

**2016**

**MINUTES OF THE**

**223rd MEETING OF THE**

**TOWN OF MILFORD**

Submitted by Darlene J. Bouffard

Date: 3/18/2016

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2016

223<sup>rd</sup> Meeting of the

Town of Milford

January 30th 2016 – Deliberative Session

March 8<sup>th</sup> 2016 – Elective Session

Total Registered Voters: 9906

Number of Voters at Deliberative Session: 89

Total Votes Cast: 2711

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 8, 2016, 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.

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Present for the meeting were: Board of Selectmen, Mark Fougere, Chairman, Kevin Federico, Vice Chairman, Michael Putnam, member, Katherine Bauer, member; and Gary Daniels, member. The Budget Advisory Committee: Matt Lydon, Chairman, Bert Becker, Karen Mitchell, Peggy Seward, Jim Roccio, Chris Pank, Robert Courage, with Cara Barlow absent.

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

Election Officers present: Peggy Langell, Town Clerk; Lisa Carl (Clare Callahan absent).

Audio Assistance and video taping was done by Michael McNerney, assisted by Dave Bosquet, Niko Giokas, Scott Schaeffer and Mitchell Hemmer.

The Minutes were prepared by Darlene J. Bouffard.

The invocation was delivered by the Fire Department Chaplain Gary Williams.

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 4, 2016.

The Moderator advised the assembly that the Board of Selectmen will be meeting this afternoon to discuss their support/lack of support on the warrant articles. The Budget Advisory Committee will be meeting on Sunday 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 Dollars for Scholars has provided various foods and coffee for purchase, which is available in the Banquet Hall.

The Chairman of the Board of Selectmen, Mark Fougere introduced the members of that Board: Gary Daniels, 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. Town Clerk Peggy Langell was introduced.

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, Robert Courage and Steve Sareault, noting that Cara Barlow is absent. 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: Michael Putnam, Chairman, Robert Courage 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 8, 2016. He added that this official ballot would include all the 2016 Town of Milford-January 30, 2016 Town Meeting Minutes-Town Vote March 8, 2016

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 8, 2016.

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 authorizes the moderator 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. 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).
15. 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.
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. Further, 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, 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. Moderator Basiliere indicated the Presidential Primary is on February 9, 2016; the town is taking steps to make it as easy as possible for voters at the Middle School, there is no school that day and staff will be attending workshops at the High School and parking their cars at the high school. Volunteers will be assisting people in parking their cars. Other volunteers (ten) will be checking voters in where normally there are only six. Additionally three people will be passing out ballots and three ballot boxes will be available to keep people passing through. There is only one vote that day. Voter identification is required but is not necessary to vote, so if you have an identification, bring it in, if you do not have one there is another process to sign an affidavit and the State now requires voters to be photographed if no identification is presented.

Moderator Basiliere asked if voters have not yet checked in, please do so now; you must have a green sticker and card in order to vote. Please turn off your cell phone. Hard copies of information are available at the back of the room. The Board of Selectmen will take their final votes immediately after this session. The Budget Advisory Committee will meet on Sunday to cast its final votes. Food and drink is available in the Banquet Hall, feel free to support Dollars For Scholars. There will be a thirty minute recess for lunch around noon.

Chairman Fougere moved to allow the following non-residents be allowed to speak, to which Vice Chairman Federico seconded and all were in favor:

Wendy Hunt  
Rick Riendeau  
Jack Sheehy  
Mike McInerney  
Dave Boucher  
Bruce Dickerson  
Bill Drescher  
Marti Noel  
Ron Lamarre  
Mark Bender  
Lincoln Daley  
David J. Mercier  
Alexander Buchanan, PLLC

Moderator Basiliere asked that Town Clerk Peggy Langell please come to the front of the room, noting that after 23 years of service, she will be retiring. Flowers were presented to Ms. Langell while Moderator Basiliere explained that she is indispensable during elections and she is really the one that makes everything happen. Town Administrator Bender added that not only does Ms. Langell handle elections, she also registers motor vehicles and maintains vital records for the town and does a terrific job. As of April 1, after 23.98 years of service to the town, 2016 Town of Milford-January 30, 2016 Town Meeting Minutes-Town Vote March 8, 2016

Peg will retire. Mr. Bender also noted that during the past year there were four other retirements: Bill Parker, 22 years, Chris Nervik, 22 years, Steve Rougeau, 22 years and Ruth Bolduc, 24 years.

## **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**

*Kevin Federico	1578
Christopher Skinner	624

#### **Town Clerk – 3 Year Term**

Bobbi Schelberg	544
Nancy Deslauriers	765
*Joan Dargie	994

#### **Town Moderator – 3 Year Term**

Denise Hennessey	569
*Peter Basiliere	1689

#### **Cemetery Trustee – 3 Year Term**

*Stephen Trombly	2209
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#### **Library Trustee – 3 Year Term**

*David Rysdam	1435
*Judy Gross	1829

#### **Trustee of Trust Funds – 3 Year Term**

*Janet Spalding	2138
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#### **Supervisor of the Checklist – 6 Year Term**

*Polly Cote	2119
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#### **Water-Wastewater Commissioner – 3 Year Term**

*Dale White	2035
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\* 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 the Zoning Ordinance, Article VI Overlay Districts, Section 6.04.0 Open Space and Conservation District by replacing it in its entirety with revised language and renumbering sections accordingly.

Topical Description of Proposed Amendment: The proposed amendments replace and insert new language to further clarify the protection of natural and cultural resources, scenic views, and the Town's rural character through the

creation and design of open space. In addition, the amendments insert new section, Section 6.04.5 Review Process to align the review process of Open Space Subdivision with the Milford Development Regulations. The Planning Board supports Amendment #1 by a unanimous vote 7-0.

Ballot Title: Zoning Ordinance Definitions

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

**YES: 1974 NO: 515 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 the Zoning Ordinance, Article X, Administrative Relief, Section 10.02.3.A.3. by deleting the subsection and replacing in its entirety with a revised maximum square foot area for a home occupation and Article IV Definitions, Section 4.01.0 by inserting a definition for Floor Area, Gross.

Topical Description of Proposed Amendment: The proposed amendments replace the existing Special Exception requirement for a Home Occupation involving the calculation of the maximum square foot area and adds a new definition, "Floor Area, Gross". The purpose is to further clarify and improve the administration, review, and enforcement of a Home Occupation and streamline the Zoning Ordinance. The proposed amendments were brought forth by the Planning Board and Board of Adjustment. The Planning Board supports Amendment #2 by a unanimous vote 4-0.

Ballot Title: Home Occupations

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

**YES: 1806 NO: 665 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 the Zoning Ordinance, Article IV Definitions, Section 4.01.0 by modifying the definition of an Accessory Dwelling Unit (ADU), Article X Administrative Relief, Section 10.02.6.A.1.c by modifying the calculation for the maximum square foot area of an Accessory Dwelling Unit, and Article IV Definitions, Section 4.01.0 by inserting a definition for Floor Area, Gross.

Topical Description of Proposed Amendment: The proposed amendments further clarify the definition of an Accessory Dwelling Unit; modify the existing Special Exception requirement involving the calculation of the maximum square foot area by replacing the term "total space" with the term "gross floor area", and adds new definition, "Floor Area, Gross". The purpose is to clarify and improve the administration and review of an Accessory Dwelling Unit and streamline the Zoning Ordinance. The proposed amendments were brought forth by the Planning Board and Board of Adjustment. The Planning Board supports Amendment #3 by a unanimous vote 4-0.

Ballot Title: Accessory Dwelling Units (ADUs)

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

**YES: 1799 NO: 659 passed**



Moderator Basiliere indicated that today, he would like to combine discussions of Articles 23 and 31 as they are related, therefore if all are in favor, immediately after Article 23, he will move on to Article 31, so that the discussions about Brox are handled together. All were in favor.

### **WARRANT ARTICLE 3 - LIBRARY BUILDING PROJECT – BOND - \$5,618,000**

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

Shall the Town vote to raise and appropriate the gross project budget sum of Five Million Six Hundred Eighteen Thousand (\$5,618,000) 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 as well as additional funds raised – a minimum of \$10,000 - and borrowing not more than \$5,108,000 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, with 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 Library Trustees supports this Article (7-0). The Board of Selectmen does not support this Article (1-4). The Budget Advisory Committees does not support this Article (3-6). This Article has an estimated tax impact beginning 2017 of \$0.329 or (\$32.90 on a home value of \$100,000).

Selectman Fougere indicated the Board of Selectman does not support this warrant articles as it does not feel it can support this capital outlay at this time. BAC Chairman Lydon indicated the BAC does not support this warrant article 3-6. The majority acknowledges the needs but feels the tax impact will be too much. The tax impact would not hit until 2017. The town has seen a 4% annual increase in the Operating Budget in the last four years. We just cannot afford this at this time. The minority feels we need the renovations and feel it would improve the down town and add more parking. Selectman Bauer said she is in the minority and supports the Library; it is a wonderful asset to the community.

Library Trustees Jen Hansen and Deb Faucher provided a presentation about the condition of the Library and the process it has gone through in bringing this warrant article to the town. Last year, this article received a 40% positive vote, where 60% was needed. People in this town love the library and understand its issues. Very responsible planning has been done over the years, for decades. The Capital Improvements Plan (CIP) has recommended funding for this sixteen times. We have gone in depth with the planning process to do our due diligence. Ron Lamarre is here today if there are any questions. The plan last year is still the plan this year at a higher cost. This is the best plan. Ms. Hansen said people ask why this is going forward with the same plan as last year. We truly believe this is the best plan. This plan brings our Library up to state standards for per capita. People say our library is great, but it is an uphill battle for Joel who is great at keeping the library looking good and he deserves a lot of credit because people do not know of the problems because it looks so great. None of the services in this process have been paid for by tax payer money, what has been done thus far has been with Trustee money. The Trustees feels we have done everything we could have to get every voting member into the library and we feel we have put together the best plan.

Deb Faucher presented that the original library was built in 1950 and was renovated in 1986. We do not want to waste tax payer money to renovate; the plan all along has been to renovate but we do not want to just keep fixing this along the way. Repairs have been made along the way because we figured it was time for a major renovation; doing it in phases will not work because most of the work requires walls to come down or parts of the library to be closed. It would not be conducive to allowing the public to visit the library during that type of renovation. People

have asked us to just make repairs, but that is a big undertaking. The Board of Trustees decided to move forward with this plan because it is the most cost effective solution. Making the repairs was extremely expensive. We want to do all the repairs to meet all of the needs of the community. The location of the library is an integral part of our community; it is part of our heritage. The new plan provides additional parking in downtown. It is an ideal location. It is close to the schools and the community center, businesses and town hall.

Jen Hansen continued that there will never be a design that will make 15,000 residents happy; we have taken into account a lot of the input from residents. The library is no longer just books; it is also a technology center. Not everyone in town has access to a computer, or the internet and they come to the library for that access. There is so much more at the library, it is not just books. A short video was shown of the physical problems with the current library. Ms. Hansen continued that fundraising has been conducted. Some residents suggest raising funds for this project; the Trustees have contributed \$500,000 to this project, and own the two properties behind the building. Another property the library owns is being fixed up. We are working very hard to offset the cost of this project. We sell things at the dump to go toward this. Once the vote passes, we have been told people will want to donate toward the cost, those donations do not happen until the project passes; we will work very hard to make that happen.

Moderator Basiliere thanked the Trustees for the presentation and asked for further comments or questions.

John Corbits, Elm Street, has been visiting the library for 50 years. He noted the staff is so helpful and he can see it is a very large investment but if it goes through, more kids will come through, they are the future, we should present the kids with the best resources we can, the library is there for the kids just like the school. The kids go there because they want to and Mr. Corbits supports this project and looks at it as an investment for our kids and for the future generations.

Jason Plourde, Woodhawk Drive, said it is great to see so many people here; he wants to give a different angle. Originally Mr. Plourde looked at this as a large expense. Then after doing some research about why it is such a passionate project, he found a lot of information has been presented about the history. The expansion in 1986 was supposed to last for twenty years. Now it has been thirty years and there are 3,000 more residents. There is structural damage. If nothing is done, we will not have a library, it is falling apart. If we do this addition, the kids will have more space and technology; it will attract more business to the town and help the economy. We want to bring more tax money to town and more parking that is needed. No matter what committee I serve on, it is always the same; parking problems downtown. Consider if we look at our community as our children; don't we want to give them every opportunity for growth?

Linda Hakes, commented on the video, how can anyone think we cannot do this project? Last year it would have cost less. Now it is more, next year it will be more. Look at what is happening to the library. Ms. Hakes goes all the time and she asks if she should be breathing the air at the current library.

Tom Schmidt, stated money is always tight. But that forces us to make difficult decisions of how to spend the money. If you have been to the library, you know it is a great place. This project provides for the future. Hopefully 2016 is the year we expand it.

Hearing no further 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.

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

**YES: 981 NO: 1680 failed**

**Article #3 failed.**

#### **WARRANT ARTICLE 4 – STORM SEWER VIDEO INSPECTION – BOND - \$216,000**

Selectman Fougere moved that Warrant Article 4 be placed on the ballot. Selectman Daniels seconded. Chairman Fougere 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 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 \$142,800 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 \$142,800 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 33.9% or \$73,200 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. Federal stormwater permit requirements, in addition, necessitate an evaluation of discharges to the stormwater system which can be performed more efficiently and cost-effectively with data obtained from this program. 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 (5-0). The Budget Advisory Committee supports this Article (9-0). **This Article has an estimated tax impact of \$0.025 or (\$2.50 on a home value of \$100,000).**

Selectman Federico read the majority report, stating the Board of Selectmen supports this article. BAC Chairman Matt Lydon stated the BAC unanimously supports this article for the same reasons in the Board of Selectman majority report. 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 statute.

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

**YES: 1574 NO: 1001 passed**

**Article #4 passed**

### **WARRANT ARTICLE 5 – WASTEWATER UV DISINFECTION REPLACEMENT – BOND \$950,000**

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

Shall the Town vote to raise and appropriate the sum of Nine Hundred Fifty Thousand (\$950,000) Dollars (to replace the current 1991 UltraViolet Disinfection System) and to authorize the Selectmen to raise this appropriation by borrowing not more than \$950,000 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 wastewater 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? This critical process disinfects treated wastewater prior to discharging into the Souhegan River. 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. 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 (8-0-1).

Water Utilities Director Dave Boucher explained this system is a crucial part of water treatment. Steve Clifton of Underwood Engineers was invited to bring forward a brief presentation. After the presentation questions were invited. Bob Courage, BOC member, indicated the Commissioners anticipated the construction costs. Three bids came in around \$660,000 and we felt after opening the bids, that the engineer could handle the new system and a repair; the Commissioners do not anticipate using any capital reserve.

Clare Huston, Beech Street, indicated after the initial estimate, how did the \$950,000 get reached? Is the lowest bid necessarily the best one and where did the other two bids come in for costs? Dave Boucher answered the engineer felt that was an estimate of the total project cost. The second question, the other two bids were higher, the second highest was \$770,000 and then \$780,000. The low bid has been reviewed by our engineering firm and would probably receive the award. Selectman Daniels moved to amend the amount of this warrant article to \$810,000. Selectman Fougere seconded. Selectman Daniels indicated during the presentation he heard that bids came in solid, the contingency was built in to get to \$950,000, if we take 15% of the \$950,000 that would bring it down to \$810,000.

Bob Courage thinks the commissioners feel we should leave the bond at \$950,000, the entire amount will not be borrowed if we do not need it but being involved in many of these types of projects, Mr. Courage does not feel it would be a good idea to limit the bond and at some point we need to do something else to complete the project. Mr. Courage would not recommend this amendment.

Moderator Basiliere asked if the quorum wished to vote on the amendment. The amendment failed and the amount will be left at \$950,000.

There being no further questions or comments, the Moderator instructed the Town Clerk to place Ballot Question #5 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 #5 is as follows:**

**YES: 1808 NO: 782 passed**

**Article #5 passed**

## **WARRANT ARTICLE 6 - TOWN OPERATING BUDGET - \$13,993,310**

Selectman Fougere moved that Warrant Article 6 be placed on the ballot. Selectman Daniels 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, Nine Hundred Ninety Three Thousand, Three Hundred Ten (\$13,993,310) Dollars? Should this Article be defeated, the operating budget shall be Thirteen Million, Eight Hundred Four Thousand, Four Hundred Eleven (\$13,804,411) 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 supports this Article (7-2). **This Article has an estimated tax impact of \$0.245 over the 2015 Budget (\$24.50 on a home value of \$100,000).**

Selectman Fougere read the majority report from the BOS. Town Administrator Bender provided a brief presentation regarding the town budget. Mr. Bender noted it was a productive 2015 and he thanked staff and volunteers. This budget is a 2.3% increase in the budget and is the lowest increase in five years. There are some reductions from the 2015 budget and there is reduction in debt, mostly the Brox property, for which 2015 was the last year for paying that bond. There have also been staff reductions in Community Development by moving to one building inspector and moving the town planner to a part time position.

Selectman Daniels indicated he is in the minority and does not support the budget because of the surplus in the 2015 default budget. This budget also includes a 3% salary increase where inflation only shows a .3% increase and social security includes no raises in 2016. Selectman Daniels further recognized that the town was paying too much for gas from buying it from the State. If we get it local, it is \$.35 less per gallon and includes taxes paid to the state and some comes back to the town. We are starting to get the gas local with credit cards for employees so that the line item for gas is now lower in the budget.

Selectman Daniels moved to amend the budget to \$13,766,243. The motion was seconded for discussion. Resident Tim Finan indicated the 2016 budget is \$350,000 over the 2015 budget, with a paving increase of \$107,000 that is something that had been considered for a separate warrant article but that was not presented. Mr. Finan asked if there was a change of strategy. Selectman Fougere indicated the paving of \$107,000 is not significant, and the Board was discussing a much larger warrant article for roads and after discussions, decided to pull that out and present the budget with an increase in the paving line item. The roads will be discussed again next year; the \$107,000 is in addition to money already in the budget for roads. Jack Sheehy, Finance Director, indicated the 2015 budget was presented at 13,785,044 and what was approved was the default at \$13,675,218.

Therese Muller, resident, supports this amendment. Over spending goes on in everyone's house. Last year, the town did a great job and she would like to see level funding. She knows there is some cushioning; there is wiggle room and she supports the amendment. Janet Langdell, Elm Street, asked about the comparison of 2011 through 2015, and if that includes funds that were encumbered at the end of the year. Is there a way to look at what was spent before the encumbered money was put in? Jack Sheehy said yes that might take some research but it can be pulled together. Janet asked if that information could be posted on the town website.

Tom Schmidt appreciates all of the budget work that was done; he hopes that any additional savings will be used for additional road improvements. Moderator Basiliere called the question to amend the funding. Motion failed. The original amount will stand.

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.

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

**YES: 1321 NO: 1379 failed**

**Article #6 failed.**

## **WARRANT ARTICLE 7 - WATER DEPARTMENT OPERATING BUDGET - \$1,393,595**

Selectman Gary Fougere moved that Warrant Article 7 be placed on the ballot. Selectman Daniels seconded. Chairman Fougere 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, Three Hundred Ninety Three Thousand, Three Hundred Ninety Five (\$1,393,395) 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 Four Hundred Seventeen Thousand, Three Hundred Nine (\$1,417,309) 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 (8-0-1).

Water Utilities Director Boucher indicated this warrant article will address the water needs of the water system. BAC Chairman Lydon indicated the BAC supports this article 8/0/1. The Board of Commissioners supports this article; Commissioner Courage added that debt service on town water, adding a new water main extension totaled \$310,000, so that is the indebtedness for the water department.

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.

Selectman Daniels moved to restrict reconsideration of Warrant Articles 3-7. Selectman Federico seconded. All were in favor. Motion passed.

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

**YES: 1897 NO: 668 passed**

**Article #7 passed**

### **WARRANT ARTICLE 8 - WASTEWATER TREATMENT OPERATING BUDGET - \$1,913,465**

Selectman Gary Fougere moved that Warrant Article 8 be placed on the ballot. Selectman Daniels 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, Nine Hundred Thirteen Thousand, Four Hundred Sixty Five (\$1,913,465) 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, Nine Hundred Twenty Thousand, Six Hundred Sixteen (\$1,920,616) 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 (8-0-1).

Water Utilities Director Boucher indicated the 2016 budget for the Wastewater Treatment Facility is a .9% increase from last year. Chairman Lydon indicated the BAC supports this article. The Board of Commissioners supports this 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.

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

**YES: 1919 NO: 655 passed**

**Article #8 passed**

### **WARRANT ARTICLE 9 – BRIDGE REPLACEMENT CAPITAL RESERVE – \$350,000**

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

Shall the town vote to raise and appropriate the sum of Three Hundred Fifty Thousand (\$350,000) Dollars to be placed in the Bridge Replacement Capital Reserve Fund? This fund was identified in the May 2014 Hoyle, Tanner Associates, Inc. study that identified needed rehabilitation for 18 Town bridges. The \$350,000 builds upon the Bridge Replacement Capital Reserve approved by voters in 2015. Currently nine bridges have been identified by the Department of Public Works as high priority projects for either

replacement or repair in place. This will be 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 (8-1). **This Article has an estimated tax impact of \$0.270 or (\$27.00 on a home value of \$100,000).**

Selectman Bauer indicated the Board of Selectmen supports this article 4-1; she is in the majority in support of this warrant article. Town Administrator Bender provided information on this warrant article, noting that this fund has been used for the repair of the Jennison Road, Savage Road and Swing Bridge and the demolition of the Jones Road bridge. DPW replaced a metal culvert, put in a concrete pipe, reseeded and regraded and put in new guard rails at the Jennison Road bridge and it was a terrific job by DPW. The Swing Bridge is a treasure and there is currently a committee to restore the pedestrian swing bridge and is looking for State money to help. This Capital Reserve fund has been in place since 2012. The balance in the account stands at \$137,000. There are still estimates and some costs may still come through but those bridges are almost complete. The Capital Reserve Fund for bridges is a terrific way to fund these projects. The warrant article is to add \$350,000 to the fund. The upcoming bridges requiring repairs include: Mason Road/Tucker Pond, Mason Road/Great Brook and Joslin Road/Hartshorn Road. The metal previously used is deteriorating on all these bridges and we want to address them before there are weight restrictions from the State. These are in a three-year plan for the bridges. In 2017 we will look at lowering the capital reserve fund. State bridge funding is probably not available until 2023. When the state funding comes in, the line up to be repaired includes Route 13, Purgatory Road and North River Road.

Chairman Lydon indicated the BAC supports this warrant article 8-1, to help continue the process of fixing and replacing the bridges. There are needs with the bridges that have to be addressed. Selectman Daniels is in the minority and stated he would like to reduce the amount to \$200,000 which is still an increase from last year. Selectman Daniels moved to amend the figure to \$200,000 which was seconded.

Moderator Basiliere called the question. The amendment failed.

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 statute.

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

**YES: 1522 NO: 1099 passed**

**Article #9 passed**

**WARRANT ARTICLE 10 - SIDEWALK TRACTOR PLOW WITH SANDER – 5-YEAR  
LEASE/PURCHASE - \$41,000 (Annual Payment \$41,000/Total Purchase Price \$185,000) -**

Selectman Fougere moved that Warrant Article 10 be placed on the ballot. Selectman Daniels seconded. Warrant Article #10 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 sidewalk tractor plow with sander (it will replace the 2000 "Holder" tractor plow with sander that has exceeded its useful life by five years), and to raise and appropriate the sum of Forty One Thousand (\$41,000) 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 (4-1). The Budget Advisory Committee supports this Article (9-0). **This Article has an estimated tax impact of \$0.032 or (\$3.20 on a home value of \$100,000).**

The actual numbers have now come in and the Board of Selectman wishes to amend this warrant article. Selectman Fougere moved to amend the figure to \$34,400 for a total of \$162,000. Selectman Daniels seconded. Moderator Basiliere called the question. All were in favor. Amendment passed.

Selectman Fougere explained that DPW Director Rick Riendeau sent this out to bid and the \$162,000 will cover this purchase if the warrant article passes. The primary purpose of this equipment is to plow the sidewalks. Plowing sidewalks is important, when these plows are used; the sidewalks are cleared at a rate of about one mile per hour. If the town owns two sidewalk plows, the process is faster. The priority being the oval area and the schools. Voter need to keep in mind, the sidewalks get 3 or 4 times the amount of snow because of the snow plows moving snow from the streets.

BAC Chairman Lydon indicated the BAC supports this warrant article. Selectman Putnam is in the minority and noted that last year the town had the opportunity to purchase a used sidewalk plow for \$95,000 with a warranty. We are half way through this winter now and we could possibly buy a refurbished sidewalk plow for about \$95,000, saving the town money. Selectman Daniels agrees with the minority but encourages people to vote for this article because it will be leased for less than the original proposal and is open for further amendment.

Selectman Daniels moved to amend the funding to \$95,000. Selectman Putnam seconded. Selectman Daniels and Selectman Putnam explained the refurbished unit could not be purchased in 2015 because the warrant article failed. Selectman Daniels is in favor of putting some extra money into a grader. The grader could be used for clearing sidewalks and get us to the point of purchasing a refurbished one which will save a lot of money.

Tom Schmidt asked if we have an estimate of the difference between the two costs. The refurbished one will save the town money. Selectman Putnam said the refurbished one has a warranty which the new one would also have but he is comfortable with the refurbished.

Last year, Rick Riendeau found a refurbished sidewalk plow for \$99,000; it was a 2012 tractor with a three month warranty. Selectman Fougere said it is difficult to know the costs looking forward. We were given the opportunity to buy the refurbished one but we could not due to the statute restrictions. Tina Philbrick, Executive Assistant, understands the grader we have is already forty years old, how much longer can we expect to use that? Selectman Putnam answered as long as we can. So if it breaks half way through the season, Ms. Philbrick said we would not have either one. Selectman Federico said we love to look at new and older vehicles and keep them on the road as long as we can. The sidewalk tractor was 17 years old and we could not continue to put money into it. He does not support putting money into a forty year old piece of equipment. He is not in favor of refurbishing a tractor plow. Selectman Federico would rather start off with something that we know is brand new and has more than a 90 day warranty and we can get a full life out of it. BAC Chairman Lydon asked if the town should pay cash rather than lease purchase it. Selectman Daniels said refurbished does not come under a lease purchase, it is bought outright.

Chairman Lydon said we would pay the whole amount if it was a refurbished unit. If approved at \$34,400, that is without any amendment, is there anything precluding us looking for a refurbished unit? Selectman Fougere said the way the language is restricted; we can only spend \$34,400 for five years. Selectman Daniels moved to amend the figure to \$99,000, it would be a one year purchase so the language would need to be changed.

Bob Courage, former DPW Director, said this sidewalk plow is special, because our sidewalks are narrow; there are only a couple of vendors that sell these pieces for this application. Mr. Courage feels if we are going to replace the 2000 model, that we should purchase a new unit. We have gotten fourteen years out of it; a new one would come with a new machine warranty. If it is only used for those purposes, to plow sidewalks, it will run for its useful life. It should not be used for other purposes. It is the best investment for the town to buy a new one.

Judy Hohenendal asked if the town only has one sidewalk plow. Selectman Fougere said the town used to have two but we are operating without one right now. Ms. Hohenendal asked if it also sands. Selectman Fougere said that it does. Ed Dennell, asked if it has accessories and can you use the old accessories on it? Rick Riendeau answered that we can use the old accessories but the sander would need to be retrofit to work.

Town Administrator Mark Bender stated that Bob Courage makes some great points, if we get a refurbished unit, we are locked into it and we would be hoping that one will become available. Mr. Bender never bases a strategy on hope.

Moderator Basiliere called the question. Amendment failed.

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

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Tom Schmidt moved to restrict reconsideration on Warrant Articles 8-10. Motion passed.

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

YES: 1171 NO: 1406 failed

Article #10 failed

**WARRANT ARTICLE 11 - DUMP TRUCK (8 CUBIC YARD) – 5-YEAR LEASE/PURCHASE -  
\$41,000 (Annual Payment \$41,000/Total Purchase Price \$185,000)**

Selectman Fougere moved that Warrant Article 11 be placed on the ballot. Selectman Daniels 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 which will be 16 years old upon replacement), and to raise and appropriate the sum of Forty One Thousand (\$41,000) 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 (9-0). **This Article has an estimated tax impact of \$0.032 or (\$3.20 on a home value of \$100,000).**

Because new information has been received, Selectman Federico moved to amend the figure to \$35,800 (annual payment) and \$168,800 (total purchase price). Selectman Fougere seconded. Amendment passed.

DPW Director Rick Riendeau indicated that this amendment is because information received just last week is that the total cost would be \$168,800, both bids were within \$350. This truck is replacing a 2000 model truck and its primary function is snow blowing. There is a 3.5 hour plow route. During the summer it is used for rebuilding Keyes field, road access and road work. Ditch work also uses this truck. Last year the truck this will replace was in the shop for 124 hours. The salt causes a lot of corrosion on this type of truck. It is an ongoing battle to keep the corrosion away. Work to the truck was done in house this past summer. 211 hours of repair was done which is five weeks that the truck was in the shop having work done. The tires can no longer be bought. The last several years, the maintenance costs increased almost 43%.

BAC Chairman Lydon indicated the BAC supports this 9-0. Selectman Daniels commented that this will increase the capital leases. Judy Hohenendal asked if this includes the plow or is it just the truck. Mr. Riendeau said it is the truck and the plow. We saved money for the town over the past few years by purchasing smaller trucks. This cost is all inclusive. Ms. Hohenendal asked what would happen to the old truck. Mr. Riendeau said that would be traded in.

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

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

YES: 1099 NO: 1450 failed

Article #11 failed

**WARRANT ARTICLE 12 – TRACTOR/BACKHOE/LOADER – 5-YEAR LEASE/PURCHASE -  
\$32,100(Annual Payment \$32,100/Total Purchase Price \$145,000)**

Selectman Fougere moved that Warrant Article 12 be placed on the ballot. Selectman Daniels 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 which will protect the Town in the event of non-appropriation, for the purpose of lease/purchasing a tractor/backhoe/loader, with the appropriate equipment for Highway Department operation (it will replace the 2001 tractor loader backhoe) and to raise and appropriate the sum of Thirty Two Thousand One Hundred (\$32,100) Dollars for the first year's payment for this purpose? The total purchase price of this vehicle is One Hundred Forty Five Thousand (\$145,000) 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 (4-1). The Budget Advisory Committee supports this Article (9-0). **This Article has an estimated tax impact of \$0.025 or (\$2.50 on a home value of \$100,000).**

Selectman Fougere stated because of new information, he moved to amend the warrant article to read \$25,000 (annual payment) and \$117,500 (total purchase price). Selectman Daniels seconded. Amendment passed.

Rick Riendeau indicated this would replace the 2001 tractor at the Transfer Station. There were six bids and we will be comfortable with the \$117,500 for this replacement.

BAC Chairman Lydon indicated the BAC supports this warrant article 9-0. Water Commissioner Dale White said the tractor has lived its useful life, any tractor that can put in 15,000 hours is a good thing. Shame on the taxpayers for not getting one sooner, at 10,000 hours, you should upgrade.

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

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

**YES: 1154 NO: 1395 failed**

**Article #12 failed**

### **WARRANT ARTICLE 13 – KINDER MORGAN PIPELINE LEGAL FEES - \$40,000**

Selectman Fougere moved that Warrant Article 13 be placed on the ballot. Selectman Daniels seconded.

Warrant Article #13 as presented at the Deliberative Session is as follows:

To see if the Town will vote to raise and appropriate the sum of Forty Thousand (\$40,000) Dollars to be expended at the discretion of the Board of Selectmen in opposition to the proposed Northeast Energy Direct high pressure gas pipeline and/or to minimize the impact thereof on the land and people of the Town, including, but not limited to, expenditures for legal representation and consultants, land use planning and consultation, public information purposes, administrative and court filing fees, participation in multi-town coalitions, and any and all other expenses reasonably related to opposing said pipeline project and/or mitigating the effects thereof? This will be a non-lapsing appropriation per RSA 32:7, VI and will not lapse until December 31, 2017. 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 \$0.031 or (\$3.10 on a home value of \$100,000).**

Selectman Bauer indicated the Board of Selectmen unanimously supports this warrant article since the Board unanimously opposes the pipeline. BAC Chairman Lydon indicated the BAC unanimously supports this warrant article.

Tom Schmidt asked if this is opposed to the pipeline; this is a non-lapsing article so does it go through 2017? Selectman Fougere said we would have to come back for more money, this is a non-lapsing fund.

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: 1480 NO: 1107 passed**

**Article #13 passed**

### **WARRANT ARTICLE 14 – SOCIAL SERVICES - \$35,000**

Selectman Fougere moved that Warrant Article 14 be placed on the ballot. Selectman Daniels seconded.

Warrant Article #14 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 as proposed by the Social Services Committee and submitted to the Board of Selectmen? 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 \$0.027 or (\$2.70 on a home value of \$100,000).**

Selectman Federico indicated the Board of Selectman unanimously supports this warrant article. A new committee was established to review all of the requests from various organizations for financial support. The list is available on the back table. BAC Chairman Lydon indicated the BAC supports this article unanimously; there are still people that need some assistance.

There being no further discussion or comment on Article #14, the Moderator instructed the Town Clerk to place Ballot Question #14 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 #14 is as follows:**

**YES: 1880 NO: 700 passed**

**Article #14 passed**

### **WARRANT ARTICLE 15 – NON-EMERGENCY COMMUNITY TRANSPORTATION BUS SERVICES - \$27,700**

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

Shall the Town vote to raise and appropriate the sum of Twenty Seven Thousand Seven Hundred, (\$27,700) 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 \$0.021 or (\$2.10 on a home value of \$100,000).**

Selectman Fougere indicated the Board of Selectman unanimously supports this warrant article. BAC Chairman Lydon indicated the BAC unanimously supports this warrant article.

Janet Langdell thanked the BOS and the BAC for their support. The 20,000th ride was by a Milford resident that regularly uses the service. There are about 336 rides per month, of which Milford uses the largest share.

There being no discussion or questions, the Moderator instructed the Town Clerk to place Ballot Question #15 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 #15 is as follows:**

**YES: 1950 NO: 652 passed**

**Article #15 passed**

### **WARRANT ARTICLE 16 – ARCHITECT FEES FOR FIRE DEPARTMENT EXPANSION PROJECT - \$25,000**

Selectman Fougere moved that Warrant Article 16 be placed on the ballot. Selectman Daniels 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 Five Thousand, (\$25,000) Dollars for the purpose of hiring an Architect to review the upgrades needed to the downtown Fire Station? The Towns Capital Improvement Plan proposes upgrades/repairs to the Fire Station that include: electrical upgrades, building renovations, space efficiency improvements, and additional parking. 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 \$0.019 or (\$1.90 on a home value of \$100,000).**

Selectman Fougere indicated the fire station was built in 1974 and hardly any repairs have been done. This year a new roof was put on and they are looking at renovations which need to be planned by an architect. It needs to be expanded so that there is enough room to keep the vehicles indoors and not outside. The BOS unanimously supports this warrant article. BAC Chairman Lydon indicated the BAC supports this warrant article, as the fire station needs to be addressed in the coming years.

Selectman Daniels is in the minority; he is not opposed to the renovation however no discussions have been had about when this will take place. We had a library warrant article that went forward after 16 years. Selectman Daniels does not want to spend \$25,000 if it is not a priority for next year and is not in favor of this because he feels we need to define if we are going after it next year.

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: 1194 NO: 1421 failed**

**Article #16 failed**

### **WARRANT ARTICLE 17 – CONSERVATION LANDS FUND - \$20,000**

Selectman Fougere moved that Warrant Article 17 be placed on the ballot. Selectman Daniels 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 the purpose of adding it to the Conservation Lands Fund created in accordance with RSA 36-A, said lands 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 (8-1). **This Article has an estimated tax impact of \$0.015 or (\$1.50 on a home value of \$100,000).**

Selectman Fougere indicated the Board of Selectman majority does not support this article, we do not feel we can support it this year. BAC Chairman Lydon indicated the BAC supports this article, as it is important to have money in the land fund to act when lands come up for sale. Last year we missed an opportunity and the land was probably bought by a developer. It is important for the town to have funds available so that they can act. Selectman Bauer is in the minority which supports this article.

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

Selectman Daniels moved to restrict reconsideration of warrant articles 11-17. All were in favor.

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

**YES: 1363 NO: 1256 passed**

**Article #17 passed**

## **WARRANT ARTICLE 18 – PUMPKIN FESTIVAL, HOLIDAY DECORATIONS AND PLANTINGS - \$20,000**

Selectman Fougere moved that Warrant Article 18 be placed on the ballot. Selectman Daniels seconded. Warrant Article #18 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; with the remaining balance for the 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 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 does not support this Article (4-5). **This Article has an estimated tax impact of \$0.015 or (\$1.50 on a home value of \$100,000).**

Selectman Federico indicated the Board of Selectmen supports this warrant article. BAC Chairman Lydon indicated the BAC does not support this warrant article. The majority states that the money spent in the past few years has exceeded the amount designated and the Board then waives that excess. The BAC feels the dollar amount is not the correct amount as it is always overspent. The BAC feels the decorations should not be indicated if they are not part of this expense. Some people in the majority feel that the Pumpkin Festival should be self-sustaining. The minority feels the festival brings people into the town and is an annual event.

Tim Finan, Berkeley Place, asked if there is a specific number the BAC would support if it was increased? Chairman Lydon deferred the majority as he did support this warrant article. Peg Seward, BAC, does not support this warrant article and it is not so much the value, it is the fact that the warrant article lists decorations and that has not been covered, that is being paid for by Milford Improvement Team. The warrant article should reflect the needs and what they will pay for. The plantings are beautiful, the only thing that comes out of the town is the overage; it is misleading to the public when it states all of this in the title.

Wendy Hunt, MIT Executive Director, showed a brief video which explained the way MIT works and its budget. Kent Chappell, MIT Board member since it started, explained the Pumpkin Festival is a part of the community and

has been for 23 years. MIT and the town put this on for the town. Without MIT, it will not happen. Last year, we took in \$83,000. Our costs (MIT) are \$38,000; that does not take into consideration the Executive Director's time which is about \$30,000. If this article is not supported, the festival will not happen. It is an event that supports MIT but without town support, it cannot happen. Selectman Bauer thanked all the volunteers that serve on the MIT Board, saying they do a fantastic job.

Heather Leach, MIT Board member, is a banker and is fiscally conservative. The Pumpkin Festival is part of the fiber of the town character, but it has other effects too. Ms. Leach serves on the Economic Development Advisory Committee (EDAC) and the Chamber of Commerce, it comes up that Milford is known in this area for its Pumpkin Festival. All the families and the bands, the college kids come to town, their hometown, for Pumpkin Festival. This is why people love Milford; there are 44 non-profit groups that fundraise. They raise money that allows them to get uniforms for the kids, every organization uses the festival to raise money. The Tuesday after that weekend is the busiest because all the money that gets given to the organizations. It brings money into our community that ripples through and is important. Ms. Leach does not want to live in a town that does not have all of these community events like this. Ms. Leach wants Milford to stay Milford.

Susan Drew, Oak Street, has done a lot of fundraising with her kids, this festival means a lot to her kids and without it would be a lot harder to raise funds and it is a great way in the community to meet other people and to market the organizations that are able to come out to the festival. It is not just the businesses that are making money.

Judy Holhenendal asked if MIT pays for the plantings. Wendy Hunt said in the last few years the Garden Club gives MIT the receipts and MIT reimburses them. It is a big community effort. Ken Chappell indicated last year the plantings were \$2,300. Chairman Lydon said the money put forth by the BOS has not been enough the last few years. Selectman Federico said that was a discussion that the Board had and we also talked about adding it to the budget, the numbers we have seen have been coming down over the last three years by about \$1,500. So we moved forward with the \$20,000 because we anticipate MIT billing for the services, that is why it has not been increased. Peg Seward said why write that this is for the details, but if it is also the decorations for the town then lets give it some extra money. It is not that the BAC is not in favor of the Pumpkin Festival, it has been more than \$20,000 over the past few years, let's correct this to what it should be.

Bob Courage is on the BAC and he voted to not support this warrant article, he supports Pumpkin Festival but the warrant article is misleading. It does not address the true cost of emergency services. For some time, MIT has been paying for plantings and decorations. If this warrant article is for emergency services for Pumpkin Festival, that is what it should say.

Water Commissioner Dale White stated this quorum passed a \$13 million budget and three people came up and now we are talking about a \$20,000 warrant article and everyone comes up and this brings thousands of dollars to the community. Mr. White is disappointed in Bob Courage because millions of dollars have been agreed on but because we are off by \$3,000 on this small warrant article, everyone has something to say.

BAC member Karen Mitchell also did not support this warrant article; it has nothing to do with the support of the festival. MIT does a great job with the Pumpkin Festival, but if I separate the two issues, we did not have the opportunity for a presentation from MIT this year then we would have all the information. We need to look at every dollar. Can Pumpkin Festival be self-sustaining? Are you willing to use the festival funds to hold the festival? Kent Chappell explained MIT needs a one year budget in the bank, in the checking account to be eligible for grants. Last year, MIT lost \$2,000 on the budget. We had \$132,000, our budget now is \$105,000. \$50,000 of that is a revolving loan fund that we were given that cannot be touched. That is not a one year supply. We are not willing to go below that. Karen Mitchell does not want to tell MIT how to run the business. When I look at a budget, I am looking at everyone and if something can be sustainable, it should be. Kent Chappell added that the \$50,000 in the account is the revolving fund. Karen Mitchell asked if it is cash holdings. Kent Chappell explained some of that is loaned out. So they are separated asked Ms. Mitchell. Kent said our total assets are \$82,000 at the end of the year. Ms. Hunt noted if you take out the \$50,000 which was a grant that gets lent out for business improvements (it is a low interest loan). Recently half has been paid back, we have now signed another business that is looking to improve by renovating. The operating budget for 2016 is \$108,000; it is below what is needed.

Karen Mitchell would implore MIT to bring in the finances at the end of the year. Wendy Hunt said the BOS put forth the warrant article. From the day after the Pumpkin Festival, we are starting over for the following year. Ms. Hunt said she takes her responsibility very seriously, it is her liability, we take out liability insurance, the town takes

out liability insurance, and our number one concern is the safety of the residents. Ms. Hunt said her background is in law, so she knows a lot about the liability end.

Tim Finan moved to amend the Pumpkin Festival warrant article to \$23,000 because of the emergency services that are used and to include \$3,000 in that for plantings. \$23,000 should be a reasonable number. The motion was seconded. Amendment passed.

Town Administrator Mark Bender asked for clarification for next year, this warrant article is written by the BOS offering money to cover town services (DPW, police, fire, ambulance). Is it within the scope of the BAC to question the finances of MIT? Selectman Federico said the overage has been coming down slowly with the hopes that \$20,000 will eventually be enough.

Kent Chappell said \$25,000 would cover the overages and the plantings. Tim Finan asked how the \$3,000 for plantings gets paid by the town. Ken Chappell said MIT invoices them.

Moderator Basiliere called the question with the amount being amended to \$23,000. Janet Langell suggested people need to sit down next year to discuss the philosophy of the festival. Maybe we can figure this out this year so it is resolved before 2017.

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: 1581 NO: 1072 passed**

**Article #18 passed**

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

Selectman Fougere moved that Warrant Article 19 be placed on the ballot. Selectman Daniels 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 (9-0). **This Article has an estimated tax impact of \$0.007 or (\$0.70 on a home value of \$100,000).**

Selectman Fougere indicated this article has unanimous BOS support. BAC Chairman Lydon also said the BAC unanimously supports this warrant article.

There being no further discussion 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: 1596 NO: 1052 passed**

**Article #19 passed**

### **WARRANT ARTICLE 20 - FIREWORKS - \$8,500**

Selectman Fougere moved that Warrant Article 20 be placed on the ballot. Selectman Daniels 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 Five Hundred (\$8,500) Dollars for the purpose of providing the Independence Day celebration 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 (6-3). **This Article has an estimated tax impact of \$0.007 or (\$0.70 on a home value of \$100,000).**

Selectman Federico indicated the BOS supports this warrant article 3-2. BAC Chairman Lydon indicated the BAC supports this warrant article 6-3. Selectman Daniels is in the minority because the cost had previously gone down 85% which was because of a deal with Atlas; this is a low priority for spending. Selectman Bauer is in the majority and feels this is part of our culture and history; it is a very small amount that the town gets a lot out of.

There being no further discussion 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: 1333 NO: 1307 passed**

**Article #20 passed**

### **WARRANT ARTICLE 21 - FUNDING OF THE ANNUAL LABOR DAY PARADE – \$7,500**

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

Shall the Town vote to raise and appropriate the sum of Seven Thousand Five Hundred (\$7,500) 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 (9-0). **This Article has an estimated tax impact of \$0.006 or (\$0.60 on a home value of \$100,000).**

Selectman Federico indicated this warrant article brings revenue to the town and the BOS supports this article 5-0. BAC Chairman Lydon indicated the BAC supports this warrant article.

Selectman Daniels moved to amend the amount to \$6,000. It was seconded. Selectman Daniels met with the VFW and reviewed a list of band and there were two bands from Boston that cost \$3,500. We agreed that it would be worth not inviting them back and focus more on bands that are local. The amendment passed.

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

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

**YES: 1675 NO: 966 passed**

**Article #21 passed**

### **WARRANT ARTICLE 22 - MEMORIAL, VETERANS & LABOR DAY PARADES AND RECOGNITION - TOWN SUPPORT - \$6,000**

Selectman Fougere moved that Warrant Article 22 be placed on the ballot. Selectman Daniels seconded. Warrant Article #22 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 (9-0). **This Article has an estimated tax impact of \$0.005 or (\$0.50 on a home value of \$100,000).**

Selectman Fougere indicated the Board of Selectman unanimously supports this article. Chairman Lydon indicated the BAC unanimously supports this article.

There being no discussion 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.

Selectman Fougere moved to restrict reconsideration of Warrant Articles 18 through 22. All were in favor of restricting reconsideration of warrant articles 18 through 22.

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

**YES: 1893 NO: 742 passed**

**Article #22 passed**

#### **WARRANT ARTICLE 23 -- GRAVEL PIT RECLAMATION/RESTORATION & SALE OR OTHER DISPOSITION OF RESOURCES - \$0**

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

Shall the Town vote to authorize the Board of Selectmen to reclaim/restore/revegetate a majority of the existing fully excavated gravel pit area and 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, that is currently zoned Residential "R", (said property currently zoned as Residential "R" being known solely as Tax Map 38, Lot 58, on such terms and conditions, as the Selectmen deem appropriate for such sale or other disposition and generally consistent with the Brox Property Community Land Master Plan (August 2014), the 2014 Brox Community Lands Mining Feasibility Study produced by Fieldstone Land Consultants and the associated Resources Plan map, dated January 4, 2016. Material excavation, for sale and town use, will take place in the Marketable Gravel Resource Area (approximately 43 acres). Materials in Town Gravel Resource Area (approximately 17 acres) shall be reserved in perpetuity for future town use. All revenue received from the sale of such materials shall be deposited in the General Fund. This authorization shall NOT permit any such sale or other disposition to allow for the transfer of an interest in such materials unless the same is, by its terms, limited to a period of not more than six (6) years in duration. This authorization to the Board of Selectmen will expire 20 years after approval. The Milford Planning Board will review the proposed plan. 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 any statutes, land use codes or their regulations which governs such activity. The Board of Selectmen supports this Article (5-0). The Budget Advisory Committee supports this Article (0-0). **This article has no tax impact.**

Selectman Fougere explained that the sale of these products would offset the cost of purchasing the land in the year 2000. This was approved back in 2007, and would help reduce taxes on capital needs. The Master Plan proposed this and was adopted a few years ago that included future uses. The commercial land is for community resources which is what we are trying to achieve. The rises in the budget show that new revenue coming into the community is very slow. In the CIP, there is \$20 million in new capital improvements coming down the pike. A road improvements warrant article was taken off this year's warrant because of cost. This is one area that we can bring in revenue. Assets will be taken from the existing gravel pit, it is an asset to the town, DPW currently obtains materials from this area which is not suitable for future uses. It would then be reclaimed to become a green area.

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We could not build on it even if we wanted to. One goal of this project is to reclaim this pit area so that it can sustain a green area. One focus is the south area where 635 yards will extend the pit that is already there. The activity will be limited to one area of the property. 50% of the site will be left alone. Access will be limited to Perry Road and will not be near the school. Community lands could support a fire station or a future school. One area is full of ledge and will remain as open space. Gravel pits are not a permanent scar on the property; it does grow back in, it is not a permanent impact. This is to impact 17 acres of land, and generate critical revenue for the community. Revenue is very limited, and will help reduce taxes. The activity would be on only one portion of the land and it will eventually grow back.

BAC Chairman Lydon indicated the BAC supports this 7-1. This article just gives authority at this point and supports the removal of product on one area of the parcel. Revenue is an issue in the town and this might help offset the taxes. The minority wants to note that we do not know what the limit will be. Initial estimates do not include all of the reclaim costs. Permitting is also an issue and who pays for that. All expenses should be tracked in this endeavor so that we have all of the accounting for what is spent and what comes in for revenue.

Moderator Basiliere stated we have heard from proponents of this warrant article and today we have been asked to allow a presentation from opposition of the warrant article.

Suzanne Fournier, Coordinator of Brox Environmental Citizens Group, asked why excavate it? It is a bad idea. Ms. Fournier indicated there are five vernal pools smack in the middle of the planned excavation area. There is so much diversity on this land. The site prep and expense are not covered in the cost per yard. The truer amount is closer to \$.50/yard. How many years would it take to get the money? The promise in the year 2000 is being ignored when the land was bought. We do not need to add sports fields. The town recently purchased 127 Elm Street, which was bought for sports to have additional fields. The hauling route (Perry Road) has species located on it that cross the road to lay eggs. The traffic would impact the wildlife. Instead of this, we should look to outdoor recreation. People who spend time in Milford spend money. \$4.2 billion is spent per year for outdoor activities. Milford gets its share.

Dale White, Water Commissioner, appreciates that his proposal is before the town citizens. In the real world, he puts proposals out and competitors never see them. Mr. White gave a proposal of what his company would pay for materials. There is no one in town that does not believe in conservation. The Board of Selectmen are asking the town if they can go out and ask companies to prepare a price for material on Brox land. The land was bought years ago by the town for future use, not to be put into complete conservation. That needs to be considered but there were plans to develop that property. The town has asked Mr. White's company what would be the value they could get to sell the product. Mr. White does not like what took place because he knew he would give a price and now everyone knows that price. Mr. White gave a price with all the other items that would go in it. That price might be greater. Mr. White is not going to give a greater number because my company would know my price. There needs to be a lot of work to sell the product, including permitting, maintenance and reclaiming. We do not know what the material is worth. The town has the right to sell that material. We have the right to recoup some of the money spent on the purchase. Everyone in this meeting lives in a house that is on a foundation. Sand and stone are used for construction purposes, the town has the right to sell it. If it is managed properly, it can be a good revenue stream for the town. The notion that it can't or should not be done is not right; it was bought with the plan that some of the materials could recoup some of the costs for the land. In closing, Mr. White thanked Ms. Fournier for exposing his numbers.

Tom Gardener, Tarry Lane, commented that just because our homes are made of wood and cement does not give the Board the right to sell this material. If the Board of Selectmen had the right to sell it, this warrant article would not be here. Originally the land was bought to prevent developing it into homes. Perry Road goes through Birch Brook and a corrugated culvert that was built in the 1970s. They are unsafe and beyond their useful life. That culvert would not hold a 36 ton truck full of sand or gravel. Who will pay for that? DES will need to approve a permit for that crossing. Mr. Gardener does not know what that will cost. That wetland will need to be delineated if that road cannot be used. Mr. Gardener's concern is that it will become Board of Selectmen-owned land; he is opposed to this warrant article.

Peg Seward, BAC member, proposed an amendment to warrant article 23. Selectman Fougere seconded. Ms. Seward would like to amend as follows: "...which governs such activity. Each year the Annual Town Report will contain a Brox Property Report of the scope, the progress, the associated town expenditures and the revenue amount

placed into the General fund for that year.” Selectman Fougere said that is a good idea and it is good to keep the residents informed. Amendment passed.

There was discussion regarding access to trails during the excavation process. Chairman Lydon indicated he understands that the access to hiking trails is one of the concerns, asking if that access can be maintained during excavation. Selectman Fougere explained during operations there will be access, and the property would not be excavated all at one time. An excavation plan would be developed and it would be broken up into zones, doing one zone at a time.

Dale White, Water Commissioner, indicated the excavator would come up with a plan, the Board of Selectmen would come up with criteria within which this will have to be bid and then planned with the State. When South Street gets built, one lane will be kept open, this excavation plan will certainly be able to have people hiking out there as well. Gravel can be taken out and outdoor activity can continue.

Steve Trombly, indicated for someone to state that product will sell for \$.50/yard is ridiculous, it is very unreal. Mr. Trombly questions the value of selling that at \$.50/yard; he would rather see a builder come in with hardly any costs. The future needs for the town will use the materials to build.

John Orthmann has been looking at this proposal for years; we have a gold mine, the price is about \$1.25/yard. Sell the water on the property; it is probably the best resource in Milford.

Ms. Fournier asked if DPW is using those materials now. Selectman Fougere said they are.

There being no further discussion 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: 1669 NO: 887 passed**

**Article #23 passed**

## **WARRANT ARTICLE 24 - MODIFY SOLAR EXEMPTION – \$0**

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

Shall the town elect to modify, in accordance with RSA 72:62 the Solar Energy Systems Exemption, approved in 1976, to be applied as exemption for the assessed value applied to the solar energy system located on real property which is equipped with a solar energy system as defined in RSA 72:61, with a maximum exemption amount not to exceed \$10,000? Currently the exemption has been applied as the amount of the cost of the solar energy system, which is in excess of its contributory value and outside the parameters of statute. 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 the intent of this warrant article is that the exemption will be equal to the value that was added to the home. The Board of Selectman supports this article. Chairman Lydon indicated the BAC supports this article.

Russ Kincaid, Savage Road, asked if the cost of installing the solar array is not included then it would not make it worthwhile. Mr. Kincaid said he is the only person that has an active solar system. The system cost \$10,000 and he has had that exemption ever since and it makes sense. He has had it over 20 years and it has paid for itself.

There being no further discussion 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.

Selectman Fougere moved to restrict reconsideration of Warrant Articles 23, 24 and 31. All were in favor of restricting reconsideration of warrant articles 23, 24 and 31.

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

YES: 1912 NO: 612 passed

Article #24 passed

#### **WARRANT ARTICLE 25 – ADJUSTMENT TO EXEMPTION AMOUNT FOR ELDERLY EXEMPTION - \$0**

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

Shall the town, pursuant to RSA 72:39-a and 72:39-b, modify the elderly exemptions from property tax in the Town of Milford, based on assessed value for the qualified taxpayers, to be as follows: for a person 65 years of age up to 75 years \$69,000; for a person 75 years of age up to 80 years - \$103,000; for a person 80 years of age or older \$137,000? To qualify, the applicant must satisfy all the conditions of RSA 72:39-a and 72:39-b that pertain to eligibility for this exemption as well as those contained in any other applicable statute, including without limitation that they demonstrate that they have been a New Hampshire resident for at least 3 consecutive years, that they own the real estate individually or jointly or, if the real estate is owned by such person's spouse, that they must have been married to each other for at least five years and that they reside on the property. In addition, the taxpayer must have a income in each applicable age group of not more than \$38,600 if single, or if married, a combined income of not more than \$46,000; and own net assets of not more than \$85,000, excluding the value of the person's primary residence. 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 Bauer indicated the Board of Selectman supports this article. Chairman Lydon indicated the BAC supports this article.

There being no discussion 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: 2219 NO: 311 passed

Article #25 passed

#### **WARRANT ARTICLE 26 – DISCONTINUANCE OF LINDEN STREET EXTENSION - \$0**

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

Shall the town, pursuant to the authority in RSA 231:43, vote to discontinue and abandon only that portion of the Linden Street Extension laid out by the Board of Selectmen on August 22, 1914, pursuant to a petition filed on July 22, 1914, which connects the north line of Riverview Street to a point 10 feet from the south bank of the Souhegan River, so that any right which the Town has in and to said portion of said roadway as a consequence of the vote on said petition is extinguished? The intent of this article is to insure that title to the fee interest in the land under said roadway be hereafter unencumbered by any right of the general public to use said portion of said extension as a public highway. This vote shall NOT be construed to alter, in any way, the legal status of any other portion of the Linden Street Extension nor is it intended to nor shall it be interpreted to effect any easements or other interests which the Town may have over any part of said extension relating to the maintenance of sewer, water or other utilities. 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 Fougere indicated this article has the full support of the Board of Selectman. Chairman Lydon indicated the BAC supports this warrant article.

There being no discussion 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.

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

**YES: 2130 NO: 348 passed**

**Article #26 passed**

### **WARRANT ARTICLE 27 – DISCONTINUANCE OF A PORTION OF SCARBOROUGH LANE - \$0**

Selectman Fougere moved that Warrant Article 27 be placed on the ballot. Selectman Daniels seconded. Warrant Article #27 as presented at the Deliberative Session is as follows:

Shall the town, pursuant to the RSA 231:43, vote to discontinue that portion of Scarborough Lane, so called, consisting of the westernmost portion of the existing cul-de-sac located at the terminus of Scarborough Lane as the same as depicted on the subdivision plan recorded in the Hillsborough County Registry of Deeds as plan #38585, and to authorize the Selectmen to execute any documents necessary to implement this action and to convey any interest that the Town may have in said portion of said cul-de-sac to the owner(s) of Tax Map 6 Lot 42-5, said premises being shown on said Plan? The intention is to remove from public servitude that portion of the depicted cul-de-sac upon the Town acceptance of the extension of Scarborough Lane as depicted on said Plan. 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 Fougere indicated this article has the full support of the Board of Selectman. Chairman Lydon indicated the BAC supports this warrant article.

There being no discussion or questions on Article 27 the Moderator instructed the Town Clerk to place Ballot Question #27 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 #27 is as follows:**

**YES: 2114 NO: 347 passed**

**Article #27 passed**

### **WARRANT ARTICLE 28 – HITCHINER TOWN FOREST CONSERVATION EASEMENT – \$0**

Selectman Fougere moved that Warrant Article 28 be placed on the ballot. Selectman Daniels seconded. Warrant Article #28 as presented at the Deliberative Session is as follows:

Shall the Town vote to authorize the Board of Selectmen to transfer or convey such property rights in the below described parcel of town owned land as may be necessary so that the same shall be subject to a conservation easement, in perpetuity, the particular terms of the easement to be determined by the Board of Selectmen, with the concurrence of the Conservation Commission, said authorization to include the authority to execute any and

all deeds, documents or other instruments in the name of the Town that may be necessary to accomplish the foregoing? It is understood that the intent of this article is to cause the conservation easement to be held by a "qualified organization," as defined in section 170(h)(3) of the Internal Revenue Code of 1986, existing for the purchase of or holding of property interests or facilitating transactions relative thereto when such purchase carries out the purpose of RSA 36-A, said organization as determined by the Board of Selectmen with the concurrence of the Conservation Commission. The property to which this authorization, if approved, will apply is land known as Map 42 Lot 2, which property is commonly known as the Hitchiner Town Forest, the same having been acquired by the Town of Milford by deed of Hitchiner Manufacturing Co., Inc., dated November 25, 1985 and recorded in the Hillsborough County Registry of Deeds at Book 3421, Page 0526. The Board of Selectmen supports this Article (3-2). The Budget Advisory Committee supports this Article (9-0). **This Article has no tax impact.**

Selectman Bauer indicated this article has the majority of support of the Board of Selectman. Chairman Lydon indicated the BAC supports this warrant article. Selectman Daniels is in the minority and feels this land was given to the town and should not be put in conservation for perpetuity but only for 25 years and the town at that time could review it again, proposed an amendment as such, which failed.

There being no further discussion or questions on Article 28 the Moderator instructed the Town Clerk to place Ballot Question #28 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 #28 is as follows:**

**YES: 1615 NO: 896 passed**

**Article #28 passed**

## **WARRANT ARTICLE 29 – OPEN SPACE ACCESS – \$0**

Selectman Fougere moved that Warrant Article 29 be placed on the ballot. Selectman Daniels seconded. Warrant Article #29 as presented at the Deliberative Session is as follows:

Shall the Town vote to authorize the Board of Selectmen, at the request of the Conservation Commission, to convey a non-exclusive easement to Christopher Brown and Sarah Brown across a portion of Open Space Lot 3-5 as shown on Hillsborough County Registry of Deeds Plan #34931 for the purpose of access/egress by foot, vehicle, utilities or otherwise, to Map 3 Lot 6, said easement to be no greater than 15 feet in width and will extend from Falcon Ridge Drive, easterly from a point between Lots 3-5-5 and 3-5-6, to the western boundary of Map 3 Lot 6? In exchange for the use of the Open Space, the Browns will give to the Town an eight (8) acre conservation easement with a Trail Right of Way (ROW) for the hiking/snowmobile trail that crosses their property. Provided, nevertheless, that this authorization shall be null and void unless this conveyance is also approved by the Milford Conservation Commission, Board of Selectmen, the Charitable Trust Division of the NH Attorney General's office and the NH Superior Court, if necessary, with such approvals to be obtained and the matter concluded no later than March 31, 2018. The Board of Selectmen supports this Article (5-0). The Budget Advisory Committee supports this Article (9-0). **This Article has no tax impact.**

There being no discussion or questions on Article 29 the Moderator instructed the Town Clerk to place Ballot Question #29 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 #29 is as follows:**

**YES: 2160 NO: 368 passed**

**Article #29 passed**

### **WARRANT ARTICLE 30 – PIPELINE AUTHORIZATION CONSENT - \$0 – By Petition**

Selectman Fougere moved that Warrant Article 30 be placed on the ballot. Selectman Daniels seconded.  
Warrant Article #30 as presented at the Deliberative Session is as follows:

Shall the voters of the Town of Milford New Hampshire consent to the construction of the North East Direct, Gas Pipeline project being imposed by Tennessee Gas Pipeline LLC, a Kinder Morgan Company? The Board of Selectmen did not take a position on this Article. The Budget Advisory Committee did not take a position on this Article. **This Article has no tax impact.**

Selectman Fougere indicated the Board of Selectmen did not take a position on this article. Chairman Lydon indicated the BAC did not take a position on this article.

There being no discussion or questions on Article 30 the Moderator instructed the Town Clerk to place Ballot Question #30 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 #30 is as follows:**

**YES: 656 NO: 1883 failed**

**Article #30 failed**

### **WARRANT ARTICLE 31 – SALE OF A PORTION OF THE BROX PROPERTY - \$0 - By Petition**

Selectman Fougere moved that Warrant Article 31 be placed on the ballot. Selectman Daniels seconded.  
Warrant Article #31 as presented at the Deliberative Session is as follows:

Shall the town vote for the proposed sale of Town-owned, lots 38-9, 38-11, 38-12, 38-13 and 38-14 named in the Purchase and Sale Agreement entered into July 9, 2015 between the Town of Milford (seller) and Monadnock Economic Development Corporation (buyer)? The Board of Selectmen does not support this Article (0-5). The Budget Advisory Committee did not take a position on this Article. **This Article has no tax impact.**

Selectman Fougere indicated the Board took no position on this warrant article, since it is a moot point as the deal fell through. Chairman Lydon indicated the BAC did not take a position on this.

Janet Langdell, resident, indicated the Purchase & Sales agreement fell through, so therefore this petition warrant article is a moot point. Town Attorney Drescher, said that is correct.

Selectman Daniels moved to add to the title “EVEN THOUGH AN AGREEMENT NO LONGER EXISTS.” All were in favor of this amendment.

There being no discussion or questions on Article 31 the Moderator instructed the Town Clerk to place Ballot Question #31 on the Ballot as amended and in accordance with State statute.

**The results of the official ballot voting at the Elective Session on article #31 is as follows:**

**YES: 806 NO: 1681 failed**

**Article #31 failed**

### **WARRANT ARTICLE 32 – – NEW HAMPSHIRE RESOLUTION TO GET BIG MONEY OUT OF POLITICS - \$0 - By Petition**

Selectman Fougere moved that Warrant Article 32 be placed on the ballot. Selectman Daniels seconded.  
Warrant Article #32 as presented at the Deliberative Session is as follows:

Shall the town vote to urge:

That the next President and Congress fight big money politics and restore government of, by, and for the people by championing the (1) Ban Super PAC's and overturn Citizens United, (2) Expose secret donors and require full transparency, (3) Ban bribes from big-money lobbyists and government contractors, (4) Establish small-donor, citizen-funded elections, (5) End gerrymandering and modernize voter registration, and (6) Close loopholes and enforce campaign finance laws?

That the New Hampshire State Legislature support concrete legislation to enact the "We the People" agenda.

That the record of the vote approving this article shall be transmitted by written notice from the selectmen to the NH congressional delegates and to New Hampshire's state legislators, and to the President of the United States informing them of the instruction from their constituents within 30 days of the vote. The Board of Selectmen did not take a position on this Article. The Budget Advisory Committee did not take a position on this Article. **This Article has no tax impact.**

Selectman Fougere indicated the Board of Selectmen did not take a position on this article. Chairman Lydon indicated the BAC did not take a position on this article.

There being no discussion or questions on Article 32 the Moderator instructed the Town Clerk to place Ballot Question #32 on the Ballot as originally worded and in accordance with State statute.

Selectman Fougere moved to restrict reconsideration of Warrant Articles 25 through 32. All were in favor of restricting reconsideration of warrant articles 25 through 32.

**The results of the official ballot voting at the Elective Session on article #32 is as follows:**

**YES: 1994 NO: 490 passed**

**Article #32 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 on Sunday at the Library.

The Moderator adjourned the 2016 Town Meeting Deliberative Session at 3:30 p.m.

Margaret Langell, Town Clerk

