

Town of Grafton, New Hampshire
Deliberative Session Meeting
Monday, February 11, 2013
Minutes

Present: Dorothy Campbell, Moderator, Peg Emslie, Interim Treasurer, Selectmen Stephen Darrow and David Riezno, Budget Committee members Ed Grinley, Catherine Mulholland and Scott Smith, Supervisors of the Checklist Mary Warren, Marguerite Conley and George Curran and Bonnie J. Haubrich, Town Clerk as well as approximately 70 voters and 2 nonvoters.

Moderator Campbell called the meeting to order at 6:00 pm explaining that the original Deliberative date had been postponed from February 9th due to the weather. The body stood for the Pledge of Allegiance and a moment of silence to recognize those Grafton residents who had passed away in the past year. Moderator Campbell assigned Cindy Kudlik and April Frost as counters. Moderator Campbell then proceeded explaining the rules of the meeting. Non registered voters were asked to identify themselves. She then asked for a motion to allow the non-voters to speak on any and all issues. **Motion by David Rienzo to allow non-voters to speak on any and all issues and seconded by Steve Darrow. In favor: 30, Opposed: 4. Motion passed.** Moderator Campbell introduced the Town officials and explained the SB2 process.

Jeremy Olson asked if the Moderator expected to run the entire meeting this evening or adjourn it to a future date and time. Dotty noted that due to the 72 hour rule the entire meeting would be held this evening.

Moderator Campbell then began the reading of the Warrant. **Prior to reading Article #3 Bonnie Haubrich made a motion to waive reading Articles #3 though #31 due to time constraints. Seconded by Rich Blair. In favor: 50, Opposed 0. Motion passed.**

- 1) Shall the Town raise and appropriate as an operating budget, not including appropriations by special warrant articles and other appropriations voted separately, the amounts set forth on the budget posted with the warrant, or as amended by the vote of the first session, for the purposes set forth therein totaling \$954,523. Should this article be defeated, the default budget shall be \$940,366, which is the same as last year, with certain adjustments required by previous actions of the Town of Grafton or by law; or the governing body may hold one special meeting, in accordance with RSA 40:13X and XVI, to take up the issue of a revised budget only. It excludes special warrant articles and other appropriations voted separately.

General Government

Executive	\$49,000
Elections/Town Clerk	27,062
Financial Administration	30,350
Reappraisal of Property	25,060
Legal Expense	15,000
FICA & Medicare	24,000
Planning Board	1
General Government Buildings	61,000
Cemeteries	8,000
Insurance	94,683
Advertising/Regional Dues	1,200

Contingency	2,000
Subtotal	\$337,356
Public Safety	
Police	\$122,493
Ambulance	7,810
Fire Department	14,470
Emergency Management	100
Forest Fire Warden	1,000
Subtotal	\$145,873
Highway and Streets	
Highway and Streets	\$319,000
Street Lights	2,500
Subtotal	\$321,500
Solid Waste	\$92,000
Health and Welfare	
Health Agencies	\$13,540
Health Officer	0
Public Assistance	25,000
Subtotal	\$38,540
Culture and Recreation	
Parks & Recreation	\$2,400
Library	10,554
Patriotic Purposes	300
Subtotal	\$13,254
Debt Service	
Tax Anticipation Note (TAN)	\$6,000
<u>Operating Budget Total</u>	<u>(Amended amount)</u>
	<u>\$825,956</u>

Prior to any discussion Brian Fellers presented an amendment which read, “I move to amend Warrant Article #2, the budget, adding the following to the end of the first paragraph: “In order to fund this budget, the Town will collect \$649,999 via taxation this year, an increase over the \$490,927 figure from Fiscal Year 2012. (See the Town’s 2013 MS-7 Report.) This will cause taxes to increase by 32.4%.”Seconded by Robert Constantine. Ed Grinley asked where Brian got this figure from. Karen Meyers asked if this meant that if the taxes that were not collected in 2012 were then just never collected. Jeremy Olson noted that the MS7 lists where revenues come from and what amount of taxes were collected in 2012. Pam Grinley asked the Moderator to require those speaking to announce their names and to speak louder. George Curran noted that it would be appreciative to have questions repeated by the Moderator. George also stated that the number Brian was suggesting did not make sense. Brian stated that the figure did not include anything but what was collected by the Town. Steve Darrow pointed out that the number was not correct as the tax bills sent out last year totaled \$581,000. Jeremy Olson asked the Budget Committee to explain the discrepancy. Ed stated that the \$649,999 was an estimated amount of anticipated revenue. Brian asked how the taxpayers were expected to collect more taxes with the

economy such as it is. Peg Emslie reiterated that the MS7 are only estimated amounts, not actual operating costs. David Rienzo said that if you studied the MS7 it would be realized that there is not a 32.4% increase. **Brian Fellers withdrew his amendment and Robert Constantine agreed.**

Joe Brown stated that in the previous Deliberative Session the Moderator allowed voters to limit reconsideration before everyone had an opportunity to speak or to present an amendment when they had their hands up and to ensure that did not happen again this year he presented her, in writing, the following: "Shall we require that, upon any motion to limit reconsideration of any article the moderator shall request a show of hands to see if any individual present wishes to propose a further amendment to that article, prior to accepting such motion?" Moderator Campbell did not take action on this request but noted that she had received it.

Motion to accept the 2013 budget's bottom line as presented by Steve Darrow. Seconded by David Rienzo. Robert Constantine and Tim Condon both stated that they were against this motion as there were many questions about individual requests and felt that the officials were trying to ram rod this budget down the voters' throats. Steve noted that taxpayers can always attend the public Budget Committee meetings as well as the Public Hearing to address those concerns and that no one was trying to ram rod anything down voters' throats. He stated that the Budget Committee puts many hours into working with the Department Heads to formulate what goes into this request. John Connell stated that not everyone can attend those meetings. Jeremy Olson noted that people can attend but don't have the opportunity to make adjustments. Ed Grinley stated that the Budget Committee certainly takes feedback into consideration prior to making their final decisions. **In favor of motion: 29. Opposed 35. Amendment failed.**

Amendment presented by Tim Condon. Seconded by Robert Constantine, which read, "**I move to reduce the budget to \$734,183, a 20% reduction from the FY2012 budget.**" Tim stated that we are living within a poor economy and this was a huge increase. Ed stated that, not including the \$20,000 approved for an additional police office, the budget was only \$17,000 over last year's budget. It was further noted that there were many budgets which came in under requests, which went back to the General Fund. Steve asked if there was a plan where that 20% reduction would come from and if any thought had been given to the impact of such a reduction. Jeremy Olson asked if the 20% reduction was approved would each individual department be reduced by the 20%. Steve stated that the voters vote on the bottom line and it is up to the Selectboard how the monies are actually spent. David Rienzo stated that the voters need to understand the impact of reducing a budget and that it directly relates to services that the taxpayers depend on. He noted that since the voters approved the part-time police officer, like past requests, any subsequent years that request then is incorporated into the operating budget. He noted that there are no like requests in this year's Warrant Articles. He also stated that it could not only mean a reduction in services, but perhaps layoffs; perhaps decreasing the hours the Town Office is open to the public. Bob Constantine challenged Steve's decision to go to accepting the bottom line and then to state that he would go line by line to understand where that 20% decrease would come from. Cindy Kudlik asked where the voters thought the 20% would come from. Tim Condon stated that he saw a lot of places for reductions. David Rienzo noted this meant \$200,000. Angus Gorman stated that he felt that these types of amendments were a strategy to keep people here late into the evening, forcing some to leave. Deb Clough stated that these amendments were offensive and that the Selectmen and Budget Committee have worked hard to present an appropriate budget. Paula Kairnes asked that the Moderator re-read the amendment. Moderator Campbell read the amendment again. **In favor: 32. Opposed: 33. Amendment Failed.**

Amendment presented by Jeremy Olson and seconded by Robert Constantine which read, **“I move to reduce the budget to \$825,956, a 10% reduction from the FY2012 budget.”** Police Chief Russell Poitras noted that the additional funds for the part-time police officer was essential and appreciated and that due to that addition the Police budget was increased this year. Ed stated that after meeting with the Police Chief they understood that crime rate has increased as well as the repair costs for the vehicles. Jeremy noted that he felt confident that the Selectmen could find areas to decrease to meet the 10% reduction expectation. Robert Constantine noted that the voters had approved this 10% reduction in the past and that the Selectmen did not comply; saying that it was not a legal article, it was advisory only. **In favor: 33. Opposed: 32. Amendment passed.**

Moderator Campbell started reading Article #2. Merle Kenyon asked for a 5-minute break. The Moderator declared a 5-minute break.

Moderator Campbell called the meeting back to order.

Amendment presented by Ed Grinley and seconded by Scott Smith which read, **“Amend the amount of budget back to \$954,522.80.”** Robert Hull argued that it was not appropriate to take another amendment to Article # 1 as Moderator Campbell had already begun reading Article #2. Moderator Campbell stated that she had not actually opened up Article #2 for discussion, therefore she would accept the amendment to Article #1. Ed Grinley urged the body to allow the voters to decide on the budget and not the small group, which was present tonight. He stated that the 10% would cut services too much. Neal Alexander stated that the Deliberative Session’s purpose is to increase or decrease the Articles. Brian Fellers stated that during the break he had spoken to Steve and that Steve felt a 10% decrease was “doable”. Steve corrected Brian and noted that he had actually said that the legislative body is here to make the decision and that the Selectboard has to work with the decision. He noted that the Budget Committee works very hard on the budget and that their work should not be minimized by picking arbitrary numbers to make reductions. George Curran encouraged everyone to support voting the budget down and at worst it would revert back to the default budget of \$940,366. Tim Condon stated that although he would prefer a 20% reduction; he would agree to 10%. Scott Smith cautioned voters that legal fees alone will increase due to the windmill project and increase in calcium, which the townspeople have been demanding. Brian Fellers asked how the Selectmen got involved in the windmill project to begin with. David Rienzo stated that the Selectboard will negotiate terms for various stages of construction if the State gives them the permits and the Town needs to be in the position to negotiate. Robert Constantine asked the Moderator to put the amendment back before the meeting. The request for a paper ballot was presented to the Moderator. **In favor: 32. Opposed: 34. Amendment failed.**

Motion to limit reconsideration on Article #1 by Robert Constantine. Seconded by Brian Fellers. In favor: 39. Opposed: 19. Motion passed.

- 2) To see if the Town will vote to raise and appropriate the sum of thirty six thousand nine hundred sixty four dollars (\$36, 964) for the purchase and outfitting of a new police vehicle and to fund this appropriation by authorizing the withdrawal of twenty two thousand nine hundred sixty four dollars (\$22,964) from the already established Police Vehicle Capital Reserve Fund, and the Balance of fourteen thousand dollars (\$14,000) coming from taxation.

The Selectmen recommend this article/ the Budget Committee recommends this article.

Moderator Campbell read Article #2. **Amendment presented by Jeremy Olson and seconded by Joseph Hart which read, “To see if the Town will vote to raise and appropriate the sum of twenty-**

two thousand nine hundred sixty four dollars (\$22,964) for the purchase of outfitting of a new police vehicle and to fund tis appropriation by authorizing the withdrawal of \$22,964 from the already established Police Vehicle Capital Reserve fund, and the balance of \$0 coming from taxation.” Jeremy stated that perhaps the vehicle could be purchased and the equipment could be purchased at a later date or perhaps the Town could purchase a used vehicle instead of a new vehicle with the funds. Ed Grinley said that the vehicle needs equipment to go with it and that \$22964 would not be adequate. Jeremy stated that since the Article failed last year it would pass sooner with a reduction in cost. Tim Condon asked for a Point of Order to remind the Moderator that Ed and Jeremy should be addressing the Moderator and not each other. Angus Gorman said that he agreed it should be a new vehicle and not purchase someone else’s used vehicle. Chief Poitras explained that there are certain vehicles that are specifically built for police use and that it would be costly to equip a police vehicle with necessary equipment. He stated that one of the police vehicles has approximately 90,000 miles on it with repair costs that would cost approximately \$5500. He noted that some of the electrical equipment is no longer working and that it would be throwing good money after bad money to invest more money in repairs. He noted that the 2nd police vehicle is now parked as it would be far too costly to repair it. Neal Alexander asked if the 2nd vehicle could be sold to cut costs towards a new vehicle. Chief Poitras stated that the vehicle only has a value of \$3100 and an auction value of \$1500 due to its condition, but that any money recouped would definitely go towards offsetting the cost of the new one. Merle Kenyon stated that the voters were talking pennies and that to suggest these cuts was out of line and ridiculous. He noted that for Chief Poitras’ safety it was necessary to purchase the appropriate car and equipment. He stated that often times when the police are out in the remote areas of Grafton their vehicle is their only safety net. Lindsay Dean asked what the approximate costs for repairs to the 2nd vehicle would be. Chief Poitras responded that it would be approximately \$4200 for general repairs but that it suffers from quite a bit of rust and that it was questionable as to whether it could be repaired appropriately or not, but if so, somewhere in the \$8-\$10000 range to put it back on the road. Merle Kenyon stated that it is not safe for police response. Tim Condon asked if there were different grades of vehicles and if Chief Poitras was looking at the least expensive or more expensive. Chief Poitras stated that it was one of the less expensive. He further explained the difference between sedans and SUVs, noting that with Grafton’s roads and need for response it would not be beneficial to purchase a sedan, which is cheaper. Jeremy Olson asked what the life expectancy of a police vehicle was. Chief Poitras responded that a new one should be purchased about every 4 years and one of the present ones is 12 years old and the newest one is a 2007. Merle Kenyon interjected and asked the voters to think about the police officers’ safety as their vehicle is their life line and to treat Chief Poitras with respect. Karen Meyers cautioned that the Town could be liable for a large lawsuit if safety of the police officers or townspeople is ignored. Jeremy Olson asked if Warrant Articles #7 and 13 don’t pass would it effect Article #3. Steve stated that it would not.

In favor: 22. Opposed: 36. Amendment failed.

Amendment presented by Tom Ploszaj and seconded by Jeremy Olson which read, **“To see if the Town will vote to raise and appropriate the sum of thirty six thousand nine hundred and sixty four dollars (\$36,964) for the purchase and outfitting of a new police vehicle and to fund this appropriate by authorizing the withdrawal of twenty two thousand nine hundred and sixty four dollars (\$22964) from the already established Police Vehicle Capital Reserve Fund, and the balance of fourteen thousand dollars (\$14,000) to be raised by solicitation of donations by the Town for this purpose, not by general taxation.”** Ed Grinley responded that this raising this amount of money is unheard of in Grafton’s history. David Rienzo stated that he has a fundamental disagreement with this suggestion. He further stated that this type of suggestion argues privatization of government and that the Town’s basic function is to protect its citizens and should be funded by taxpayers. Joseph Hart stated that he would prefer to donate than to be forces to pay. Tim Condon asked Tom how he envisioned raising the money. Tom stated that it would be door to door collecting and some other fund raisers. Jeremy Olson stated that he disagreed that the Town could not raise \$14,000 as the Fire Auxiliary has raised over \$300,000. Sean Frost stated that he is part of the Fire Department and assured those present that the Auxiliary does not have \$300,000. Bonnie Haubrich stated that perhaps over its inception in 1949, but having been a member for years, being a big part of the fund raising; it was not the case. Rich Blair asked to have the question moved. **In favor: 29. Opposed: 33. Amendment failed.**

Motion to limit reconsideration on Article #2 by Ed Grinley. Seconded by Rich Blair. In favor: 40. Opposed: 24. Motion passed.

Moderator Campbell read Article #3.

- 3) To see if the Town will vote to raise and appropriate the sum of thirty thousand dollars (\$30,000) for the purpose of paving town roads.

Ed Grinley noted that this was a separate article to ensure that the paving was completed. Steve stated that Grafton has approximately 60 miles of roads that need to be maintained, with a small amount of paved roads in Town. He stated that \$30,000 covers approximately 1 mile of shimming and patching and that it is imperative to give the roads attention or we are in jeopardy of losing them completely. Joe Brown asked if which roads this \$30,000 would cover. Bob Bassett replied that he was hoping to use it to finish the Wild Meadow project he started last year. Angus Gorman asked if it was more upkeep for paved road versus gravel roads. Bob Bassett responded that he would prefer to keep the paved roads paved and not revert them to gravel. Jeremy Olson asked if these funds would be used to repair paved roads or to pave dirt roads. Bob Bassett responded that it would only be used for repaving. Tim Condon asked if paved roads can revert back to gravel and Bob responded that they could and have.

Moderator Campbell read Article #4.

- 4) To see if the Town will vote to raise and appropriate the sum of twenty eight thousand seven hundred ninety two dollars (\$28,792) to purchase a 2013 Ford F250 with plow and to fund this appropriation by withdrawing twenty six thousand dollars (\$26,000) from the previously established Highway Department Capital Reserve Fund with two thousand seven hundred ninety two dollars (\$2,792) to be raised by taxation. **The Selectmen recommend this article / the Budget Committee recommends this article.**

Bob Bassett explained that this vehicle would replace the present vehicle, which is used for the Town properties parking lots, including the Fire and Ambulance Station. He stated the present vehicle, which was given to the Highway Department by the Police Department years ago, which originally came to the Town from surplus is no longer efficient and costly to repair. Steve noted that this purchase would average \$.02 per thousand on the tax bill. Robert Hull asked if the Town could get one at auction cheaper. Bob Bassett replied that there is nothing available at Surplus.

Moderator Campbell read Article #5:

- 5) To see if the Town will vote to raise and appropriate the sum of twenty five thousand dollars (\$25,000.) to be placed into the previously established Highway Department Capital Reserve Fund. **The Selectmen recommend this article / the Budget Committee recommends this article.**

Amendment presented by Jeremy Olson and seconded by Robert Constantine which read, **“To see if the Town will vote to raise and appropriate the sum of twenty-two thousand five-hundred dollars (\$22,500) to be placed in the previously established Highway Department Capital Reserve Fund.”** Jeremy stated that the justification follows the 10% reduction plan. Bob Bassett cautioned that the grader and loader are getting very tired and one truck is a 1991 and the other 1996. Ed Grinley stated that the Capital Reserve funds are important to replace equipment as it fails. Steve stated that graders and loaders are very high priced items. Bob Bassett responded that it is better to have some money in the Capital Reserve than to have to purchase it emergently without funds. Steve Kudlik asked what the balance would be if \$26,000 removed this year. Steve noted that there would be approximately \$1000 left in the account. **In favor: 31. Opposed: 29. Amendment passed.**

Motion to limit reconsideration on Article #5 by Jeremy Olson. Seconded by Robert Constantine. In favor: 40. Opposed: 10. Motion passed.

Motion to limit reconsideration on Articles #3 and #4 by David Rienzo. Seconded by Steve Darrow. In favor: 41. Opposed: 9. Motion passed.

Moderator Campbell read Article #6.

- 6) To see if the Town will vote to raise and appropriate the sum of fourteen thousand dollars (\$14,000) to be placed in the previously established Police Capital Reserve Fund.

The Selectmen recommend this article / the Budget Committee recommends this article.

Amendment presented by Robert Constantine and seconded by Jeremy Olson which read, **“To see if the Town will vote to raise and appropriate the sum of fourteen thousand dollars (\$14,000) to be placed into the previously established Police Capital Reserve Fund. This article will be funded solely by solicitation of donations from the Town for this purpose, not by general taxation.”** Ed Grinley stated that he has never seen any of the people putting up these amendments at any fund raising activity in Town. Robert Constantine stated that if people really want something they will go after it, and if they don't they should not be forced to pay for it. Brian Fellers suggested a gun raffle and noted that dollars would flow into Town. David Rienzo encouraged those present to let the voters, in whole, decide whether they want it or not. He also stated that he has never heard of anyone succeeding at fund raising at this level. Neal Alexander stated that there are all lot of nonresidents who pay taxes here that are not allowed to vote on these issues which effect their taxes. Deb Clough stated that when these types of amendments are made they should also be presented with a plan on how to accomplish the needs of the Town. Brad Grange asked why, all of a sudden, the request went to \$14,000 when past requests had been \$5,000. Chief Poitras noted that the had been some years with no monies approved or requested and that the funds were short now. Chief Poitras noted that he was hopeful that the townspeople would not have to depend on bake sales. Paul Kairnes noted that there are federally funded programs to assist in purchasing these types of requests. Chief Poitras agreed, noting that Grafton had recently received a \$4,000 radio and that in each of these areas they have very specific guidelines and Grafton often does not fit the criteria. He also noted that the federal and state government is cutting back much funding. Cindy Kulik reminded people that when you keep it local you have more control and we make the choices, not the government. Susan Frost stated that when she moved here many years ago it meant paying for services and was willing to support the necessary services. Scott Smith suggested that the fund raisers fund raise this year and then turn it over next year to reduce the budget. Ed Grinley asked Tom Ploszaj how many volunteers he was able to secure last year for assistance in the cemetery. Tom responded that he had gotten 2 volunteers and a 3rd one fell through to the fault of the Cemetery Trustees. Chief Poitras noted that volunteers are great, donations are appreciated but everyone reaps the benefits from taxation. **In favor: 28. Opposed: 32. Amendment failed.**

Amendment presented by Jeremy Olson and seconded by Robert Constantine which read, **“To see if the Town will vote to raise and appropriate the sum of twelve thousand six hundred dollars (\$12,600) to be placed in the previously established Police Vehicle Capital Reserve Fund.”** Jeremy Olson noted that this amendment was in line with the 10% reduction. **In favor: 30. Opposed: 32. Amendment failed.**

Motion to limit reconsideration on Article #6 by Ed Grinley. Seconded by Merle Kenyon. In favor: 35. Opposed: 21. Motion passed.

Moderator Campbell read Article #7:

- 7) To see if the Town will raise and appropriate the sum of two thousand eight hundred dollars (\$2,800) for the purpose of re-pointing the town library and to fund this amount by withdrawing two thousand eight hundred dollars (\$2,800) from the previously established Library Capital Reserve Fund. Passage of this article will have no impact on taxation.

The Selectmen recommend this article/ the Budget Committee recommends this article.

Jim Griffin, Library Trustee, noted that some of the masonry work needs repair. The Trustees have sought estimates and the \$2800 will cover the repairs. Brian Fellers asked if this would have any impact on taxes. Jim stated that the money is already in the Capital Reserve Fund. Brad Grange asked if this fund was set up for repairs. Peg Emslie, Library Trustee, stated that it was set up for Library maintenance. Neal Alexander expounded on the beauty and authenticity of the building and the need to maintain it.

Moderator Campbell read Article #8:

- 8) To see if the Town will raise and appropriate the sum of one hundred thirty seven thousand three hundred eighty dollars (\$137,380) to repair and upgrade the heating system in the Fire/Ambulance building and to fund this appropriation by withdrawing that amount from the unrestricted fund balance as of December 31, 2012. This amount is the equivalent of the amount the Town received in insurance payments for this purpose. The passage of this article will have no impact on taxation.

Steve Darrow explained the class action suit that the Town had been involved in and that the Town was awarded \$137,380 due to defective tubes in the radiant heat in the floor. John Babiarz stated that he wanted to make the repairs when good weather comes due to equipment and vehicles. David Rienzo noted that this project involved ripping up the floor and replacing the tubes. He further stated that the Town has the funds and just needs approval to spend them. Jeremy Olson asked if project comes in under the \$137,380 where would the balance go – to the Fire Department or the General Fund? Steve said typically it would be the General Fund. Bob Forshee asked why the floor wasn't being replaced with forced hot air. Much discussion ensued regarding this topic. Tim Condon asked if the money had to be spent on the floor. David Rienzo said he was not sure. John Babiarz stated that it was a settlement for the Fire Department and that the furnace is 20 years old and has had to have repairs lately. Joe Brown, who owns a heating and plumbing business, argued that forced hot air would be an appropriate system for the Fire and Ambulance Station. John said that his plan incorporated some solar panels in the back and a new furnace. He stated that the radiant tubes would have a life of 70-100 years. Joe Brown stated that the most any radiant tube life expectancy is 25 years. Robert Constantine stated that the radiant system seems way too costly. Jeremy Olson asked why some of the Articles have a Selectmen/Budget Committee recommendation and some do not. Steve noted that some money Articles are required, by law, to carry a recommendation.

Amendment presented by Joe Brown, seconded by Tim Condon which reads, "To see if the Town will vote to raise and appropriate the sum of twenty five thousand (\$25,000) to install a new heating system in the Fire/Ambulance building and to raise and appropriate the sum of thirty thousand (\$30,000) to be placed into the previously established Fire Apparatus Capital Reserve Fund. These amounts are less than the amount already received by the Town for this purpose, and will reduce taxation. If a separate warrant article shall place any monies into the Fire Apparatus Capital Reserve Fund, that amount shall be deducted from the amount authorized by this article." Rich Blair moved the question. Seconded by Cindy Kudlik. **In favor: 14. Opposed: 36. Amendment failed.**

Amendment presented by Jeremy Olson and seconded by David Rienzo which read, "**To see if the Town will vote to withdraw the sum of one hundred thirty seven thousand three hundred eighty dollars (\$137,380) from the unrestricted fund balance as of December 31, 2012, and place it in a new Fire/Ambulance Heating System Capital Reserve Fund, established under the provisions of RSA 35:1, for the purpose of repairing or replacing the heating system in the fire station. This amount is the equivalent of the amount the Town received in insurance payments for this purpose. The passage of this article will have no impact on taxation.**" Jeremy Olson explained that this Article would simply protect any funds for Fire Department use. David Rienzo explained that funds cannot be spent without Town permission. Jeremy withdrew his amendment and David agreed.

Motion to limit reconsideration on Article #8 by David Rienzo. Seconded by Jeremy Olson. In favor: 43. Opposed: 7. Motion passed.

Moderator Campbell read Article #9:

9) To see if the Town will vote to raise and appropriate the sum of thirty thousand dollars (\$30,000) to be placed in the previously established Fire Apparatus Capital Reserve Fund.

The Selectmen recommend this article / the Budget Committee does not recommend this article.

Amendment presented by Jeremy Olson and seconded by Richard Angell which read, **“To see if the Town will vote to raise and appropriate the sum of twenty-seven thousand dollars (\$27,000) to be placed in the previously established Fire Apparatus Capital Reserve Fund.”** Jeremy Olson stated that this follows the 10% reduction plan. Steve cautioned that the equipment for fire fighting is very expensive and he prefer to see it left at \$30,000. Lindsay Dean stated that enough cuts had been made and “just let it go”. George Curran reiterated that these purchases are very expensive to save for. John Babiarz went into the 10 year plan that previous Fire Chief, Chris Williams, had compiled and the logistics for replacing the now 42 year old truck. He noted that a standard truck costs approximately \$165,000. Maureen O’Reilly asked why the Budget Committee did not recommend this Article. Ed Grinley stated that the Budget Committee had supported the \$30,000 last year but due to the tight economy felt that other departments should get allocations this year. Ed Grinley asked John how many times this truck had been used in 2012. John responded that it has not responded as it is not road worthy. Sharon Ankron asked if Grafton relied on other towns for fire support and how costly was it. John explained the mutual agreement between towns and indicated that other than a yearly regional dues (\$50.) the other towns do not charge when they assist us, nor we them. Bob Forshee asked why we were not spending some of the class action suit money for a new truck instead of the radiant heat system. **In favor: 28. Opposed: 23. Amendment passed.**

Amendment presented by Maureen O’Reilly and seconded by Jeremy Olson which read, **“To see if the town will vote to raise and appropriate the sum of fifteen thousand dollars (15,000) to be placed in the previously established Fire Apparatus Capitol Reserve Fund.”** Maureen stated that she would prefer to see other departments get a chance to receive funds this year. Maureen also noted that she would like to see Grafton adopt a Capital Improvement Plan. **In favor: 34. Opposed: 15. Amendment passed.**

Motion to limit reconsideration on Article #2 by Robert Constantine. Seconded by Jeremy Olson. In favor: 51. Opposed: 2. Motion passed.

Moderator Campbell read Article #10:

10) To see if the Town will vote to establish a Capital Reserve Fund under the provisions of RSA 35:1 for the purpose of building a new town office building and to raise and appropriate the sum of ten thousand dollars (\$10,000) to be placed in this fund.

The Selectmen recommend this article/ the Budget Committee recommends this article.

Amendment presented by Jeremy Olson and seconded by Robert Constantine which read, **“To see if the Town will vote to establish a Capital Reserve Fund under provisions of RSA 35:1 for the purpose of building a new town office building and to raise and appropriate the sum of zero dollars (\$0) to be placed in this fund.”** Town Clerk, Bonnie Haubrich invited any of the townspeople to her office to witness 1st hand the roof leaking, the water coming in under the building, the lack of hot water, the wires hanging from the ceilings, etc. William Walker expressed his lack of support for this Article stating that he did not appreciate being penalized into paying more taxes to fix up a town building when his own home and property are in disrepair. Chief Poitras stated that it is not just a case of needing repairs, but also that the Town Office is below State codes and that the State or Fire Chief, at any time come in and close the offices. Steve stated that the Town is not looking for a multi million dollar building. They are

simply trying to look to the future and start saving towards it. He responded that there are no plans for the building in the near future. Neal Alexander informed the meeting that ADA (American Disability Act) does not come into effect with existing buildings, only for new construction. Jeremy Olson stated that the State cannot force us into repairs as they cannot issue mandates without funding. Maureen stated that the mold and smell are not just in the Town Clerk's Office, but upstairs as well. Joe Brown asked if these funds could be used for maintenance. Steve said they would be specific for a new building. Chief Poitras spoke on the building, codes and the recent visit from the Labor Board. (The Labor Board had not had visited the Town Clerk's Office.) Joe Hale asked why the State was involved since there is no zoning in Grafton. David Rienzo explained the difference in State building codes and zoning.

George Curran commented that it was getting late and it is up to the leadership (Moderator) to get this meeting moving along.

In favor: 28. Opposed: 23. Amendment passed.

Motion to limit reconsideration through Article #10 by Jeremy Olson. Seconded by Joe Brown. In favor: 43. Opposed: 7. Motion passed.

Moderator Campbell read Article #11.

11) Are you in favor of the 'Wild Meadows Wind (farm) Project'?

Steve noted that a group of citizens asked the Selectboard to include this Article. It is an advisory article only.

Moderator Campbell read Article #1.

12) To see if the Town will appoint the Selectmen as agents to expend from the Police Capital Reserve Fund established in 1999.

Steve explained that this Article would allow the Selectmen to act as Agents if an emergency comes up. Jeremy Olson asked how else the funds could be accessed. Steve said it would require the permission of the voters, which could mean a special meeting which is very costly.

Moderator Campbell read Article #13.

13) To see if the Town will vote to discontinue the road known as Golden Valley Road, so called, 150 feet from Wild Meadow Road in a southeasterly direction to the Sulloway Place for 1349 feet (0.2555 miles) pursuant to RSA 231:45. **(By Petition)**

Steve explained where Golden Valley Road is located and that it is actually a private driveway – a road to nowhere.

Moderator Campbell read Article #14.

14) To see if the Town will vote to require all wind energy facilities that may come to be located in the Town to post security in the form of cash or bond, prior to initiating construction, in order to cover the costs of removing all of the facility upon ceasing operations for a period of more than 12 months, said amount to be determined by an independent engineer. **(By Petition)**

Amendment presented by Joe Brown and seconded by Jeremy Olson which read, **“To see if the Town of Grafton shall vote to require the owner or installer of any large wind-powered electrical generation facility that may come to be located within the Town to obtain a bond or equivalent proof of financial responsibility, and continue to effect a surety bond or other equivalent proof of financial responsibility satisfactory to the Town an amount sufficient to ensure that the system**

shall be safely dismantled at the end of its operational life (said amount to be determined by an independent engineer of the Selectmen's choice, and paid for by the owner or installer). A large wind-powered electrical generation facility shall be any wind-powered device which does not supplement or replace electrical power supplied to households or businesses at the immediate site, and which has a total installed height (to the top of the swept area of the blade, rotor, or any other component of the structure) of greater than 250 feet above ground." Joe Brown stated that this amendment simply brings the language into line with other ordinances that have been written in New Hampshire. Robert Constantine wanted to ensure that this does not affect private land owners who want to put up energy producing systems. Jeremy stated that this protects private owners. Cindy Kudlik asked what "a bond or equivalent" translated to. David Rienzo requested the Moderator re-read the amendment. He noted that this amendment does not clearly state that the bond needs to be in place prior to construction. Sean Frost cautioned the group that the original article had also been written by an attorney and was used in other towns. Jeremy Olson stated concern that the original article did not identify what a wind farm is. Sean Frost reiterated that a wind farm is not a term used for private use. Maureen asked Joe Brown if the amendment was to ensure homeowners the right to use alternative energy. Joe affirmed it was. **In favor: 28. Opposed: 18. Amendment passed.**

Moderator Campbell read Article #15.

15) To see if the Town will vote to advise the Selectmen to REJECT the proposed Wild Meadow Wind Project. **(By Petition)**

Angus Gorman urged people to learn more about these wind projects.

Moderator Campbell read Article #16.

16) Shall the Town of Grafton pass the ordinance known as "Grafton's Right to A Sustainable Energy Future and Community Self-Government Ordinance"? The purpose of this ordinance is to guarantee resident's right to determine their own energy future. **(By Petition)**

Sean Frost stated that from the information he has attained the Town does not have a right to reject a wind energy project but that the Selectmen have to sign off on the request. The purpose of this Article is to decide if they want any of these projects in our town. Cindy Kudlik added that it also prohibits land acquisition for unsustainable energy. Deb Clough cautioned that the interpretation of a corporation is loosely decided. April Frost emphasized that personal use is not "federally governed". David Rienzo stated that the ordinance is available for people to review in its entirety. Jeremy Olson questioned "protection of inanimate objects". Cindy Kudlik responded that it was meant to protect our waterways, forests, birds, etc.

Amendment presented by Robert Constantine and seconded by Jeremy Olson which read, "**Shall the Town of Grafton guarantee an individual property owners right to determine their own energy future, and interactions with energy providers.**" Robert Constantine expounded on the rights of property owners. Angus Gorman stated that he did not feel that this Article limited property owners' rights and asked the meeting to support the original Article. David Rienzo stated that Robert Constantine's amendment changed the intent of the Article. He noted that Sean and April had put a lot of work putting this together and this type of change would alter the intent. **In favor: 19. Opposed: 23. Amendment failed.**

Motion to limit reconsideration Article #16 by David Rienzo. Seconded by Sean Frost. In favor: 29. Opposed: 10. Motion passed.

Moderator Campbell read Article #17.

17) To see if the Town shall notify the voters of Grafton of their natural and historic right and responsibility as jurors, sitting on juries in all cases including grand juries, to judge the law as well as the facts before them, a right recognized by the State of New Hampshire with the passage of HB146 (Laws of 2012, c.243) and codified as RSA 519:23-a, which states that “in all criminal proceedings the court shall permit the defense to inform the jury of its right to judge the facts and the application of the law in relation to the facts in controversy.” The information shall be sent by the Town to all voters individually via first-class mail, and shall be prepared entirely by volunteers, information which may include pamphlets prepared by the Fully Informed Jury Association, a federally-recognized 501 (c) (3) organization. All costs shall be paid using voluntarily raised funds. **(By Petition)**

John Connell provided background for this Article. Susan Frost asked if the intent was for the Town to accomplish this task. John Connell noted that the intent was to pass this in order to put the information on Town letterhead. Tom Ploszaj asked Bonnie (Town Clerk) if this could be incorporated in her mailings as Town Clerk or Tax Collector. Bonnie responded that nothing can be added into tax bills, but she has, in the past, included dog registrations in her mailings as Town Clerk.

Moderator Campbell read Article #18.

18) To see if the Town will vote certain provisions to allow an exemption of taxes on Woodheating Energy Systems as defined in RSA 72:69 of the State of New Hampshire as of the date of any assessments affected by these provisions. These certain provision are:

- a. That any expenditure for a Woodheating Energy Systems so defined, or any separate valuation thereof, shall be excluded from taxation, such that the amount of exemption shall not exceed the additional assessed value to the property for such systems.
- b. That application for an exemption shall be governed by the provisions of RSA 72:33, 72:34 and 72:34-a.
- c. That this statute shall remain in effect until rescinded. These provisions are proposed in accordance with RSA 72:27-a, and RSA 72:70 of the State of New Hampshire. **(By Petition)**

John Babiarz stated that it was a way to reward people to use alternative systems to conserve oil.

Moderator Campbell read Article #19.

19) To see if the Town will vote to repeal Warrant Article #24 of the Town Meeting of 1994, and the resulting ordinance, which prohibits the possession of open containers of alcoholic beverages and/or the consumption of same on Town property. The repeal of this ordinance shall not supersede, overrule, or in any other way affect any State or Federal Laws or regulations governing the possession of alcohol on public property. **(By Petition)**

Jeremy Olson stated this Article was presented a couple of years ago and failed. This will encourage people to utilize the Town Hall for weddings, etc. He also stated that it is not meant to supercede any state laws regarding alcohol use.

Moderator Campbell read Article #20.

20) Shall we adopt the provisions of RSA 32:5-b, and implement a tax cap whereby the Budget Committee shall not submit a recommended budget that increases the amount to be raised by local taxes, based on the prior fiscal year’s actual amount of local taxes raised, by more than one dollar. (3/5 vote required) **(By Petition)**

Jeremy noted that this type of Article has been passed in many Towns throughout New Hampshire. He stated that although he put in one dollar he is open to someone amending it to a percentage or a fixed dollar amount.

Amendment presented by Maureen O'Reilly and seconded by Deb Clough which read, **“Shall we adopt the provisions of RSA 32:5-g, and implement a tax cap whereby the Budget Committee shall not submit a recommended budget that increases the amount to be raised by local taxes, based on the prior fiscal year’s actual amount of local taxes raised, by more than ten percent (10%)?”** Maureen O'Reilly stated that she felt that the 2% was unreasonable. Karen Meyers noted that it took the power of the town government away. David Rienzo said if the people were to support this Article they should consider a percentage and not a dollar amount. He cautioned that there are many costs, such as insurances, etc, that cannot be controlled. He informed the meeting that this type of Article was petitioned a few years ago and it was determined that it was an unenforceable Article – it eliminated the townspeople authority to govern itself. **In favor: 17. Opposed: 24. Amendment failed.**

Amendment presented by Jeremy Olson and seconded by Joe Hale which read, “Shall we adopt the provisions of RSA 32:5-b, and implement a tax cap whereby the Budget Committee shall not submit a recommended budget that increases the amount to be raised by local taxes, based on the prior fiscal year’s actual amount of local taxes raised, by more than two percent (2%). (3/5 vote required.)

In favor: 26. Opposed: 18. Amendment passed.

Moderator Campbell read Article #21.

21) To see if the Town will vote to direct the School Board to undertake a study of the feasibility and suitability to withdraw from Mascoma Valley Regional School District, pursuant to RSA 915:25. **(By Petition)**

Amendment by Robert Hull and seconded by Jeremy Olson which read, **“To see if the Town will vote to direct the School Board to undertake a study of the feasibility and suitability to withdraw from Mascoma Valley Regional School District, pursuant to RSA 195:25.”** Robert Hull was not present but Jeremy Olson stated that it was due to a typo error of the RSA #. Angus Gorman asked who pays for such a study. Moderator Campbell responded, having 1st hand knowledge it is the Town’s responsibility to cover the costs. **In favor: 28. Opposed: 8. Amendment passed.**

Moderator Campbell read Article #22.

22) To see if the Town will vote to create three Town Auditor positions, whose election shall take place at the next annual Town Meeting. **(By Petition)**

Jeremy Olson asked Steve if the Selectboard had intended to put this on the Warrant themselves. Steve stated that they had but it had come in under a petition. Tim Condon asked who does it presently? Steve said that a CPA has done it in the past, which is costly. The State has informed the Board that it is necessary to have Auditors fill out the MS60.

Moderator Campbell read Article #23.

23) To see if the Town will vote to remove from the Selectmen their taxing authority. **(By Petition)**

David Rienzo read correspondence from Town Counsel which indicated that Town meeting does not have authority to rule on this, therefore not a valid Article.

Moderator Campbell read Article #24.

24) To see if the Town of Grafton will prohibit the practice of evicting residents from their homes after the Town has deeded the property to itself as a result of unpaid taxes. **(By Petition)**

Robert Constantine stated that he is opposed to the Town evicting residents from their homes. Paula Kaines related a story regarding a friend in Massachusetts that is involved in a huge court case regarding

liening property. Bonnie Haubrich, Tax Collector, explained that taxpayers have a total of 3 years and 1 day of nonpayment of taxes before there is even a potential for deeding. David explained that in past history the Selectboards have always tried to work with the taxpayers, if they come forth, in tax payments to work them through the delinquency. David also responded that if the Town does deed a property and allow the residents to stay in the home it becomes a real liability issue for the Town. Sean Frost noted that when taxpayers don't pay their taxes the burden is then placed on those who do pay their taxes. Robert Constantine stated that if the Town did not impose taxes on all people this would be a mute concern. He stated people should not pay for services they do not use. Tony Stelleck stated that there are more retired and unemployed people now and due to inflation it is often times difficult to pay taxes.

Moderator Campbell read Article #25.

25) To see if the Town of Grafton will vote to instruct the Board of Selectmen and the Budget Committee to reduce the annual town budget by ten percent for the next three years. **(By Petition)**

Jeremy Olson noted that this is a request presented a few years ago and passed, but Selectmen chose to take it as advisory only.

Moderator Campbell read Article #26.

26) To see if the Town shall prohibit the Selectmen from publishing their recommendations for or against warrant articles on the official Town ballot. **(By Petition)**

Ed Grinley noted the need for a recommendation to go on in order to obey the 10% rule. Neal Alexander stated that the Selectmen have enough power without pushing persuasion on the voters. Deb Clough responded that when she votes for Selectmen she entrusts them with that power. Robert Constantine stated that there may be a conflict of interest among Board members.

Moderator Campbell read Article #27.

27) To see if the Town will vote to require all businesses and commercial haulers in the Town of Grafton to have dumpster for their garbage disposal. **(By Petition)**

Karen Meyers understood that this Article addressed the businesses that contribute large amounts of trash for which they are paid for through through their business and that the taxpayers should not be responsible for. Jeremy Olson asked the Selectmen if they had a ruling from Town Counsel on this Article. Steve replied that they did not.

Moderator Campbell read Article #28.

28) To see if the Town will vote to remove the lien process from the general assistance application for home owners that are in need of assistance from the Town of Grafton. (Renters and others needing assistance do not get liened). **(By Petition)**

Steve noted that the Town Counsel indicated that this is by law and that the Town Meeting has no authority to rule on this.

Moderator Campbell read Article #29.

29) To see if the Town will vote to create one Overseer of the Public Welfare position, whose election shall take place at the next annual town meeting. **(By Petition)**

Amendment presented by Jeremy Olson and seconded by Brook Constantine which read, **“To see if the Town will vote to create one Overseer of Public Welfare position, whose election shall take place at the next annual town meeting.”** Jeremy Olson noted that the amendment was meant to clean up the

language of the original Article. Karen Meyers stated that the person in the present position has done an excellent job keeping the costs down and no need to change the system. George Curran asked what problem is being solved with this Article? David responded that the person presenting the original Warrant was not here to speak on it. **In favor: 26. Opposed: 8 Amendment passed.**

Moderator Campbell read Article #30.

30) To see if the Town will vote to hold deliberative session, elections, and special meetings at the Town Hall on Turnpike Road. **(By Petition)**

Karen Meyers addressed fumes, acoustics and comfort for reasons to move the Deliberative Session back to the Town Hall. Tim Condon asked if parking at the Town Hall was an issue. Steve replied it is.

Motion to adjourn by David Rienzo and seconded by Cindy Kudlik at 12:45am.

Respectfully submitted:

Bonnie J. Haubrich
Town Clerk