward, Jim Roccio, Chris Pank, Jolie Whitten and Steve Sareault. He explained that the Budget Advisory Committee is appointed by the Moderator and that all are volunteers.

Matt Lydon, BAC Chairman, indicated that the role of the Budget Advisory Committee (BAC) is to advise the Board of Selectmen and Town Administrator in putting together the budget and developing positions of support or

non-support. The BAC meets with the Town Administrator, Finance Director, Department Heads, representatives of local organizations and other representatives of warrant articles.

The Moderator introduced the Board of Water and Sewer Commissioners: Robert Courage, Michael Putnam-Chairman, and Dale White.

The Moderator explained to the inhabitants that this session of Town Meeting is to put the articles on the Warrant into the form of questions which would then be placed on the Ballot. This ballot would then be voted upon at the second session of this Town Meeting on March 10, 2015. He added that this official ballot would include all the usual ballot issues such as voting for officers and zoning issues, together with the Warrant Articles before this session but in the form of questions. The complete School Warrant will also be part of the official ballot to be voted on at the second session on March 10, 2015.

The Moderator advised that this meeting would be conducted from the Warrant as posted and as provided at this meeting. It would be assumed that the Board of Selectmen has moved the question and that the Budget Advisory Committee has seconded it unless otherwise stated. Should the Budget Advisory Committee not support an article, then the Moderator will assume it is seconded by a member of the Board of Selectmen. After all discussion is complete he would instruct the Town Clerk to place the question on each article on the ballot.

Moderator Basiliere indicated that today we need to decide on the wording for the ballot and agree on an amount of what we will vote on in March. We will also vote on important positions in March.

It was moved, seconded and voted in the affirmative that the Moderator would not read each ballot question on the Warrant.

Moderator Peter Basiliere stated he would conduct the Town Meeting following the "Moderator's Rules". These rules were provided in written form to all individuals present at this meeting. Those rules are as follows:

"New Hampshire law gives the moderator the authority to establish rules of procedure for the Deliberative Session and also gives the voters the power to overrule the moderator's rules and rulings. These Rules of Procedure are how the moderator intends to govern the meeting, in the absence of any challenges to the rules, to ensure a fair and orderly meeting.

1. Registered Milford voters must check in at the checklist table, where they will receive a sticker that must be worn while in the hall and a voting card. Anyone wishing to speak must wear this sticker in order to be recognized.
2. Non-residents will be allowed to speak only after a positive vote by the meeting on a motion to allow the non-resident(s) to speak.
3. When a vote is called for, registered voters will vote on the motion by holding up their voting card. The moderator will cast a vote only to break a tie or to create a tie.
4. Anyone wishing to speak must do so at the microphone located at the center aisle. A "Point of Order" may be called out from your seat but the question must be asked at the microphone. Please state your name and street address your first time at the microphone. For subsequent trips to the microphone, stating your name will be sufficient.
5. All questions or comments must be directed to the moderator, not to individual officials, committee members or audience members.
6. Except for presenters explaining proposed articles, speakers have a three minute time limit. If the speaker asks a question, one follow-up question is allowed before stepping away from the microphone. If the speaker has additional questions about or comments on a particular issue, they may be raised only after all other speakers already in line have spoken.
7. Affirmative motions to "call the question" limit debate and require a second and then a simple majority vote to pass. Anyone wishing to call the question must do so from the microphone. A speaker may not call the question immediately after speaking on the issue.
8. The motions to call the question and to restrict reconsideration are not debatable. Upon a second, the moderator will ask for a vote by the meeting.
9. Upon an affirmative vote to call the question, anyone already in line as well as members of the Board of Selectmen and the Budget Advisory Committee who had already indicated a desire to address the topic will be permitted to speak on the issue.
10. Discussion and voting will be taken one amendment at a time.
11. While a proposed amendment to a dollar amount may be made verbally, an amendment that changes the language of a question must be submitted in writing. Time will be allowed for the voter to write the proposed

language on a piece of paper. Important note: Except for the dollar amounts, the language of the warrant article for the operating budget is stipulated by state statute and may not be changed.

12. The meeting may, on an article-by-article basis, restrict subsequent reconsideration of the vote on a warrant article. Upon a vote to restrict reconsideration, the moderator will prohibit any further action on that question. The motion to restrict reconsideration does not have to be made immediately after the original vote.

13. An affirmative vote to restrict reconsideration may be reconsidered. If the restriction is overturned, however, by statute the actual reconsideration will take place at a recessed session of the town meeting held at least seven days later (RSA 40:10).

14. A petition for secret ballot must be submitted to the moderator prior to the vote by at least five voters. The five voters must be present when the petition is submitted.

15. The Moderator shall take a secret yes/no ballot vote when seven or more voters who are present question any non-ballot vote immediately after the moderator declares the result of the vote and before any other business is begun (RSA 40:4-b).

16. Five voters present may request a recount of any vote taken by secret yes/no ballot if the request is made immediately after the announcement of the result. The moderator will order a recount immediately if the secret yes/no vote margin is less than 10 percent (RSA 40:4-a).

17. All speakers must be courteous and must address the issues, not the individuals who are raising them. The Moderator will not allow personal attacks or inappropriate language. The Moderator may command a police officer or legal voter to remove from the meeting and detain any person conducting himself or herself in a disorderly manner (RSA 40:9).

18. Any of the Moderator's Rule(s) may be overturned by a simple majority vote."

The Moderator explained that each article can be discussed and debated and deliberated and after that one of two actions needs to be taken. The original wording of the warrant article can be maintained in which case it will appear on the Ballot as it is in the Warrant, and no vote is required because nothing was changed. The other action is to vote to amend the wording of the warrant article. If this amendment is approved the amended article is placed on the Ballot. To amend the wording, a simple majority vote is all that is required.

The Moderator requested that each individual wishing to speak, make every effort to limit discussion in an effort to avoid a lengthy town meeting. He requested precise presentations be made also. Chairman Daniels moved to allow the following non-residents be allowed to speak, to which Vice Chairman Fougere seconded and all were in favor:

Arene Berry
Wendy Hunt
Rick Riendeau
Jack Sheehy
Mike McNerney
Dave Boucher
Bruce Dickerson
Bill Drescher
Marti Noel
Ron Lamarre
Chris Nervik
Mark Bender

ARTICLE 1 – ELECTION OF OFFICERS

The results of the voting for Town Officers and School Officers is as follows:

TOWN OFFICERS:

Selectman – 3 Year Term

Roger Tilton	412
*Gary Daniels	1175
Ed Densmore	376
*Mark J. Fougere	959
Audrey Fraizer	670

Cemetery Trustee – 3 Year Term

*Mary Dickson 1705

Library Trustee – 3 Year Term

*Kim Paul 1237

*Deb Faucher 1283

*Jennifer Martin Hansen 1407

Trustee of Trust Funds – 3 Year Term

*Joan Dargie 1721

Water-Wastewater Commissioner – 3 Year Term

*Michael Putnam 1230

Gil Archambault 492

* Deemed elected by the Moderator.

ARTICLE 2 – BALLOT VOTE – ZONING CHANGES

To vote on Planning Board proposed zoning changes and amendments.

The Planning Board SUPPORTS all Amendments:

Ballot Vote No. 1

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

AMENDMENT # 1: Amend 1. Article IV, Definitions, by amending the definitions of Groundwater and Manufactured Housing; and delete the definitions of Animal Feed Lot, Independent Senior Housing Units, and Leachable Wastes.

Topical Description of Proposed Amendment: The proposed amendment revises the definitions of Groundwater and Manufactured Housing; and deletes the definitions of Animal Feed Lot, Independent Senior Housing Units, and Leachable Wastes. The Planning Board supports Amendment #1 by a vote of 7-0.

Ballot Title: Zoning Ordinance Definitions

The voting on this amendment (Ballot Vote #1) is as follows:

YES: 1538 NO: 399 passed

Ballot Vote No. 2

2. Are you in favor of the adoption of Amendment #2 as proposed by the Milford Planning Board for the Town of Milford Zoning Ordinance as follows:

AMENDMENT # 2: Amend Article V: Section: 5.02.2:A.12 (Residence A), 5.03:E (Residence B), 5.05.1:V (Commercial), 5.07.1:K (Limited Commercial Business), and 5.08.2:A.6 (Integrated Commercial Industrial), proposes to remove Senior Housing Developments from these sections as an acceptable or special exception use.

Topical Description of Proposed Amendment: The proposed amendment is administrative clean-up from the repeal of the Senior Housing Ordinance in 2014. Although, the Senior Housing Ordinance (SHO) has met the needs of the town, the Planning Board, in its efforts to implement the 2009 Housing Chapter of the Master Plan began concentrating efforts on how to provide housing choice, affordability, and neighborhood creation for all ages. In 2014 the Milford voters passed the repeal of the Senior Housing Ordinance and following the rescinding of the Ordinance there are several section of the Zoning Ordinance that reference the SHO and therefore need to be addressed. There remain opportunities for continued residential development for seniors throughout Town. The Planning Board supports Amendment #2 by a vote of 7-0.

Ballot Title: Acceptable & Special Exception Uses

The voting on this amendment (Ballot Vote #2) is as follows:

YES: 1519 NO: 426 passed

Ballot Vote No. 3

3. Are you in favor of the adoption of Amendment #3 as proposed by the Milford Planning Board for the Town of Milford Zoning Ordinance as follows:

AMENDMENT # 3: Amend Article VI: Section: 6.02.4 Wetland Conservation District, by amending the definition of Surface Water.

Topical Description of Proposed Amendment: This change proposes to clarify the definition of Surface Water to be consistent with the definition used in Section 6.01.0 and to reference the State RSA to help with consistency of the ordinance. The Planning Board supports Amendment #3 by a vote of 7-0.

Ballot Title: Definition: Surface Water in Wetland Conservation District

The voting on this amendment (Ballot Vote #3) is as follows:

YES: 1602 NO: 363 passed

Ballot Vote No. 4

4. Are you in favor of the adoption of Amendment #4 as proposed by the Milford Planning Board for the Town of Milford Zoning Ordinance as follows:

AMENDMENT # 4: Amend Article VI: Section: 6.03.2 Floodplain Management, Definitions, by deleting the definition of Manufactured Home and replace in its entirety with definition of Manufactured Housing.

Topical Description of Proposed Amendment: This definition change proposes to clarify the definition of Manufactured Housing to be consistent with the revised definition of Manufactured Housing used in Article IV. This change will help prevent the same term having multiple definitions throughout the ordinance. The Planning Board supports Amendment #4 by a vote of 7-0.

Ballot Title: Definition: Manufactured Home in Floodplain Management District

The voting on this amendment (Ballot Vote #4) is as follows:

YES: 1624 NO: 323 passed

Ballot Vote No. 5

5. Are you in favor of the adoption of Amendment #5 as proposed by the Milford Planning Board for the Town of Milford Zoning Ordinance as follows:

AMENDMENT # 5: Amend Article VI: Section: 6.04.5:C Open Space Conservation District, by revising paragraph relative to Senior Housing Developments.

Topical Description of Proposed Amendment: This is an administrative clean-up from the repeal of the Senior Housing Ordinance in 2014. This change proposes to remove a reference to the former SHO relative to open space requirements of senior housing developments. In 2014 the Milford voters passed the repeal of the Senior Housing Ordinance and following the rescinding of the Ordinance there are several section of the Zoning Ordinance that reference the SHO and therefore need to be addressed. The Planning Board supports Amendment #5 by a vote of 7-0.

Ballot Title: Senior Housing Developments: Open Space Conservation

The voting on this amendment (Ballot Vote #5) is as follows:

YES: 1581 NO: 366 passed

Ballot Vote No. 6

6. Are you in favor of the adoption of Amendment #6 as proposed by the Milford Planning Board for the Town of Milford Zoning Ordinance as follows:

AMENDMENT # 6: Amend Article VII: Section 7.06.3 Definitions, by revising the definitions of Banner Sign, Changing Sign (electronic), Flag, Flashing Sign, Portable Sign, Temporary Sign, and Wall Sign; and adding the definition of Storefront.

Topical Description of Proposed Amendment: The proposed definition changes to the Sign Ordinance were suggested by Staff to help clarify sign related definitions in Milford, and bring the Zoning Ordinance in line with current Town enforcement and regulation procedures for signage. The Planning Board supports Amendment #6 by a vote of 7-0.

Ballot Title: Sign Ordinance Definitions

The voting on this amendment (Ballot Vote #6) is as follows:

YES: 1578 NO: 371 passed

Ballot Vote No. 7

7. Are you in favor of the adoption of Amendment #7 as proposed by the Milford Planning Board for the Town of Milford Zoning Ordinance as follows:

AMENDMENT # 7: Amend Article VII: Section 7.06.4 Prohibited Signs, by revising paragraph 7.06.4:E, and 7.06.4:H; and removing paragraph 7.06.4:K.

Topical Description of Proposed Amendment: The proposed amendments Proposes to revise language to allow additional signage types around town and prevent the over-regulation of temporary and portable signs. The revised Prohibited Signs language was proposed to the Planning Board by the Community Development office to offer more signage options to local businesses. Paragraph 7.06.4:E adds the term changing sign (electronic) and removes language relative to the visibility of a sign beyond the boundaries of the lot or parcel and paragraph 7.06.4:H adds the term mechanically and removes language relative to movement. The Planning Board supports Amendment #7 by a vote of 7-0.

Ballot Title: Sign Ordinance: Prohibited Signs

The voting on this amendment (Ballot Vote #7) is as follows:

YES: 1499 NO: 482 passed

Ballot Vote No. 8

8. Are you in favor of the adoption of Amendment #8 as proposed by the Milford Planning Board for the Town of Milford Zoning Ordinance as follows:

AMENDMENT # 8: Amend Article VII: Section 7.06.5 General Administration, by revising paragraph 7.06.5:C.17.

Topical Description of Proposed Amendment: This change proposes clarification that permits are not required for temporary and/or portable signs less than 6 SF in area and less than 6 feet high. The revised language was proposed to the Planning Board by the Community Development office to reflect current regulating practices and to offer more signage options to local businesses. The Planning Board supports Amendment #8 by a vote of 7-0.

Ballot Title: Sign Ordinance: General Administration

The voting on this amendment (Ballot Vote #8) is as follows:

YES: 1565 NO: 423 passed

Ballot Vote No. 9

9. Are you in favor of the adoption of Amendment #9 as proposed by the Milford Planning Board for the Town of Milford Zoning Ordinance as follows:

AMENDMENT # 9: Amend Article VII: Section 7.06.7:D Awning Signs/Canopy Signs/Marquee Signs/Projecting and Suspended Signs by revising Paragraph 7.06.7:D.3.

Topical Description of Proposed Amendment: Proposes to remove language for clearer interpretation and change "computed" to "Calculated". This is an administrative clean-up for consistency. The Planning Board supports Amendment #9 by a vote of 7-0.

Ballot Title: Sign Ordinance: Awning Signs/Canopy Signs/Marquee Signs/Projecting and Suspended Signs

The voting on this amendment (Ballot Vote #9) is as follows:

YES: 1654 NO: 312 passed

Ballot Vote No. 10

10. Are you in favor of the adoption of Amendment #10 as proposed by the Milford Planning Board for the Town of Milford Zoning Ordinance as follows:

AMENDMENT # 10: Amend Article VII: Section: 7.06.7:E Wall Signs (Fascia Sign Or Faça de Sign) by removing in its entirety and replacing with revised language.

Topical Description of Proposed Amendment: This change proposes to add language to the Wall Sign section of the Zoning Ordinance to allow storefronts located at a greater distance from the street with additional wall sign area. The revised wall sign language was proposed to the Planning Board by the

Community Development office to offer more signage options to local business specifically those located at a greater distance. The Planning Board supports Amendment #10 by a vote of 7-0.

Ballot Title: Sign Ordinance: Wall Signs

The voting on this amendment (Ballot Vote #10) is as follows:

YES: 1538 NO: 433 passed

Ballot Vote No. 11

11. Are you in favor of the adoption of Amendment #11 as proposed by the Milford Planning Board for the Town of Milford Zoning Ordinance as follows:

AMENDMENT # 11: Amend Article VII: Section: 7.06.7:I Temporary On-Premise Signs, by removing in its entirety and replacing with revised language and tables.

Topical Description of Proposed Amendment: The proposed amendment will revise language to allow additional signage types around town and prevent the over-regulation of temporary and portable signs such as sandwich and message boards, 'open' and other flags, and small business-related portable signs. The revised wall sign language was proposed to the Planning Board by the Community Development office to offer more signage options to local businesses. The Planning Board supports Amendment #11 by a vote of 7-0.

Ballot Title: Sign Ordinance: Temporary On-Premise Signs

The voting on this amendment (Ballot Vote #11) is as follows:

YES: 1505 NO: 435 passed

Ballot Vote No. 12

12. Are you in favor of the adoption of Amendment #12 as proposed by the Milford Planning Board for the Town of Milford Zoning Ordinance as follows:

AMENDMENT # 12: Amend Article VII: Section: 7.06.8:D General Provisions, to revise paragraph 7.06.8:D.5 to add language relative to portable signs in the Oval Sub-District.

Topical Description of Proposed Amendment: This is an administrative clean-up to continue to allow A-frame signs within the Oval Sub-District where approved by Code Enforcement provided they do not obstruct or interfere with pedestrian traffic. The Planning Board supports Amendment #12 by a vote of 7-0.

Ballot Title: Sign Ordinance: General Provisions

The voting on this amendment (Ballot Vote #12) is as follows:

YES: 1588 NO: 364 passed

Ballot Vote No. 13

13. Are you in favor of the adoption of Amendment #13 as proposed by the Milford Planning Board for the Town of Milford Zoning Ordinance as follows:

AMENDMENT # 13: Amend Article X: Section 10.06.0 Expiration, by amending paragraph relative to a 2013 State RSA change.

Topical Description of Proposed Amendment: This change proposes to update the Zoning Ordinance to comply with revisions to the State's Revised Statutes Annotated (RSA). The change will now allow 2 years after the granting of a variance or special exception by the Board of Adjustment, to complete work required by a building permit. Formerly 1 year. The Planning Board supports Amendment #13 by a vote of 7-0.

Ballot Title: Expiration

The voting on this amendment (Ballot Vote #13) is as follows:

YES: 1566 NO: 361 passed

PLEASE NOTE: The Ballot questions as quoted in the minutes of this deliberative session are verbatim from the posted warrant. At the time the warrant was posted, the Budget Advisory Committee had not voted on the various articles. For final Budget Advisory Committee votes, see official ballot.

WARRANT ARTICLE 3 - LIBRARY BUILDING PROJECT – BOND - \$5,460,000

Selectman Gary Daniels moved that Warrant Article 3 be placed on the ballot. Selectman Fougere seconded. Warrant Article #3 as presented at the Deliberative Session is as follows:

*Shall the Town vote to raise and appropriate the sum of Five Million Four Hundred Sixty Thousand (\$5,460,000) Dollars for the construction and equipping of a new Library building and expanded parking lot, associated site work, demolition of existing library building and other structures and to authorize the Selectmen to raise this appropriation by accepting a donation from Library Trustee Trust Funds in the amount of \$500,000 and borrowing not more than \$4,960,000 in bonds, bond anticipation notes, or notes therefore in accordance with the Municipal Finance Act (RSA 33) and, further, to authorize the Selectmen to issue and negotiate such bonds, bond anticipation notes, or notes and to determine conditions and the rate of interest thereon, such funding to be repaid from general taxation, and to authorize the Selectmen and/or Library Trustees to contract for and expend any Federal or State aid that may be available for this purchase, and to authorize the Selectmen and/or Library Trustees to take all other necessary action to carry out this project, said actions to include anything necessary to prepare said land so that it would be available for the construction of such a facility and expanded parking lot including due diligence, site assessments and demolition of existing structures? This is a Special Warrant Article in accordance with RSA 32. Note: As this is for issuance of long-term debt, this vote requires, under State law, sixty percent (60%) affirmative vote to pass. The Board of Selectmen does not support this Article (1-4). The Budget Advisory Committees vote is split on this Article (4-4-(1 abstention)). **This Article has an estimated tax impact beginning 2016 of \$0.327 or (\$32.70 on a home value of \$100,000).***

Library Director Michelle Sampson introduced the Library Trustees Chris Costantino, Deb Faucher, Jen Hansen, Kim Paul, Sarah Philbrick Sandhage, Mike Tule and Wayne Hardy and then presented a status of the current Library. Ms. Sampson introduced the Architect, Ron Lamarre, with Lavallee Brensinger Architects, as well as the Library Custodian, Joel Trafford. Ms. Sampson indicated this is a large ticket item and she has the presentation along with a brief five minute video. The Library provides an anchor to downtown and provides support to the town residents, providing a positive quality of life. The current Library is 14,000 square feet, which has required several expensive repairs over the years that are typically band-aids for larger issues. The video to be seen will show everyone that.

Ms. Sampson continued with the presentation which shows that the current Library is not ADA compliant. Through surveys and talking with residents, people agree a new Library is in order. The CIP has listed a new Library every year since 1995 and it has been bumped 14 time for one reason or another. Each year, that price increases. In 2013, an RFP was put out by the Library Trustees. After the prices came in and the different options were reviewed, the Trustees selected the Lavallee Brensinger design. The decision was made to not just renovate for many reasons, it was decided to rebuild on the same footprint and expand. Last year the Library received over 300 requests for private, quiet study space. Because the Milford Library is so heavily used, this would be a big return for all ages and meet the needs of all the residents, with a population of about 15,000.

The cost to taxpayers would be \$4.9 million; with a \$500,000 gift by the Trustees who have already spent \$500,000; this would be a cost of \$.33 per \$1000, or \$66.00 per year for a home valued at \$100,000. For that cost, you would have a great facility that meets the needs of the community. Ms. Sampson played the video which depicts the current condition of the Library.

Moderator Basiliere asked if there were any questions on Article 3. Matt Lydon, Budget Advisory Committee (BAC) indicated the tax impact is too much so the BAC does not support this article. The rate of the tax increase is just too much.

Rick Wood, Homestead Circle, indicated the argument made is that we do not have enough square feet in the Library, but it seems this renovation reduces the size of the building and he is not sure how that works. Ms. Sampson explained there is the 8,100 sf addition and then there is the rebuild on the current footprint, so it would be the original structure plus the addition in front, thereby being bigger.

Rick Wood, asked about environmental concerns during the demo of the old building, and the impact and cost of having to deal with those issues; there must be issues in the 1950 building and what kind of contingency is there for that? Ms. Sampson asked the architect to answer those questions. Moderator Basiliere recognized Architect Ron Lamarre, who answered that the remediation to be done would be taken care of, we have already engaged a construction engineer about the use of asbestos for people to go through the building so that we can cover those costs. The cost of remediation has been accounted for and could actually come in less. Rick Wood said that everybody should keep it in perspective, the end result is the BAC is on track but what can we affect, the Warrant Article is piece meal and we need to keep in mind that the cost is in addition to the other Warrant Articles including the Budget. It is like not looking in your pocket to see how much money you have before you buy something. The budget is already up and there are other Warrant Articles as well, we have things requiring maintenance on the Warrant and Mr. Wood does not think we can afford this at this time.

Ms. Sampson said there is never going to be a good time to build this, there will always be something else. The cost will just continue to increase. Here we are, fifteen years since it first came up, bond rates are low right now and there will never be a good time to do a good project but that does not change that it needs to happen. The Milford Library is the most utilized building in town next to the schools.

Steve Takacs, Whitten Road, uses the Library a lot and will be careful about what he says, but the portion of the building built in 1950 will be raised, and has it been considered to just raise that portion and rebuild just that? Ms. Sampson indicated she would like the architect to address that question. Ron Lamarre said they looked at that first and they looked at saving the 1986 addition but it is structurally unsound and does not meet modern codes. The 1950 building is actually better structurally but there are other problems with it. The problem is that it all is within the bones of the building; the construction engineer looked at fixing the problems which would have cost about half of what we are asking for. After that effort, the town would have basically what it has now. It would not solve any space inadequacies. For that amount of money, to look at the partial renovation, we looked at building the new portion and keeping a part of the old. In the end, it was decided to do it all at once to be the most cost effective.

Steve Takacs said we could not expand it all and tear down the 1950 part, then build a new portion of building there and don't worry about expanding. Mr. Lamarre said if we do that we would have to close the building by moving the Library temporarily. Once the Library is re-located to fix the problems, we are still looking at about \$3 million. That is just to fix those items and the cost of moving the Library to continue the operation. The Library Trustees decided to build it all new and keep the Library open. This proposal is for all the money spent is for an end product with expansion. Mr. Takacs asked if the new building will be built before the old will be demolished. Mr. Lamarre said yes the new building will be built before the old is demo'd and that would require no lease for temporary use.

Steve Takacs said the Board of Selectmen have failed to put the interest payments on the Warrant Article, which he has requested year after year, how much more will it actually cost over the 20 year bond? Jack Sheehy, Finance Director, said the bond for \$4.96 million over twenty years at 3.5% interest would be about \$1,822,000 interest over the life of the loan. Steve Takacs responded that it will actually cost a total of closer to \$7 million, not \$5.4 million. Steve Takacs moved to add the total amount to the warrant, to include the interest. Moderator Basiliere understands the intent, however, he did not believe we could do that. We are not bonding the entire amount, only the principal.

Steve Takacs agreed, but would like the total cost to be included for the voters. Moderator Basiliere said we can add in the bold text the amount to include the interest. Jack Sheehy indicated the warrant does include the impact to

taxpayers. Steve Takacs changed his motion to add the actual amount with the interest rate of 3.5% in the wording at the end of the article. Mr. Takacs to provide that language to the moderator.

Rick Wood recommended adding the language to be added in the note, not the warrant. Linda Higgs, Mason Road, attended a Library Open House, and watching the video shown was appalling but seeing it in person, it is worse. The fact that we are using a building with those problems is unreal. We have a functioning ambulance building, police building, fire station and it is now time for the Library. As a patron, I want to be in a building that is safe and I am willing to pay that tax. Brian Higgs, Mason Road, recognizes that we have to spend, my wife and I use the Library all the time, you get a sense of how busy the Library is when you are there. The 1950 building will eventually stop running and you will have to pay for it to be replaced.

Tim Finan, Berkeley Place, does not support the amount Mr. Takacs has proposed with the interest, although he understands the intent of having full disclosure, but it will cause confusion with more numbers. Everyone knows when you buy something, it costs more than the ticket price, people know that. If we add this other number in there, people will be confused. It is common in municipalities, if you are going to borrow money, it will cost more to pay it back, we should stay with the way it has always been done. There is no deception here.

Loreen Daniels, Whitten Road, has been thinking about this a lot and she thinks it is wonderful and is needed. She would propose different ways to help raise funds so that the tax impact would be less. Like having a Library fund drive where people could donate money in different ways like in jars in businesses in town to defray the cost. Ms. Daniels feels that could be studied to help the tax impact.

Nate Carmen, Union Street, said there is a motion on the floor, he does not like changing the language, we can go on and on but it will just confuse things for people. The idea is we have several bonded warrant articles to be addressed in the same manner and once we get that number in there, which is just approximate, we have a good estimate in there, the voters approve the cost, we do not know the bonding rate, that could change and could be lower, so trying to change the number does not make sense.

Tom Schmidt, Melendy Road, agrees with full disclosure and agrees it would add confusion. It would inflate the dollar amount, it makes the project appear to be more expensive than they are proposing; Mr. Schmidt is in favor of the expense and appreciates the Library Director and Trustees that the approach will produce a building that will serve us for many years to come. Mr. Schmidt is strongly in favor of this, and it is something needed for a long time and now is the time to do it.

Mike Toole, Federal Hill Road, suggested that adding the interest to the warrant would be misleading, the total amount of debt is not \$7 million and that is misleading, he urged people to vote against changing the amount.

Carolyn Halstead, Ruonala Road, suggested we need a better way to look at it in the amendment. When Ms. Halstead gets a mortgage, she is told how much she is expected to pay in the end. I know when we make that purchase how much I am borrowing and how much I am paying back, she also supports having people fund raise like the Milford Track was purchased. There were three phases in this proposal, and keeping the Library open, but can the phases be spread out over time?

Ron Lamarre, Architect, said the reason it is phased as one project, is because if it is spread out over time, there is the possibility that the first phase could be done and then the second and third do not get completed, which would prevent it from ever being completed. Additionally, the later phases would cost more down the line.

Kim Paul, Helene Drive, indicated the Library Trustees do have a fund that has about \$10,000 in it right now.

Rick Wood, called the question, to vote on the proposed amendment; he feels it would be confusing to voters, when I borrow money, I get a truth in lending statement that includes the total cost, that is the purpose of this amendment. I was under the impression that the current Library foundation was defunct, so how can a new building be built on it?

Ron Lamarre indicated the foundation is a footing and is sound; the walls will not be used, but the footing will. We plan to re-build on the same footprint. The site preparation costs for excavation would be saved by doing that, it is the footing that will be kept but the walls will go away. Steve Takacs asked why everyone is against his amendment? The confusion is going to keep this from getting in there. Mr. Takacs does not understand why people would be confused by this. The Board of Selectmen voted against this. Selectman Fougere said the Board of

Selectmen does not support this, there are strong arguments, but the majority does not support this large project at this time. The impact will be in future years and the Board felt with the projects approved over the last few years, this project would remain in the CIP for next year. Given the town budget and other priorities, we felt it best to wait. Selectman Bauer said she was the one vote that is in favor of this Library project.

Nate Carmen called the question. Moderator Basiliere indicated he will hear the last two questions from the people who had been in line, then call the question.

(resident name inaudible), Summer Street, would like to look at how we present warrant articles. It is confusing unless you intend to modify every warrant article, we need to get back on the value. This resident supports this article.

Cara Barlow, Myrtle Street, is a former Library Trustee and currently this is a project that is long overdue. This project would jump start the oval with the new foot traffic and increase to the parking in the downtown area and she hopes people will support this article.

Moderator Basiliere indicated the amendment must go through Town Counsel, but while discussing the amount, Attorney Drescher has advised a modification to the warrant article, that instead of adding the interest, that the estimated interest rate of 3.5% be added to the note. Moderator Basiliere called the vote. Motion failed.

Rick Wood moved to accept the language as provided by Attorney Drescher. There was no second to this motion.

Bob Willette, Ball Hill Road, asked why people are afraid of telling the taxpayers of the town what the total cost of this is? Mr. Willette does not feel this is giving full transparency to the town, people should know what the total dollar value is. Janet Langdell, Elm Street, said last year this came up (to include interest rates) we do have a Voter's Guide in which we can describe the interest rates and the total value, so that we can be transparent without having to go through this all today.

Steve Sareault, BAC, asked why the principal and the interest value could not be included? Matt Lydon, BAC, indicated that in a Truth in Lending disclosure, there is a set interest rate; but we do not have that yet and we do not know what that will be, so we cannot give a Truth in Lending statement. On this article, Tim Finan, said it has the positions of the Board of Selectmen and BAC, there is a Board of Library Trustees (7 people) that are also elected). Mr. Finan suggested the Board of Trustees have their position listed instead of the Board of Selectmen.

Tim Finan moved that the Library Trustees' position be listed for this Warrant Article instead of the Board of Selectmen. Attorney Drescher indicated that the statute requires the Board of Selectmen position be there. Moderator Basiliere indicated the statute does state the position of the Board of Selectmen and BAC must be on the ballot. Tim Finan suggested to take into consideration the Library Trustee's position when they take their vote. Chris Costantino, Library Trustee, said that they have hired a fundraiser and you cannot build a Library of this scale on donations. Once the project is approved, we may generate some fundraising that will be applied to the debt.

Carla Boudreau, Windsor Drive, asked how many members of the Board of Selectmen and Budget Advisory Committee members actually went to the Open House? Jolie Whitten, BAC, responded they were given the same presentation given today and not everyone on the BAC was able to do the walk through. Ms. Boudreau suggested that you are all elected and have given your position but did not attend the open house? Ms. Whitten responded that the BAC members are not elected, they are volunteers. Ms. Boudreau noted that she did go the open house and she does use the Library, before she made a decision, and she hopes the opinion was based on all of the information provided but unfortunately it does not appear that was the case.

Selectman Bauer said the opinion can be based on more than going to the open house; Selectman Bauer is very aware of the problems at the Library. All of the Board of Selectmen members are aware of the problems and are aware of what will happen if it does not pass. Selectman Federico said he has seen the video and seen the presentation from the Library Director, and we believe the Library Trustees have done an excellent job at getting a number for the renovation; in his opinion, it is something that needs to be done, but it is not the right time. In looking at the debt service that the town has, Selectman Federico thinks waiting a year when the Brox property debt has its last payment would be better. Selectman Federico thinks we need to retire some debt first.

Matt Lydon, BAC, said the first payment will not be due until 2016, so the timing will actually be perfect. Tim Finan said he still does not understand why the position of the Library Trustees cannot be placed on the warrant, they are elected, the town should know what their position is, even if it is under the note.

Attorney Drescher stated that once Milford changed to SB-2, you are voting by official ballot. We have used it to vote for zoning amendments, officers, and warrant articles; in the statute of SB-2, you cannot put anything on the ballot unless it is expressly required by statute. When SB-2 first came out, it was thought "can we put the position of the BAC and Board of Selectmen on?" SB-2 has been amended several times, now it is required that the BAC and Board of Selectmen votes have to be there. Now the tallies can be inserted but the ballot must not include anything not required, or the town can get in trouble. In the old days, it was not an issue, the voter's guide is really where to put the position of the Library Trustees. Attorney Drescher agrees it would be helpful but it cannot be in there. Today we are talking about the ballot, that support cannot be on the ballot.

Moderator Basiliere said there are the warrant articles and then there is the ballot. The amendment is permissible to the warrant article but on the ballot, the language in the amendment will not be included. The warrant article alerts residents of what is being voted on but it will not be on the ballot.

Tim Finan moved to add the Library Trustees positions to the warrant article. Motion was seconded. Kim Paul, Helene Drive, noted as the Brox Property debt retires in 2015, wouldn't this be the perfect year to get this passed? Now is the perfect time. Tom Schmidt called the question. Motion passed.

This amendment would add the position of the Library Trustees to the warrant article and voter's guide but not the ballot.

Hearing no questions or comments, the Moderator instructed the Town Clerk to place Ballot Question #3 on the Ballot as originally worded and in accordance with State statute.

A motion was made to move up the discussion for Article 23 to be the next item. Rick Wood indicated he is opposed to that, since everyone here today is waiting for one article or another and the articles have been posted in a certain order so he would like to move on with Article 4. Nate Carmen agreed with Mr. Wood that the order of discussions not be changed. All were opposed to the motion. Motion failed.

The results of the official ballot voting at the Elective Session on Article #3 is as follows:

YES: 953 NO: 1188 failed

Article #3 failed.

WARRANT ARTICLE 4 - WEST ELM STREET WATER MAIN EXTENSION BOND - \$792,000

Selectman Gary Daniels moved that Warrant Article 4 be placed on the ballot. Selectman Fougere seconded. Chairman Daniels deferred to the Board of Commissioners:

Warrant Article #4 as presented at the Deliberative Session is as follows:

Shall the Town vote to raise and appropriate the sum of Seven Hundred Ninety Two Thousand (\$792,000) Dollars to install 3,300 linear feet of 12-inch water main along Elm Street from a starting point 1,100 linear feet west of the intersection of Route 101/Route 101A to the Wilton Road intersection and to authorize the Selectmen to raise this appropriation by borrowing not more than \$792,000 in bonds, bond anticipation notes, or notes therefore in accordance with the Municipal Finance Act, (RSA 33) and, further, to authorize the Selectmen to issue and negotiate such bonds, bond anticipation notes, or notes and to determine conditions and the rate of interest thereon, such funding to be repaid from income received from water users provided that such bonds or notes shall be the general obligation of the Town and to authorize the Water and Sewer Commissioners and or the Board of Selectmen to contract for and expend any Federal or State aid that may be available for this project and to take all other necessary actions to carry out this project? The project will improve fire protection and provide municipal water to properties located in this 101 West corridor. This is a Special Warrant Article in accordance with RSA 32. Note: As this is for issuance of long-term debt, this vote requires, under State law, sixty percent (60%)

affirmative vote to pass. The Board of Water & Sewer Commissioners supports this article (3-0). The Board of Selectmen supports this Article (5-0). The Budget Advisory Committee supports this Article (9-0).

Dale White, Water Commissioner, indicated there are wells on the west end of town that have limited capabilities and the quality is not there. The NH Department of Transportation (DOT) will be expanding that section of road (Route 101) in 2016 after which a moratorium will be placed on that section of Route 101 for any changes. This extension would also increase fire safety out there. The Water Department is a commodity and if we can expand it to the other part of town, we should do that.

Matt Lydon, BAC, said the BAC supports this Warrant Article. Rick Wood, Homestead Circle, asked if this would be paid for by water users? Commissioner White responded it would be paid for by water users. Rick Wood wanted to confirm that this has no tax impact and would be paid for by water users and wished for the warrant article to state such. Commissioner White stated that it is included in the warrant article that this will be paid for by water users.

Janet Langdell, Elm Street, commended the Board of Commissioners for moving this forward; many people do not realize that there are sections of town that are not connected to the water department. Ms. Langdell agrees with this warrant article and she is a water user.

There being no further questions or comments, the Moderator instructed the Town Clerk to place Ballot Question #4 on the Ballot as originally worded and in accordance with State statutes.

Chris Costantino, North River Road, moved to restrict reconsideration of Warrant Articles 3 and 4. All were in favor of restricting reconsideration of warrant articles 3 and 4.

The results of the official ballot voting at the Elective Session on Article #4 is as follows:

YES: 1378 NO: 677 passed

Article #4 passed

WARRANT ARTICLE 5 - STORM SEWER VIDEO INSPECTION BOND – \$216,000

Selectman Gary Daniels moved that Warrant Article 5 be placed on the ballot. Selectman Fougere seconded. Warrant Article #5 as presented at the Deliberative Session is as follows:

*Shall the Town vote to raise and appropriate the sum of Two Hundred Sixteen Thousand (\$216,000) Dollars to perform an inspection of the Town's Stormwater System with the assistance of video observation equipment, and to authorize the Town to enter into an agreement with the State of New Hampshire Department of Environmental Services to accept a 20% forgiveness of the project cost upon completion of the project and to borrow funds in the amount of \$172,800 from the State Revolving Fund? Information thus obtained will be assessed and incorporated within the Town's Asset Management System to assist with planning for future repairs and maintenance decisions. This is a Special Warrant Article in accordance with RSA 32. **Note:** As this is for issuance of long-term debt, this vote requires, under State law, sixty percent (60%) affirmative vote to pass. Board of Selectmen supports this Article (4-1). The Budget Advisory Committee does not support this Article (1-8). This Article has an estimated tax impact beginning 2016 of \$0.030 or (\$3.00 on a home value of \$100,000).*

Selectman Daniels moved to amend the language of this warrant article as provided by Attorney Drescher as follows, seconded by Selectman Fougere:

"Shall the Town vote to raise and appropriate the sum of Two Hundred Sixteen Thousand (\$216,000) dollars to perform an inspection of the Town's Stormwater System with the assistance of video observation equipment, and to authorize the Selectmen to raise this appropriation by borrowing not more than \$216,000 in bonds, bond anticipation notes, or notes therefore in accordance with the Municipal Finance Act, (RSA 33) and, further, to authorize the Selectmen to issue and negotiate such bonds, bond anticipation notes, or notes and to determine conditions and the rate of interest thereon, it being further understood that the anticipated source of \$172,800 of said funding will be a loan from the State Revolving Fund, with the further understanding that the Board of Selectmen are authorized to

enter into an agreement with the State of New Hampshire Department of Environmental Services to accept a 20% forgiveness of the project cost upon completion of the project? Information thus obtained will be assessed and incorporated within the Town's Asset Management System to assist with planning for future repairs and maintenance decisions. This is a Special Warrant Article in accordance with RSA 32. Note: As this is for issuance of long-term debt, this vote requires, under State law, sixty percent (60%) affirmative vote to pass. Board of Selectmen supports this Article (4-1). The Budget Advisory Committee does not support this Article (1-8). This Article has an estimated tax impact beginning 2016 of \$0.030 or (\$3.00 on a home value of \$100,000."

Selectman Daniels indicated this amendment would reference the RSA 33 for the bonding. The project does not change, it is just the language for the bonding.

Matt Lydon, BAC, said the BAC does not support this warrant article, however he is the minority and does support it. The majority feels there has been money included in the yearly budget for this project and it is unclear which portion of the project has been done and where that money was spent if not on this project. The minority supports inspecting the 30 miles of stormwater systems to identify anticipated problems so that repairs can be made.

Rick Wood, Homestead Circle, agrees with Mr. Lydon and encourages the majority to reconsider their position, since you need to know the big picture to have an effective plan. Janet Langdell asked if this is part of the requirement to be part of an MS-4 town? Rick Riendeau, DPW Director, said it is not at this time, but is the second phase of the Federal mandate that is coming. Moderator Basiliere asked what is an MS-4? Mr. Riendeau responded it is the municipal stormwater system required by the Federal Government.

Moderator Basiliere called the question. All were in favor of the amended language. Motion passed.

There being no further questions or comments, the Moderator instructed the Town Clerk to place Ballot Question #5 on the Ballot as amended and in accordance with State statute.

The results of the official ballot voting at the Elective Session on Article #5 is as follows:

YES: 1178 NO: 904 failed

Article #5 failed.

A brief recess was called at 11:15 a.m.

WARRANT ARTICLE 6 - TOWN OPERATING BUDGET - \$13,785,044

Selectman Gary Daniels moved that Warrant Article 6 be placed on the ballot. Selectman Fougere seconded. Warrant Article #6 as presented at the Deliberative Session is as follows:

Shall the Town vote to 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 in an amount totaling Thirteen Million, Seven Hundred Eighty Five Thousand, Forty Four (\$13,785,044) Dollars? Should this Article be defeated, the operating budget shall be Thirteen Million, Six Hundred Sixty Three Thousand, Six Hundred Seventy Eight (\$13,663,678) Dollars which is the same as last year, with certain adjustments required by previous actions 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 is a Special Warrant Article in accordance with RSA 32. The Board of Selectmen supports this Article (4-1). The Budget Advisory Committee does not support this Article (1-6-(2 abstentions)). This Article has an estimated tax impact of \$0.462 over the 2014 Budget (\$46.20 on a home value of \$100,000). The proposed budget reflects a 5.8% increase to the 2014 Budget, or a \$ 759,7470 increase; 84% of this increase (\$638,381) is included in the default budget.

Town Administrator Mark Bender provided a budget overview, indicating the focus of the 2015 budget is the DPW budget, primarily infrastructure. Mark Bender indicated that the budget versus actuals for 2014 were very close. During the budget process, the Board of Selectmen and management reduced their budgets by \$184,000. We will be very close to the default budget, but he asked for support of the proposed 2015 budget.

Moderator Basiliere asked for input from the BAC. Matt Lydon said the BAC vote is 1-6 with two abstentions on warrant article 6. The majority feel it would be productive to use the default budget for this year. Historically the actual numbers have come below the budget and it is felt the default budget should be enough to meet the town's obligations. The majority suggests using a contingency line to prevent transfers between departments. Matt Lydon is in the minority and he feels the departments are already under a lot of pressure to maintain spending within the budget.

Nate Carmen asked about the \$35,000 that the town will get back for the 127 Elm Street purchase? Jack Sheehy explained that the warrant article that passed in September, that the town would take the balance of the warrant article and it would be taken out of fund balance. Mr. Carmen said the warrant article for the sidewalk plow payments that are in the debt service are not in the budget. Jack Sheehy noted that the new ladder truck and sidewalk plow are in the budget. The new ones are proposed in the warrant article this year. Selectman Daniels said it is \$46.20 per thousand over what the 2014 budget, above what is being paid now. Mr. Carmen asked if Mr. Sheehy could figure that out, it is always difficult, because the other warrant articles are in addition to the budget but this one is different, it is written out as an increase over what is there now.

Rick Wood moved to amend the amount to \$13,416,056. Steve Takacs seconded. Rick Wood explained that is a 3% increase over last year's budget. Mr. Wood indicated there are budget increases in the Library and IT, Police but not the Fire and Ambulance Departments. How do we have some departments that are fiscally sound and others that are not? We have lost thousands of dollars in revenue with the ambulance. We have an ambulance that is out of commission quite frequently. We have to live within our means. We are looking at a 7% increase, we need to get back to basics. The number is too big, we have some level of obligation of growth. There was no second.

Steve Sareault, BAC, asked if the proposal is to amend the budget or to be less than the default budget? Moderator Basiliere said that is correct. If that amendment is successful, Mr. Sareault said that is an impact of \$220,000 less than the default budget. What town operations would be cut? Town Administrator Mark Bender responded that the proposed amount is an increase from the 2014 of less than \$400,000 and \$178,000 of that is just for the commitments made in 2013 (ladder and dump trucks). The increase of all the other departments of less than \$200,000. If we went with less than the default budget, we would have to look at all of the departments. Mr. Bender cannot give specifics, but it will affect services.

Rick Wood suggested keeping in mind that the budget versus the actual is a delta of about \$200,000. When we did have a default budget in this town, we were still able to purchase police cruisers; we have not been told what is in that default budget. That statute offers a lot of flexibility and we do not know what is in that number.

Steve Takacs said this comes up every year, we normally have a surplus and is there any proposed surplus for this year? Jack Sheehy said it is called unrestricted fund balance, that is to use \$100,000 to keep the tax rate down. Steve Takacs asked what the balance of fund balance is. Jack Sheehy responded it is \$1,622,000 in unrestricted fund balance. Mr. Sheehy asked how much does the town want to get into that, that money is there in case of an emergency. That figure also was part of Mr. Bender's presentation.

Moderator Basiliere called the question. The amendment failed.

There being no further comments or questions, the Moderator instructed the Town Clerk to place Ballot Question #6 on the Ballot as originally worded and in accordance with State statutes.

Selectman Daniels moved to restrict reconsideration of Warrant Articles 5 and 6. All were in favor of restricting reconsideration of warrant articles 5 and 6.

The results of the official ballot voting at the Elective Session on Article #6 is as follows:

YES: 889 NO: 1209 failed

Article #6 failed.

WARRANT ARTICLE 7 - WASTEWATER TREATMENT OPERATING BUDGET - \$1,893,222

Selectman Gary Daniels moved that Warrant Article 7 be placed on the ballot. Selectman Fougere seconded. Chairman Daniels deferred to Dave Boucher to present the warrant article.

Warrant Article #7 as presented at the Deliberative Session is as follows:

Shall the Town vote to raise and appropriate the sum of One Million, Eight Hundred Ninety Three Thousand, Two Hundred, Twenty Two (\$1,893,222) Dollars to operate and maintain the Wastewater Treatment Facility and the Sanitary Sewer Collection System, said appropriation to be offset by income received from wastewater user charges, or take any other action relative thereto? Should this Article be defeated, the operating budget shall be One Million, Eight Hundred Three Thousand, Eighty-Nine (\$1,803,089) Dollars which is the same as last year, with certain adjustments required by previous actions 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 is a Special Warrant Article in accordance with RSA 32 and is paid for by the wastewater user fees. The Board of Commissioners supports this Article (3-0). The Budget Advisory Committee supports this Article (9-0).

Dave Boucher, Water Utilities Superintendent, talked about the Warrant Article, noting this year they plan to slipline the sewer on West Street, there is a 2% wage increase for the employees, a new sludge pump will be installed due to the age of the facility and that it has exceeded the life expectancy. They would like to replace the 2000 dump truck, which requires a new body to be replaced which would save money. Matt Lydon, BAC, indicated the BAC support this warrant article, noting the costs are provided by sewer users.

There being no further questions or comments, the Moderator instructed the Town Clerk to place Ballot Question #7 on the Ballot as originally worded above and in accordance with State statutes.

The results of the official ballot voting at the Elective Session on Article #7 is as follows:

YES: 1507 NO: 575 passed

Article #7 passed.

WARRANT ARTICLE 8 - WATER DEPARTMENT OPERATING BUDGET - \$1,380,858

Selectman Gary Daniels moved that Warrant Article 8 be placed on the ballot. Selectman Fougere seconded. Warrant Article #8 as presented at the Deliberative Session is as follows:

Shall the Town vote to raise and appropriate the sum of One Million, Three Hundred Eighty Thousand, Eight Hundred, Fifty Eight (\$1,380,858) Dollars to operate and maintain the Water Department, said appropriation to be offset by income received from the water user charges, or take any other action relative thereto? Should this Article be defeated, the operating budget shall be One Million, Three Hundred Eighty Thousand, Five Hundred, Twenty Eight (\$1,380,528) Dollars which is the same as last year, with certain adjustments required by previous actions 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 is a Special Warrant Article in accordance with RSA 32 and is paid for by the water user fees. The Board of Commissioners supports this Article (3-0). The Budget Advisory Committee supports this Article (9-0).

Dave Boucher, Water Utilities Superintendent, explained the Water Department Operating Budget has a 9% increase this year; the department needs to repair the 2001 backhoe and other minimal repairs. Moderator Basiliere asked for any questions or comments. Matt Lydon, BAC, indicated the BAC supports this warrant article.

There being no further questions or comments, the Moderator instructed the Town Clerk to place Ballot Question #8 on the Ballot as originally worded above and in accordance with State statutes.

Selectman Daniels moved to restrict reconsideration of Warrant Articles 7 and 8. All were in favor of restricting reconsideration of warrant articles 7 and 8.

The results of the official ballot voting at the Elective Session on Article #8 is as follows:

YES: 1532 NO: 540 passed

Article #8 passed

WARRANT ARTICLE 9 - JENNISON ROAD BRIDGE – \$430,000

Selectman Gary Daniels moved that Warrant Article 9 be placed on the ballot. Selectman Fougere seconded. Warrant Article #9 as presented at the Deliberative Session is as follows:

Shall the Town vote to raise and appropriate the sum of Four Hundred Thirty Thousand (\$430,000) Dollars (\$86,000) to be raised from general taxation and \$344,000 from the New Hampshire Department of Transportation Bridge Replacement Program) for the purpose of replacing the Jennison Road Bridge or take any other action relative thereto? The state program is an 80/20 matching fund with the Town providing 20%. This is Phase II of the Jennison Bridge replacement with the engineering and permitting completed in Phase I from monies appropriated by Article 16 in the 2012 Town Meeting warrant. This will be a Special Warrant Article in accordance with RSA 32. Board of Selectmen supports this Article (5-0). The Budget Advisory Committee supports this Article (9-0). This Article has an estimated tax impact of \$0.067 (\$6.70 on a home value of \$100,000).

Selectman Fougere explained this is expected to fix bridges and roads in town, this is the first priority to be taken care of, 80% of the cost will be paid for by the State of NH. This is ready to go out to bid. Matt Lydon, BAC, indicated the BAC supports this 9-0 as this is an 80/20 match, and only 20% of the cost must be raised by taxes.

There being no further questions or comments, the Moderator instructed the Town Clerk to place Ballot Question #9 on the Ballot as originally worded above and in accordance with State statutes.

The results of the official ballot voting at the Elective Session on Article #9 is as follows:

YES: 1463 NO: 592 passed

Article #9 passed

WARRANT ARTICLE 10 - BRIDGE REPLACEMENT CAPITAL RESERVE - \$175,000

Selectman Gary Daniels moved that Warrant Article 10 be placed on the ballot. Selectman Fougere seconded. Warrant Article #10 as presented at the Deliberative Session is as follows:

Shall the town vote to raise and appropriate the sum of One Hundred Seventy Five Thousand (\$175,000) Dollars to be placed in the Bridge Replacement Capital Reserve Fund? This will be a Special Warrant Article in accordance with RSA 32. The Board of Selectmen supports this Article (5-0). The Budget Advisory Committee supports this Article (7-2). This Article has an estimated tax impact of \$0.136 (\$13.60 on a home value of \$100,000).

Selectman Daniels explained this is to put \$175,000 into the Bridge Replacement Capital Reserve Fund that was established in 2014. Over the course of the year, the Town received news that the "Green Bridge" was condemned by the State of NH and therefore the town held off on the Jennison Road Bridge. The removal of the Green Bridge will cost upwards of \$100,000; this addition to the Fund would provide money for the town to dismantle the Green Bridge and also funds to repair the Savage Road Bridge with slipline, which currently has a weight restriction and there are four families that do not have school bus service for their children because of the weight limit.

Matt Lydon, BAC, indicated the BAC supports this article 7-2. This would take care of the Green Bridge and the Savage Road Bridge; the minority does not support this because of the study that was requested to be done to identify the bridges and obtain permits for the repair.

Tom Schmidt, Melendy Road, indicated the town is not replacing the green bridge and that is confusing. Chairman Daniels asked Attorney Drescher about the name of "Capital Reserve" and asked are the funds restricted to replacement of bridges in general. Attorney Drescher responded that the fund can be used for whatever purpose for

which it was created. Chairman Daniels indicated the town has identified many bridges that need replacement or repair, the fund was intended to take care of the bridges in town.

Steve Takacs asked if this precludes the BOS from having to come back to Town Meeting to spend or can it use the fund whenever? Selectman Daniels responded when a Capital Reserve Fund is established, it authorizes the Board of Selectmen to expend funds from this reserve eventually. Mr. Takacs asked if the town is going to use funds from this fund for the Jennison Road bridge? Selectman Daniels answered no, because that project will be reimbursed from the State for a portion of the cost.

Bob Courage, Quarry Circle, asked what is the criteria for replacing culverts? Savage Road Bridge was over a brook and we put in a culvert over thirty years ago, we could probably replace it for \$60,000, this is overkill. Mr. Courage listened to the BOS meeting weeks ago and we can put the same type of culvert in there and that will fix it. That will allow the bus to travel over it. Selectman Daniels responded that the estimate from DPW was that it would cost about \$200,000 to slipline that bridge.

Rick Riendeau, DPW Director, answered yes, we could replace the same as before and that cost is about \$80,000, however, by looking at sliplining it, the process will give us a longer life because there is concrete in it and that has a life span that is a little longer. Bob Courage stated if the town replaced it with a bridge, how long before funding is available? Rick Riendeau answered the funding assistance is out to 2022, that is why he is looking at other alternatives. We also would have to take that proposal to the Department of Environmental Services (DES) and they have to approve it. Mr. Courage indicated there is an urgency to this and he suggested it be replaced with a culvert to get the road back.

There being no further questions or comments, the Moderator instructed the Town Clerk to place Ballot Question #10 on the Ballot as originally worded and in accordance with State statute.

The results of the official ballot voting at the Elective Session on Article #10 is as follows:

YES: 1202 NO: 832 passed

Article #10 passed

WARRANT ARTICLE 11 - DUMP TRUCK (8 CUBIC YARD) -- 5-YEAR LEASE/PURCHASE - \$39,050 (Annual Payment \$39,050/Total Purchase Price \$185,000)

Selectman Gary Daniels moved that Warrant Article 11 be placed on the ballot. Selectman Fougere seconded. Warrant Article #11 as presented at the Deliberative Session is as follows:

Shall the Town vote to authorize the Board of Selectmen to enter into a 5-year lease/purchase agreement, subject to a fiscal funding clause which will protect the Town in the event of non-appropriation, for the purpose of lease/purchasing a Dump Truck (8 cubic yard), with the appropriate equipment for Highway Department operation (it will replace the 2000 Sterling Dump Truck) and to raise and appropriate the sum of Thirty Nine Thousand Fifty (\$39,050) Dollars for the first year's payment for this purpose? The total purchase price of this vehicle is One Hundred Eighty Five Thousand (\$185,000) Dollars. If this article passes, future years' payments will be included in the operating budget. This is a Special Warrant Article in accordance with RSA 32. The Board of Selectmen supports this Article (3-2). The Budget Advisory Committee supports this Article (5-4). This Article has an estimated tax impact of \$0.030 (\$3.00 on a home value of \$100,000).

Selectman Federico indicated this is a request from the Department of Public Works to replace the 1999 dump truck; the town is asking DPW to do more every day and they need the tools to do that.

Matt Lydon, BAC, indicated the BAC supports this warrant article 5-4; it is listed in the CIP for this year. Steve Takacs, Whitten Road, said we were just told our debt service will have a truck coming off of it, do we need another truck right now? Do we really have to have another truck? Matt Lydon, BAC, asked for a list of the town dump trucks and their age.

Rick Riendeau, DPW Director, indicated there are eight large dump trucks, six 38,000 class truck and two 26,000 class trucks to save money. These are trucks that have been in service for a various number of years. A few years ago, we pushed off purchasing another truck because of the budget.

There being no further questions or comments, the Moderator instructed the Town Clerk to place Ballot Question #11 on the Ballot as originally worded and in accordance with State statute.

The results of the official ballot voting at the Elective Session on Article #11 is as follows:

YES: 856 NO: 1179 failed

Article #11 failed

**WARRANT ARTICLE 12 - SIDEWALK TRACTOR PLOW – 5-YEAR LEASE/PURCHASE -
\$31,650 (Annual Payment \$31,650/Total Purchase Price \$150,000)**

Selectman Gary Daniels moved that Warrant Article 12 be placed on the ballot. Selectman Fougere seconded. Warrant Article #12 as presented at the Deliberative Session is as follows:

Shall the town vote to authorize the Board of Selectmen to enter into a 5-year lease/purchase agreement, subject to a fiscal funding clause that will protect the Town in the event of non-appropriation, for the purpose of lease/purchasing a replacement Sidewalk Tractor Plow with a sander attachment, and to raise and appropriate the sum of Thirty One Thousand Six Hundred Fifty (\$31,650) Dollars for the first year's payment for this purpose? The total purchase price of this vehicle is One Hundred Fifty Thousand Dollars (\$150,000). If this article passes, future years' payments will be included in the operating budget. This is a Special Warrant Article in accordance with RSA 32. The Board of Selectmen does not support this Article (2-3). The Budget Advisory Committee does not support this Article (4-5). This Article has an estimated tax impact of \$0.025 (\$2.50 on a home value of \$100,000).

Selectman Fougere indicated the majority of the BOS does not support this, however the existing plow is old and we feel we could wait another year for this item. Matt Lydon, BAC, said the BAC does not support this item, the current machine does work. Selectman Bauer is in the minority and feels that we need this piece of equipment, it is to replace a 15 year old tractor plow. There are 13.6 miles of sidewalk to be cleared, we need this now.

Susan Drew, Oak Street, indicated that right now, the sidewalks are in bad shape; noting she walked to town hall today and the sidewalks are bad, there are a lot of people that walk and students are walking to school in the streets. It would be a great addition to have this equipment. Steve Takacs thought we had two sidewalk plows already. Selectman Fougere indicated we do, but one is not working right now. Town Administrator Mark Bender indicated they both were working prior to this most recent storm. The priority is the roads, but the breakdown of the older sidewalk plow has had an impact on the removal of that snow. Mr. Takacs asked if the broken sidewalk plow will be working again next week? Mr. Bender responded that is the plan but it is 15 years old and it is near the end of its useful life, this warrant article is to replace the 15 years old sidewalk plow.

Janet Langdell, Elm Street, indicated this is an example of what we ask DPW to do and we plan replacements in order to maintain our infrastructure. Ms. Langdell hopes the town votes for this. Bob Willette, Ball Hill Road, asked how many times a year is this equipment used? Mr. Willette thinks the hours it is used is more important than the number of years.

There being no further questions or comments, the Moderator instructed the Town Clerk to place Ballot Question #12 on the Ballot as originally worded and in accordance with State statute.

The results of the official ballot voting at the Elective Session on Article #12 is as follows:

YES: 789 NO: 1281 failed

Article #12 failed

WARRANT ARTICLE 13 - SOCIAL SERVICES - \$35,000

Selectman Gary Daniels moved that Warrant Article 13 be placed on the ballot. Selectman Fougere seconded. Warrant Article #13 as presented at the Deliberative Session is as follows:

Shall the Town vote to raise and appropriate the sum of Thirty Five Thousand (\$35,000) Dollars for the purpose of providing funding to Social Service agencies for Milford residents or take any other action relative thereto? This is a Special Warrant Article in accordance with RSA 32. The Board of Selectmen supports this Article (4-1). The Budget Advisory Committee supports this Article (9-0). This Article has an estimated tax impact of \$0.027 (\$2.70 on a home value of \$100,000).

Selectman Bauer explained there are 19 different agencies that Welfare provides assistance to; this money is a contributor to the agencies which provide assistance to people in need; if these services were no longer available, Welfare would provide additional services than it already does. The town is obligated to assist those who are in need. Matt Lydon, BAC, said the BAC supports this warrant article 9-0, as the town citizens continue to need this assistance.

There being no further questions or comments, the Moderator instructed the Town Clerk to place Ballot Question #13 on the Ballot as originally worded and in accordance with State statute.

The results of the official ballot voting at the Elective Session on Article #13 is as follows:

YES: 1505 NO: 572 passed

Article #13 passed

WARRANT ARTICLE 14 - CONSERVATION LANDS FUND - \$20,000

Selectman Gary Daniels moved that Warrant Article 14 be placed on the ballot. Selectman Fougere seconded. Warrant Article #14 as presented at the Deliberative Session is as follows:

Shall the Town vote to raise and appropriate the sum of Twenty Thousand (\$20,000) Dollars for the purpose of adding it to the Conservation Land Fund created in accordance with RSA 36-A, said land fund being allowed to accumulate from year to year and to be available for the acquisition of property, conservation easements and other RSA 36-A allowable purposes, or take any other action relative thereto? Contributions further the protection of the town's natural resources. This is a Special Warrant Article in accordance with RSA 32. The Board of Selectmen does not support this Article (2-3). The Budget Advisory Committee supports this Article (9-0). This Article has an estimated tax impact of \$0.016 (\$1.60 on a home value of \$100,000).

Selectman Daniels explained this article is not a priority in a year where we are doing a lot of spending; the majority does not support this article. Matt Lydon, BAC, indicated the BAC supports this article 9-0. Selectman Federico and Selectman Bauer support this article based on the land fund being down to \$30,000; which they feel is important to increase in order that they can do what they need to do with land purchases or easements. Selectman Bauer feels this \$20,000 is important to increase the balance in the fund, the tax impact is minimal.

Suzanne Fournier, Woodward Drive, Brox Environmental Citizens Group, is pleased that the BAC supports this article; it is important to have a strong Conservation Commission to do what they do. The town needs the Conservation Commission to do more although Chairman Daniels thinks they should do less. Ms. Fournier hopes everyone will support this article.

There being no further questions or comments, the Moderator instructed the Town Clerk to place Ballot Question #14 on the Ballot as originally worded and in accordance with State statute.

Selectman Daniels moved to restrict reconsideration of Warrant Articles 9 through 14. All were in favor of restricting reconsideration of warrant articles 9 through 14.

The results of the official ballot voting at the Elective Session on Article #14 is as follows:

YES: 1157 NO: 908 passed

Article #14 passed

**WARRANT ARTICLE 15 - TEAMSTERS UNION COLLECTIVE BARGAINING AGREEMENT
(2015 — 2016) — \$16,820**

Selectman Gary Daniels moved that Warrant Article 15 be placed on the ballot. Selectman Fougere seconded. Warrant Article #15 as presented at the Deliberative Session is as follows:

Shall the Town will vote to approve the cost items included in the Teamsters Collective Bargaining Agreement (CBA) reached between the Board of Selectmen and the International Brotherhood of Teamsters, Local 633 for contract years 2015 and 2016 (1 April 2015 – 31 March 2016) which calls for the following increases in benefits, and to further raise and appropriate the sum of Sixteen Thousand Eight Hundred Twenty (\$16,820) Dollars for fiscal year 2015? Said sum represents the additional costs over those of the current appropriation at current staffing levels paid in the expiring Agreement. Upon approval of this Article, said cost allocation is to be transferred to the General Operating Budgets of the appropriate departments, or take any other action relative thereto. \$11,540 is to be raised by general taxation, \$1,570 is to be raised by Water User Fees, and \$3,710 to be raised by Sewer User Fees. This is a Special Warrant Article in accordance with RSA 32. The Board of Selectmen supports this Article (5-0). The Board of Commissioners supports this article (3-0). The Budget Advisory Committee supports this Article (9-0). This Article has an estimated tax impact of \$0.009 (\$.90 on a home value of \$100,000).

TEAMSTERS UNION COST ITEMS FROM GENERAL OPERATING BUDGET

	2015	2016 <u>Estimated*</u>
Fringe Benefits	\$11,540	\$2,885

TEAMSTERS UNION COST ITEMS FROM WATER & SEWER USER FUNDS

	2015	2016 <u>Estimated*</u>
Fringe Benefits	\$5,280	\$1,320

*These figures represent the estimated increases for the first three months of 2016 to cover benefits increases.

Matt Lydon, BAC, indicated the BAC supports this article 9-0. The BOS supports this article 5-0. Steve Takacs, Whitten Road, asked who the Teamsters represent? Jack Sheehy, Finance Director, answered there are 22 employees in various departments including DPW, Police and Water Utilities. Mr. Takacs asked if this is a new contract of an amended contract? Mr. Sheehy responded that it extends the current contract; they will get whatever non-union employees get; it brings them in line with the benefits the rest of the employees get; it is just an extension good for another year.

Robert Gott, Brookview Court, asked about the extra "will" in the wording. Selectman Daniels noted that it will be removed in on the ballot, as it is a typographical error.

There being no further questions or comments, the Moderator instructed the Town Clerk to place Ballot Question #15 on the Ballot as originally worded with the removal of the word "will" in the first line and in accordance with State statute.

The results of the official ballot voting at the Elective Session on Article #15 is as follows:

YES: 1268 NO: 770 passed

Article #15 passed

WARRANT ARTICLE 16 - NON-EMERGENCY COMMUNITY TRANSPORTATION BUS SERVICES - \$20,000

Selectman Gary Daniels moved that Warrant Article 16 be placed on the ballot. Selectman Fougere seconded. Warrant Article #16 as presented at the Deliberative Session is as follows:

Shall the Town vote to raise and appropriate the sum of Twenty Thousand, (\$20,000) Dollars for the purpose of providing the Town's share of funding to the Souhegan Valley Transportation Collaborative (SVTC) in order to continue operating a regional, non-emergency, wheelchair-accessible transportation service providing rides within the designated service area to seniors, people with disabilities, and the general public, or take any other action relative thereto? This is a Special Warrant Article in accordance with RSA 32. The Board of Selectmen supports this Article (5-0). The Budget Advisory Committee supports this Article (9-0). This Article has an estimated tax impact of \$0.016 (\$1.60 on a home value of \$100,000).

Selectman Federico explained the BOS supports this article 5-0, the SVTC is a good service and everyone is aware of what they provide; this is critical to the town and we are part of a larger service of surrounding communities, it is transportation for those with special needs and for those without transportation. Matt Lydon, BAC, indicated the BAC supports this 9-0; Milford has the most users of this service. Janet Langdell, Elm Street, indicated that Mont Vernon has most recently been added to this list of participants. Right now we will be facing a 19% decrease in Federal funding. We have a good plan in place, so this year Milford's positive vote is critical. There were 149 new registered people using the service and 50% of those are from Milford. Thank you for the support and Ms. Langdell looks forward to a positive vote in 2015.

There being no further questions or comments, the Moderator instructed the Town Clerk to place Ballot Question #16 on the Ballot as originally worded and in accordance with State statute.

The results of the official ballot voting at the Elective Session on Article #16 is as follows:

YES: 1664 NO: 463 passed

Article #16 passed

WARRANT ARTICLE 17 - PUMPKIN FESTIVAL, HOLIDAY DECORATIONS AND PLANTINGS - \$20,000

Selectman Gary Daniels moved that Warrant Article 17 be placed on the ballot. Selectman Fougere seconded. Warrant Article #17 as presented at the Deliberative Session is as follows:

Shall the Town vote to raise and appropriate the sum of Twenty Thousand (\$20,000) Dollars for purposes of Pumpkin Festival support by Public Works, Police, Fire, and Ambulance Departments; purchase and planting of flowers for the Oval and Stone Bridge areas; purchase of lights, garland, etc. for holiday decorations; or to take any other action? This is a Special Warrant Article in accordance with RSA 32. The Board of Selectmen supports this Article (5-0). The Budget Advisory Committee supports this Article (6-2-(1 abstention)). This Article has an estimated tax impact of \$0.016 (\$1.60 on a home value of \$100,000).

Wendy Hunt, Milford Improvement Team Director, provided a brief presentation of MIT and all of the good the Pumpkin Festival brings to Milford. In 2014, there were six different events held by MIT bringing approximately

35,000 people to Milford. MIT projects and events coordinate approximately 3000 volunteer hours and the Pumpkin Festival alone provides 1500 volunteer hours, this has a value of just over \$68,000.

Matt Lydon, BAC, explained the BAC supports this warrant article, which only funds the DPW, police, fire and ambulance support of the festival and not the entire event. Janet Langdell, Elm Street, stated this seems to be something that should really be in the budget, she is not sure why it is not in the budget, but she would like for it to be discussed for next year. If this does not pass, does that mean the Pumpkin Festival will not happen?

Selectman Daniels explained the Board did look at some of these articles that are on the warrant every year but if a default budget were voted in, those things that had been put in the budget might not happen. As a warrant article, the item has a chance even with a default budget. Chairman Daniels asked if the Pumpkin Festival would continue if this does not pass? Alan Woolfson, MIT Board President, said MIT is not asking for \$20,000 for its Operating Expenses to support the Pumpkin Festival. The decorations and flowers are not covered in the budget, the costs of the police, ambulance, fire and DPW take up all of this \$20,000. MIT ends up paying for the decorations and plantings. There are many costs besides the utilities; if we did not get this passed, MIT could not sustain it; if it does not pass, it will not happen.

Peg Seward, BAC, asked if the plantings and decorations are not part of the warrant article? Wendy Hunt, MIT Director, explained MIT does not get the bill until after the festival, we do not know the exact cost of it; what we did is MIT just went ahead and paid for it, if we do not use the entire \$20,000 for Pumpkin Festival, that money is used for decorations and plantings but the cost of Police, Fire, Ambulance and DPW has gone up in the past few years.

Peg Seward moved to amend the warrant article to read that it is "the Pumpkin Festival support by DPW, Police, Fire and Ambulance Departments; and excess funds, or remaining balance will be used for lights, garland and holiday decorations or take any other action." Steve Sareault seconded. Mr. Sareault asked the BAC that were against this, after we just voted on dump trucks, etc. why are you hesitant on this small amount? Ms. Langdell asked what the balance is? Wendy Hunt said \$23,696.20 was used for police, fire and ambulance.

Karen Mitchell, BAC, is in the minority, the Pumpkin Festival is wonderful, however if the costs are more than what was approved, the town forgave it, if it does not get voted in, Ms. Mitchell believes the festival will still go on based on all the other activities that MIT does. Alan Woolfson said the funds raised by the other activities by MIT are used to pay for those other activities. The Pumpkin Festival is the largest event and largest fundraiser. We are not asking for the usual budget support warrant article this year, only the Pumpkin Festival article.

Peg Seward called the question. All voters were in favor of the amendment.

There being no further questions or comments, the Moderator instructed the Town Clerk to place Ballot Question #17 on the Ballot as amended and in accordance with State statute.

The results of the official ballot voting at the Elective Session on Article #17 is as follows:

YES: 1405 NO: 736 passed

Article #17 passed

WARRANT ARTICLE 18 - FUNDING OF THE ANNUAL LABOR DAY PARADE – \$10,000

Selectman Gary Daniels moved that Warrant Article 18 be placed on the ballot. Selectman Fougere seconded. Warrant Article #18 as presented at the Deliberative Session is as follows:

Shall the Town vote to raise and appropriate the sum of Ten Thousand (\$10,000) Dollars for the purpose of funding bands, musicians and other allied expenses directly attributed to the annual Labor Day Parade? This is a Special Warrant Article in accordance with RSA 32. The Board of Selectmen supports this Article (5-0). The Budget Advisory Committee supports this Article (7-1-(1 abstention)). This Article has an estimated tax impact of \$0.008 (\$.80 on a home value of \$100,000).

Selectman Federico explained this is the largest Labor Day Parade in the state and the Board feels this should be continued and the town should provide funding and additional funding is still being sought. Matt Lydon, BAC, explained the BAC supports this warrant article 7-1-1. Steve Sareault, Clark Road, said at some point maybe the

community would support placing these smaller articles in the budget or combining them together in an article. Mr. Sareault has been given word that the Kaley Foundation has agreed to provide \$2,500 to support this article. Mr. Sareault moved to reduce this warrant article to \$7,500 to be raised through taxation. Selectman Federico seconded and noted the Voter's Guide should reflect that the Kaley Foundation has provided \$2,500 towards this event, thereby reducing the cost to the town. All were in favor of the amendment.

There being no further comments or questions, the Moderator instructed the Town Clerk to place Ballot Question #18 on the Ballot as amended and in accordance with State statute.

The results of the official ballot voting at the Elective Session on Article #18 is as follows:

YES: 1430 NO: 705 passed

Article #18 passed

WARRANT ARTICLE 19 - SUMMER BAND CONCERTS - \$9,000

Selectman Gary Daniels moved that Warrant Article 19 be placed on the ballot. Selectman Fougere seconded. Warrant Article #19 as presented at the Deliberative Session is as follows:

Shall the Town vote to raise and appropriate the sum of Nine Thousand (\$9,000) Dollars for the purpose of holding the annual summer evening Band Concerts (bands, sound system, crossing detail), or take any other action relative thereto? This is a Special Warrant Article in accordance with RSA 32. The Board of Selectmen supports this Article (5-0). The Budget Advisory Committee supports this Article (8-1). This Article has an estimated tax impact of \$0.007 (\$.70 on a home value of \$100,000).

Selectman Federico explained these concerts provide the opportunity to get the community involved in the concerts along the Souhegan River and take in these concerts right in the downtown location. Matt Lydon, BAC, indicated the BAC supports this article 8-1.

There being no further comments or questions on Article 19 the Moderator instructed the Town Clerk to place Ballot Question #19 on the Ballot as originally worded and in accordance with State statute.

The results of the official ballot voting at the Elective Session on article #19 is as follows:

YES: 1377 NO: 740 passed

Article #19 passed

WARRANT ARTICLE 20 - FIREWORKS - \$8,250

Selectman Gary Daniels moved that Warrant Article 20 be placed on the ballot. Selectman Fougere seconded. Warrant Article #20 as presented at the Deliberative Session is as follows:

Shall the Town vote to raise and appropriate the sum of Eight Thousand Two Hundred Fifty (\$8,250) Dollars for the purpose of providing the Independence Day celebration (\$8,250) fireworks display at a time and location to be determined by the Board of Selectmen, or take any other action relative thereto? This is a Special Warrant Article in accordance with RSA 32. The Board of Selectmen supports this Article (3-2). The Budget Advisory Committee supports this Article (5-4). This Article has an estimated tax impact of \$0.007 (\$.70 on a home value of \$100,000).

Selectman Fougere indicated this is an important aspect of the community character and voters should have the opportunity to support this article. Matt Lydon, BAC, indicated the BAC supports this article 5-4.

There being no further comments or questions on Article 20 the Moderator instructed the Town Clerk to place Ballot Question #20 on the Ballot as originally worded and in accordance with State statute.

The results of the official ballot voting at the Elective Session on article #20 is as follows:

YES: 1164 NO: 965 passed

Article #20 passed

WARRANT ARTICLE 21 - MEMORIAL, VETERANS & LABOR DAY PARADES AND RECOGNITION - TOWN SUPPORT - \$6,000

Selectman Gary Daniels moved that Warrant Article 21 be placed on the ballot. Selectman Fougere seconded. Warrant Article #21 as presented at the Deliberative Session is as follows:

*Shall the Town vote to raise and appropriate the sum of Six Thousand (\$6,000) Dollars for the purpose of Town support relative to the observance of Memorial, Veterans and Labor Day? These funds shall be used to cover parade costs incurred by Public Works, Police Department and other Town departments, and to purchase flags to be placed on the graves of veterans on Memorial Day. Departmental support costs and materials associated with the provision of these services will be charged against this appropriation. This is a Special Warrant Article in accordance with RSA 32. The Board of Selectmen supports this Article (5-0). The Budget Advisory Committee supports this Article (8-1). **This Article has an estimated tax impact of \$0.005 (\$0.50 on a home value of \$100,000).***

Chairman Daniels indicated this is the regular parades, the only change is the VFW has previously funded the purchase of flags that are placed on the graves of veterans at a cost of \$288 and now that cost is in this article; the value of this article will cover those flag costs as well as the parade staff support. Matt Lydon, BAC, indicated the BAC supports this article 8-1. Bob Willette, Ball Hill Road, asked if the town is sponsoring the Labor Day Parade as well? Chairman Daniels explained the Labor Day Parade costs are covered in article 18 and article 21 covers only the police, fire, ambulance and DPW costs for the other parades.

There being no further comments or questions on Article 21 the Moderator instructed the Town Clerk to place Ballot Question #21 on the Ballot as originally worded and in accordance with State statute.

Selectman Daniels moved to restrict reconsideration of Warrant Articles 15 through 21. All were in favor of restricting reconsideration of warrant articles 15 through 21.

The results of the official ballot voting at the Elective Session on article #21 is as follows:

YES: 1626 NO: 498 passed

Article #21 passed

WARRANT ARTICLE 22 - RE-OPENING OF JONES ROAD / ELM STREET INTERSECTION – \$0

Selectman Gary Daniels moved that Warrant Article 22 be placed on the ballot. Selectman Fougere seconded. Warrant Article #22 as presented at the Deliberative Session is as follows:

*Shall the town vote to rescind their vote on Article 9 of the 1996 Town Meeting whereby the town voted to close the intersection of Jones Road at Elm Street, and further to authorize the Board of Selectmen to negotiate the re-opening of the intersection of Jones Road at Elm Street for the purpose of accommodating east-bound traffic only? The Board of Selectmen supports this Article (5-0). The Budget Advisory Committee does not support this Article (0-9). **This Article has no tax impact.***

Selectman Daniels explained this article authorizes the Board of Selectmen to enter negotiations to see if the railroad and the State of NH would be willing to re-open this intersection near Market Basket. It was closed by town vote and must be re-opened by town vote. This is just the first step in this process, it is a Board duty to look ahead and at this point it is just to look at it. There is no cost associated with it. If we are going to re-open the intersection, it should be at the same time the State paves the road. The benefit to this is that when going to Market Basket or the doctor's office, coming from the west, people would not need to go through the busy Route 101 intersection. It is still unsafe to cut across Route 101A heading west from the Jones Road intersection, therefore this re-opening is only for east bound traffic. This is just to get the authorization to start negotiations.

Matt Lydon, BAC, said the BAC is opposed 0-9; there will be costs associated with this at some point and the BAC feels there are other priorities. Deanna Carter, Old Brookline Road, asked if this is a safety issue or a time saving issue because people turned west on to Route 101A from Jones Road. It would alleviate a safety issue but also help with time for people going to that part of town.

Steve Takacs, Whitten Road, said there will be costs at some point for this, but this article is just for allowing the Board to negotiate, but it seems it was there once, and asked why would you need to re-negotiate it again? Since Heron Pond School opened, it changed Mr. Takacs whole world, putting this crossing back in would allow him to not go through two lights to get home.

Bob Courage, Quarry Circle, asked if the Board can re-negotiate rather than have to get permission from the town? Selectman Daniels said he figured the Board should see if the residents want to move forward with this. If the town wants to give the Board authorization to do this, then the town wants to re-open it. It does not cost money for permission to negotiate. Bob Courage added that the crossing was closed because the town wanted to make improvements at the crossing. The configuration was changed at Old Wilton Road; if we re-open the Savage Road intersection, that will require railroad signalization. It would also encourage east bound traffic to take that as a shortcut. It does not make sense why this is so important. There would not be any left turns to go left onto 101, it would be right turn only, and Mr. Courage does not believe it will provide a benefit, we are looking at an unnecessary expense. It seems redundant.

Selectman Daniels said the Board has discussed the problem of people trying to bypass the lights, and thought about putting a "do not enter" sign there. We do not know if a signal would be required and we still believe there is some merit to opening this back up.

Peg Seward, BAC, asked what is the condition of the road up there? The road standards would need to be brought up. Janet Langdell said that road is in really rough shape and might need to have a considerable amount of money spent to get the road brought up to code, traffic study would be required at some point, and she would hope there will be public hearings about the cost, plans, etc. that might be proposed down the road. Based on the condition of the road, Selectman Daniels said the Board would be coming back to the town, if we get the okay from the Department of Transportation and Railroad, we know there will be a cost so we will be back before the Planning Board and the town. Janet Langdell said there would be a huge public input project brought forward if this moved ahead.

There being no further comments or questions on Article 22 the Moderator instructed the Town Clerk to place Ballot Question #22 on the Ballot as originally worded and in accordance with State statute.

The results of the official ballot voting at the Elective Session on article #22 is as follows:

YES: 1251 NO: 808 passed

Article #22 passed

WARRANT ARTICLE 23 - SALE OR OTHER DISPOSITION OF RESOURCES - \$0

Selectman Gary Daniels moved that Warrant Article 23 be placed on the ballot. Selectman Fougere seconded. Warrant Article #23 as presented at the Deliberative Session is as follows:

Shall the Town vote to authorize the Board of Selectmen to sell or otherwise dispose of any existing mineral interests, earth materials or other natural resources located on that portion of the Town owned property that is commonly known as the BROX property (Tax Map 38, Lot 58 and Tax Map 38, Lot 17) on such terms and conditions as the Selectmen deem appropriate for such sale or other disposition of any existing mineral interests, earth materials or other natural resources in accordance with the information provided in the Brox Community Lands Mining Feasibility Study produced by Fieldstone Land Consultants. All revenue received from the sale of such materials shall be deposited in the General Fund. This authorization shall only extend to those portions of the BROX property included in the map and lot number tracts identified above; and, This authorization shall only extend to existing mineral interests, earth materials or other natural resources identified above and shall NOT permit the Selectmen, without further authorization of the town meeting, to sell or otherwise dispose of the property; and, This

authorization shall limit any contractual sale or other disposition of existing mineral interests, earth materials or other natural resources to a period of not more than six (6) years in duration so that any and all rights that any transferee has to enter on the property for the purpose of implementing said sale or other disposition shall terminate no later than six (6) years from the date of such contract; and, This authorization to the Board of Selectmen will expire 20 years after approval. No sale or other disposition shall take place unless and until the Board of Selectmen has complied with all applicable provisions contained in statute. Any agreement entered into by the Selectmen relative to the sale or other disposition of said materials shall contain language which shall require the compliance with all statutes, land use codes or regulations which govern such activity, including Planning Board approval. The Board of Selectmen supports this Article (5-0). The Budget Advisory Committee does not support this Article (2-6- (1 abstention)). This Article has no tax impact.

Selectman Fougere explained over the past year, this article has taken up a lot of time and ink. The budget advisory committee felt the Board should do more research and analysis and come back with the article again. There have been a lot of misplaced facts brought up by certain individuals and Mr. Fougere wanted to clear up a few things. Years ago the then-owner of this property, Brox, over excavated the pit, which created a lot of problems for DPW; this plan will alleviate those problems. This will go before the Planning Board and is a chance to create some revenue for the town to offset taxes. This was a promise made to voters back in the year 2000 to offset taxes with the sale of materials from this site. Revenue sources for the town are limited to Property Taxes, Vehicle Registrations, Rooms & Meals taxes and other smaller sources, and this is another source of revenue. This is to reduce taxes and that is why the Board is putting this before voters again this year. The funds would go into the General Fund and nowhere else. Last year this article was turned down because some people felt we did not have a plan, we have since done some planning and that report is available for public viewing. In the next six years, the town has identified over \$20 million of capital needs (equipment) in the Capital Improvement Plan (CIP). Forty test pits were done on the Brox site, the area that was to be used for playing fields, but due to ledge the fields will not be able to be done, and that area will be left as open space. The area in Phase II that will not be used, but will be left for open space. The ledge area will become open space, the area connecting to Beaver Brook will not be touched. The area that was over excavated in the past by Brox will be filled to bring up the grade. Access to this operation will be along the bypass road through Perry Road and will not go out to Heron Pond Road or the neighborhoods.

It is the Board's belief that this land will be used for town needs at some point, materials can be removed and then buildings can be built when needed, the project will follow the Master Plan and will not happen overnight, this is a very valuable resource. We have community lands and we can make some money prior to building it out with the town's needs. Land will be developed in accordance with the Master Plan, in using the land for municipal facilities, it will cost the taxpayers millions of dollars to replace. This is just the beginning of the process, it will go to Planning for review and State permits will be required for this process.

Matt Lydon, BAC, said the BAC does not support this 2-6; due to lack of oversight and citizen input if this is approved. The area is currently used for hiking and other recreational uses. There is no hurry to start a gravel operation. The minority believes it is in the best interest of the town to start this process.

Janet Langdell, Elm Street, said this parcel will have half of a large portion of land called the Brox property, the majority of work for this project is in the community lands; Ms. Langdell asked if the industrial land is not being looked at for natural resources because there are not any left? Mr. Fougere said that is correct. Ms. Langdell said that land has come back with natural wildlife and trees, etc. Mr. Fougere said that is correct, a lot of natural resources were affected when Route 101 was built, that is why Brox was excavated at that time.

Robert Gott, Brookview Court, asked how much material has already been removed? How much revenue has been generated by that? Mr. Fougere responded that the Board could sell materials but it did not, the only materials removed thus far have been removed by DPW for town uses. Robert Gott then asked how do we know we can generate that amount of money from that land? About 22 years would be needed to remove that amount of materials. It will not have that much of an impact over 22 years. Why is this so imperative, it will cost us money do the excavation.

Selectman Fougere explained that the story in last week's paper made some assumptions to support their narrative. A twenty yard truck will be used for the materials, we will go out to bid to find someone to work the pit. The market is the market, it is not something that will happen overnight, it could take a number of years, it depends on the economy. Things are starting to pick up now, it will go out to bid and the operator will be responsible for

removal. If we receive \$100,000 a year from it, that will be more than the previous year. If we build now, that material will be left in place. We do not want to over excavate as was done before by the previous owner.

Robert Gott said the center area around the houses is a plus to the tax rate, even if the area is not developed, it adds to the property value of those properties.

Chuck Kurtz, Boulder Drive, said the amount for gravel, is \$1.25 per cubic yard. Selectman Fougere said that is the cost of materials, that is the amount that the material is worth. Audrey Fraizer, Summer Street, was on the committee that revised the Brox community land plan and she feels the Town is moving too quickly. There is an Earth material removal and reclamation plan that must be followed. Bill Parker has been involved but other boards have not been closely involved. The natural resource inventory will be reviewed at the next Conservation Commission meeting and that will tell us where the sensitive species are and where the wildlife is located. It might identify the sensitive areas but not the areas that need to be protected. Other departments need to become involved

Ms. Fraizer proposed an amendment to the article, which she provided to Moderator Basiliere. Steve Sareault seconded. Steve Sareault, BAC asked if it would be possible for someone to make copies of that language so that people can take a look at it while it is being discussed. Copies of the proposed amended language was passed out.

Jason Wisby, Woodhawk Drive, is part of MCAA Field Committee, and in 2012, they started to notice the soccer fields and this year we went to MCAA and there are 8 foot patches with no grass. Two years ago we went to the Board of Selectmen asking if we can do a field analysis. We looked at it all and determined that there is a need for open space for fields in town. In 2013, the BOS authorized an update for the Master Plan for Brox, in which MCAA participated. MCAA supports this warrant article so that we can get some recreational facilities developed in town through this process. The BAC sees no near term need to develop the Brox property; Mr. Wisby asked if the Brox Master Plan was reviewed by the members of the BAC to see what the needs are for fields in town prior to taking their votes?

Matt Lydon, BAC, is not sure if everyone reviewed the plan, he did, but everyone understands the need for fields in town, it is more that the BAC understands the town does not need schools or cemeteries right now, but if we have a need for community buildings, why not use the money from Brox for those buildings; there are opportunities to further develop Kaley Fields, and there has been a purchase of 127 Elm Street which might allow for re-consideration of the Keyes Fields and improved capacity.

Jason Wisby indicated the BAC did not look at the needs report, and he is very concerned that we are going to get to a point that we have to do something "right now." Deanna Carter, Old Brookline Road, indicated that on the Brox Master Plan, there was a Fire Station originally in the plan for future use, and at some point they may want to, but is there a plan right now for that future fire station? Selectman Fougere responded that this is not the end of the process, there will be plenty of opportunity for public input. This has hardly been decided, it is just the start. Peg Seward, High Street, said the warrant article had zero dollar tax impact last year, and the town voted it down, you then spend \$20,000 on an engineering study, but that is part of my taxes, and we have zero dollars here again. There are permits, road improvements, studies, etc. and she does not understand how it can be zero dollar impact. Last year the warrant article stated the statute, but it is not listed in this warrant article; Ms. Seward is concerned it is not called out. The access road goes from Heron Pond to the highway, there is wetland and there is a culvert out there, what will the costs be to get that up to be usable? Selectman Fougere said gravel trucks travel over many different types of roads, it is easily passible. Ms. Seward asked why no costs? Selectman Fougere stated it will not be paved, but it will be the responsibility of the contractor doing the excavation.

Peg Seward said there is a house out there, and if the town sold the parcels, there would be tax income; in the 2006 report, the 500 houses on that plan would need access to Heron Pond Road via the access road for the gravel trucks, will that be the same road for the houses and for the extension of Heron Pond Road going to develop the parcels on the east? Selectman Fougere was not at the BAC meeting when that was discussed; that plan never went anywhere. Ms. Seward asked what is the plan for the other side of this property for development? Selectman Fougere said it is still for sale and we hope to find a buyer soon.

Steve Sareault, Clark Road, understands that for excavation it is limited to a certain acreage and the first part has to be mitigated before another part can be started; this will mean that nothing will ever happen out there because the language is too restricting. Janet Langdell agrees with Mr. Sareault, and does not want her tax money to be spent to authorize the town fathers to spend this money. Ms. Langdell was the Planning Board Chair when we asked for the warrant article to be updated, and she believes the work they did was for the conceptual recommendations, but to

include the language is very strict, that report has an error in it because it is new information that there is ledge. We need to be careful about how strict we go with the language.

Audrey Fraizer, Conservation Commission Chair, agrees with Jason Wisby's comments on playing fields, and recommends starting this effort on the south side of Heron Pond Road. Robert Gott, Brookview Court, asked if the "mineral interest" is a legal term? Attorney Drescher responded that is just to describe whatever minerals are found. Selectman Fougere indicated yes we are only trying to excavate the minerals on the land.

Suzanne Fournier, Brox Environmental Citizens Group, agrees with the BAC that there are too many reasons why we should not move forward on this. Hikers, bikers, cyclists, teachers, students, BECG has been cleaning up trash that has accumulated on the site. The Natural Resources Inventory (NRI) will be discussed at the next Conservation Commission meeting. Peat bogs require a 100 foot buffer. The peat bog abuts Phase II of this effort. In the past few weeks, there has been talk about how the market might be lousy. If it is a good year, if there are ten trucks loaded per work day, you would get about \$50,000 per year. Even if the market is high, the stuff gets sold. We know that there are costs associated with this effort, the biggest hidden cost is right here, the road is not finished, once you start going north, there is wetland, it is impassible and will require a bridge.

Bob Willette, Ball Hill Road, mentioned when this land was bought, the material was transported via Perry Road and when Heron Pond school was built there was another road, Mr. Willette does not understand why people think it cannot be used for gravel trucks. Selectman Fougere said Perry Road would be the primary road being used. Janet Langdell, Elm Street, said there was \$20,000 spent on the engineering study in 2014, where was that from? Selectman Fougere said the BOS has a line item in their budget for studies, that is where it came from. Ms. Langdell said the proper language for warrant article 23 is a public concern. Ms. Langdell did not know where that money came from. Robert Gott said he has spent a lot of time in the sand pit, he cannot imagine putting large trucks on that road. That was all brooks, marsh and gravel was just added; if large trucks were put on there he does not think it will stand up. If this is defeated this year, will it come back again next year?

Bert Becker, Federal Hill Road, moved to amend the warrant article. Moderator Basiliere responded that there needs to be a vote on the first amendment. Tom Gardener, Tarry Lane, asked where the price of \$1.25 per cubic yard came from? Vice Chairman Fougere said it came from Fieldstone. Mr. Gardener asked where did they get it? Selectman Fougere said that is what the market is, and he confirmed that price with two local contractors. Mr. Gardener asked if that number can change? Absolutely, said Selectman Fougere, who was told that was low. Mr. Gardener said there are no guarantees. Selectman Fougere responded that we will go out to bid and we will make a decision at that time. There will be a contractor that guarantees we will be paid and then the land will be restored. All the Board of Selectman is asking for is permission to sell the materials. It will go to the Planning Board for all of those details at that time.

Steve Takacs, called the question as soon as these questions are done. Jolie Whitten, Old Brookline Road, asked if the town must reclaim every five acres? Selectman Fougere said we have to reclaim every acre; any excavation over five acres you must reclaim; the entire parcel must be reclaimed. That would be the cost of the operator. Ms. Whitten said the town will have no cost to reclaim that land? Selectman Fougere said that is correct that is the cost of the operator.

Marti Noel, Assessor, indicated that \$1.25 per cubic yard is used all the time and is a valid number and is stable and used in assessments; it was not just a number pulled from the air. Bill Parker, Webster Street and Office of Community Development, said the town is aware once again, after 15-20 years of planning, we are at the point of moving forward, there is an immediate need for field space in Milford and we are ready to move on this.

Jason Wisby, said if we build a school or whatever, we would have to pay someone to reclaim that pit because it is not ready to develop, that area will be put back into a state in order to develop it. Selectman Fougere said that is correct and he was going back to that. The land can stay the way it is now, we do not excavate it, we would build on the land on top of the gravel and lose that revenue, but we cannot build right now because it is below the water table. At some point all the trees will come down. All we are doing by not removing the soils is burying revenue. If we just built the facilities, we would have to get the land ready to build anyway and that would incur cost (to bring it up to grade).

Audrey Fraizer, Conservation Commission Chair, is not opposed to excavating gravel but it feels like it is being hurried. Ms. Fraizer asked if she could modify the amendment. Moderator Basiliere said that can be done after a vote is taken.

Matt Lydon, BAC, said if the town needs to build something, would we be unable to excavate the materials prior to building? Selectman Fougere said we could but that takes time, if a school or whatever is needed, it takes a long time and the town won't want to wait for an excavation to take place. Matt Lydon, BAC, noted there is no short term need for a school and there is time for that in the future.

Chris Pank, BAC, had identified there is a state law regarding reclamation and the length of time required. Selectman Fougere indicated the plan has a map of what can be removed, they cannot keep mining the land, there is a level on each area and once they reach that level, they must reclaim that section; it will be done in sections. Karen Mitchell, BAC, said it is not by acreage, it is by the amount removed. Selectman Fougere said the statute says anything greater than five acres, it is mandatory that it be reclaimed.

Bob Courage, Quarry Circle, said when the property was purchased in 2000, one point brought out by the BOS at that time was that there was gravel on the property valued at about \$1 million. That is an assessment the town has. From our discussion, the selling point is if we can get \$1 million in revenue to help defer costs for Capital Improvement Plan for future projects; the community land (123 acres), is planned for town facilities. In the Fieldstone report, the town facilities in the future will be on that land. Mr. Courage's point is he hates to see a ground operation going there for projects in the report, they have pointed out how they would be phased in. The immediate need is for recreational fields that would be on the southern side if you access from Heron Pond. Mr. Courage would think some materials might be removed but the next project is a few years down the road, like 6-7 years, what the BOS is looking for is approval to move forward with this plan to remove the gravel that would generate revenue if it is all good and worth \$1.25 per cubic yard.

Mr. Courage knows 40 test pits were done, but in a mining operation, there are some good and some bad materials, it is the best guess estimate with the quantities. When a facility is built, you need to bring some material back in, we have 123 acres of industrial land on the north side that would be great if we could sell and get some industry and commercial buildings out there. Some of that material is needed out there. If we are going to promote industrial land out there, we want to use some of that material on that. If we have recreational fields built, why not just excavate that portion to accommodate that infrastructure that we need rather than just giving carte blanche approval of this grandiose plan? Mr. Courage said he is not in favor of this plan and does not think it will be one contractor, it will be several different contractors. It will need to be policed and watched. That is the end of Mr. Courage's comments.

Steve Takacs called the question. Amendment failed.

Bert Becker, Federal Hill Road, agreed with the amendment proposed by Peg Seward, who seconded the amendment. Amendment failed.

Audrey Fraizer amended the language and Lorna Willette, Ball Hill Road, seconded as follows:

Shall the Town vote to authorize the Board of Selectmen to sell or otherwise dispose of any existing mineral interests, earth materials or other natural resources located on that portion of the Town owned property that is commonly known as the BROX property (Tax Map 38, Lot 58) on such terms and conditions as the Selectmen deem appropriate for such sale or other disposition of any existing mineral interests, earth materials or other natural resources in accordance with the information provided in the Brox Community Lands Mining Feasibility Study produced by Fieldstone Land Consultants Dated December 1, 2014, updated December 24, 2014. All revenue received from the sale of such materials shall be deposited in the General Fund.

This authorization shall only extend to those portions of the BROX property included in the map and lot number identified above; and this authorization shall only extend to Phase One and Phase Two as indicated on map MP-2, Sheet 3 of 8 revised January 29, 2015 of above referenced study; and this authorization shall only extend to existing mineral interests, earth materials or other natural resources identified above and shall NOT permit the Selectmen, without further authorization of the town meeting, to sell or otherwise dispose of the property; and this authorization shall limit any contractual sale or other disposition of existing mineral interests, earth materials or other natural resources to a period of not more than six (6) years in duration so that any and all rights that any transferee has to enter on the property for the purpose of implementing said sale or other disposition shall terminate no later than six (6) years from the date of such contract; and, This authorization to the Board of Selectmen will expire 20 years after approval. No sale or

other disposition shall take place unless and until the Board of Selectmen has complied with all applicable provisions contained in statute. Any agreement entered into by the Selectmen relative to the sale or other disposition of said materials shall contain language which shall require the compliance with all statutes, land use codes or regulations which govern such activity, including Planning Board approval.

Moderator Basiliere called the question. All were in favor of the amendment.

There being no further comments or questions on Article 23 the Moderator instructed the Town Clerk to place Ballot Question #23 on the Ballot as amended and in accordance with State statute.

The results of the official ballot voting at the Elective Session on article #23 is as follows:

YES: 1000 NO: 1063 failed

Article #23 failed

WARRANT ARTICLE 24 - DISCONTINUING SOLAR EXEMPTION – \$0

Selectman Gary Daniels moved that Warrant Article 24 be placed on the ballot. Selectman Fougere seconded. Warrant Article #24 as presented at the Deliberative Session is as follows:

Shall the town vote to discontinue a property tax exemption on real property equipped with a solar energy system as defined in RSA 72:61, pursuant to the authority given the town under RSA 72:62, where the current exemption is equal to the cost of the solar energy system and is applied annually in perpetuity? The Board of Selectmen supports this Article (4-1). The Budget Advisory Committee does not support this Article (2-7). **This Article has no tax impact.**

Selectman Daniels indicated this is to rescind the solar exemption that was put on the books back in the 1970's. Matt Lydon, BAC, indicated the BAC does not support this 2-7; the government encourages tax exemptions; the intent is based on a change in assessment for a qualifying solar energy system. The Assessor looks at the house and the value gets reduced by the amount of the value of the solar energy system, there is really no change in the taxed value. The BAC agrees it should be re-written.

There being no comments or questions on Article 24 the Moderator instructed the Town Clerk to place Ballot Question #24 on the Ballot as originally worded and in accordance with State statute.

The results of the official ballot voting at the Elective Session on article #24 is as follows:

YES: 888 NO: 1157 failed

Article #24 failed

WARRANT ARTICLE 25 - BUDGET COMMITTEE CHARGE – \$0

Selectman Gary Daniels moved that Warrant Article 25 be placed on the ballot. Selectman Fougere seconded. Warrant Article #25 as presented at the Deliberative Session is as follows:

Shall the town vote to update the charge of the Town Budget Committee from its charge voted by the town on March 5, 1974 so that the Town Budget Committee shall henceforth be known as the Town Budget Advisory Committee, which shall be a committee of nine residents of voting age, appointed annually by the moderator prior to October 1, whose duty it shall be to (a) operate in accordance with the provisions of RSA 40:13 (Official Ballot Referenda), (b) make recommendations during the Annual Meeting and Special Meeting process and present their findings and recommendations in a printed and digital report, (c) be available throughout the year for consultation and advice, (d) serve without compensation, and (e) meet jointly with the School Budget Committee to discuss items of mutual interest at least once annually prior to submitting its report? The Board of Selectmen supports this Article (5-0). The Budget Advisory Committee supports this Article (5-4). **This Article has no tax impact.**

Selectman Daniels moved to amend the warrant article to assign a three year term to members so that they overlap for history. Matt Lydon, BAC, said the BAC supported this as written 5-4, noting it is important to update the charge to bring is in line with SB-2. There was no second.

Steve Takacs, Whitten Road, disagrees with the amendment proposed by Chairman Daniels; stating you may have a hard time finding people to serve the three year term. Chairman Daniels stated this request actually came from the BAC who felt serving one year did not give them enough time to fully understand everything in a year. By having a three year term, it would benefit the Board of Selectmen as well. Matt Lydon, BAC, said there is a concern that people might volunteer for the committee but then if it does not work out, we do not want them to be committed for a three year term and it also could tie the hands of the moderator.

Selectman Fougere stated when the BAC discussed this amendment, was a three year term discussed and could that be left alone for now as the BAC Chair does not feel that needs to be fixed? Selectman Daniels withdrew the amendment, noting that he was reacting to the request from the BAC.

Janet Langdell, Elm Street, stated most committees do have more than one year, and you can always back out if it is too much. Tom Schmidt stated the BAC operates at the pleasure of the Moderator. If it is a different problem, it might be up to the Moderator to ask a person to step down. It does take a long time to get up to speed with any committee.

Matt Lydon, BAC, asked if the Moderator feels he could ask a person to step down if need be. Moderator Basiliere said the intent is to update the charge which he is in support of and is in agreement with the original wording. The two issues raised are real issues; can you find people that want to be on for three years? If it is one year, it is easier to back out. There have been a couple of situations where the person was just not right for the position and he does not support this amendment for a three year term and does not think three years is necessary.

Peg Seward stated if this language becomes the new charge, they will meet and decide on recommendations. Chairman Daniels indicated the Board had discussions on this with the BAC. When the charge includes all of the warrant articles, that includes zoning articles which they never have reviewed. Is the BAC prepared to make recommendations on zoning? Matt Lydon, BAC, does not feel zoning should be reviewed by the BAC. Jolie Whitten said the BAC does not pick and choose what is reviewed, if asked to look at it, we could. The BAC are not elected, they are volunteers and there is no political agenda, we are here to save the taxpayers money. Look at this carefully and give the correct amount of responsibility to a committee who over many years has served the taxpayers well. And if you doubt that, you should look at the percentage of tax increases versus the percentage of taxes that we have voted positively for.

Matt Lydon saw no problem with the charge as proposed in the warrant article; it seems that we were not limited to the original language; Moderator Basiliere also feels the original article language is acceptable.

There being no further comments or questions on Article 25 the Moderator instructed the Town Clerk to place Ballot Question #25 on the Ballot as originally worded and in accordance with State statute.

The results of the official ballot voting at the Elective Session on article #25 is as follows:

YES: 1527 NO: 453 passed

Article #25 passed

WARRANT ARTICLE 26 - ALLOW FOR THE INCLUSION OF NUMERICAL TALLIES ON BUDGET AND WARRANT ARTICLES – \$0

Selectman Gary Daniels moved that Warrant Article 26 be placed on the ballot. Selectman Fougere seconded. Warrant Article #26 as presented at the Deliberative Session is as follows:

Shall the town vote to adopt the provisions of RSA 32:5 V-a and RSA 40:13, V-a, whereby all votes by an advisory budget committee and the governing body relative to budget items or any warrant articles shall be recorded votes and the numerical tally of any such vote shall be printed in the town warrant and on the

official ballot next to the affected warrant article? The Board of Selectmen supports this Article (5-0) The Budget Advisory Committee supports this Article (9-0). **This Article has no tax impact.**

Selectman Daniels indicated this article just codifies what the town has been doing for a number of years. If in the future someone wants to change it back, that would have to go through town vote as well.

There being no comments or questions on Article 26 the Moderator instructed the Town Clerk to place Ballot Question #26 on the Ballot as originally worded and in accordance with State statute.

Selectman Daniels moved to restrict reconsideration of Warrant Articles 22 through 26. All were in favor of restricting reconsideration of warrant articles 22 through 26.

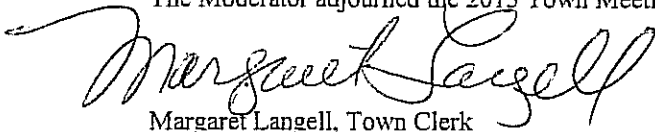
The results of the official ballot voting at the Elective Session on article #26 is as follows:

YES: 1748 NO: 253 passed

Article #26 passed

There being no further comments or questions, the Moderator advised the assembly that the Board of Selectmen and the Budget Advisory Committee will be meeting this afternoon to finalize their positions. Selectman Daniels stated the BOS will be meeting in the BOS room after leaving this meeting. Matt Lydon stated the BAC will be meeting in this auditorium immediately following this session

The Moderator adjourned the 2015 Town Meeting Deliberative Session at 4:15 p.m.



Margaret Langell, Town Clerk