

Town of Grafton
Deliberative Minutes
Saturday, February 8, 2014
(Amended 2-21-14)

Moderator Susan Frost opened the meeting at approximately 9:14am at the Grafton Fire and Ambulance Station.

The meeting commenced with the Pledge of Allegiance. Moderator Frost then introduced and recognized the following: the volunteers of the Grafton Fire and Ambulance Service, Robert Bassett, Road Agent, Russell Poitras, Police Chief, members of the Budget Committee (Ed Grinley, Scott Smith, and Catherine Mulholland), Bonnie Haubrich, Town Clerk, Peg Emslie, Treasurer and the Selectmen (Steve Darrow, Jennie Joyce and Sean Frost).

Moderator Frost spoke of Grafton, past and present; remembering the special people who touched her life and exemplified Grafton such as Dorothy Davis, Town Clerk from 1956 – 1991, sitting in her home and learning about Grafton; John Curran and his historical information regarding the railroad, Stew Downs with his historical artifacts; Bonnie Haubrich and all the assistance rendered in her experience of Moderator for 13 years and how Bonnie had been part of John Curran's life and with him at the end; the Ladies' Auxiliary for their part in assisting the Ambulance and Fire Departments and for the townspeople.

Moderator Frost then went on to describe the SB2 Deliberative Session process. She had passed out a 3 page set of rules to each attendee. **Motion to accept rules by Lorraine Clough. Second by Steve Darrow.** Brian Fellers stated that 40:8 took away his freedom of speech. Moderator Frost responded that personal attacks and name calling are not acceptable. Brian Fellers argued his rights would be violated. **Amendment presented by Jeremy Olson and seconded by (Minute taker unable to determine who the second was.) to delete the Rules of Decorum (#1, #2 and #3 of page 3).** Pamela Curran stated that she could not understand why we would want to disrespect people. **Nancy Robertson called the question. Bruce Frost seconded. Ayes: 10. Nays 81. Amendment Failed.**

Tim Condon asked the Moderator to explain what a "point of order" is. Moderator Frost responded that if she were to make an error it gave the opportunity to bring it back to the meeting.

Motion to accept the rules as presented by Moderator Frost. Ayes: 101. Nays: 3. Rules passed.

Deb Clough asked Moderator Frost to identify non-registered voters. Moderator Frost introduced Jack Rodolico, freelance reporter. He stated that much of his work is for NH Public Radio and that he was here to follow the Free State Project. David Schilinger (high school supporter), Chan Cuo, (observer), Sarah Priestap and Sarah Brubeck (Valley News) and Kevin Barlow (observer) were also identified. Susan asked all non-registered voters to sit in the front row to easily identify them when it came time to vote. Neil Alexander stated that he did not agree that they had to be told where to sit and they may wish to observe from other places.

Jeremy Olson asked why Kevin Barlow was considered a non-registered voter as he was with Kevin when he went to the Town Clerk's Office to register a couple of weeks ago. The Supervisors of the Checklist stated that although he had completed partial paperwork he had not come to a session of the Supervisors to complete the paperwork necessary and according to the law no one can register on this day. Police Chief Poitras noted that this was not the forum to resolve this issue. Deb Clough stated that in the past the body voted to allow non-registered voters to speak and asked Moderator Frost if she was going to ask that. Robert Constantine said he was disillusioned; if the Town Clerk gave the form to the Supervisors; why not give Kevin Barlow the voting card. Susan stated that Kevin should work this issue out with the Supervisors and that the conversation was over. Brian Fellers made a motion to postpone the meeting

until the problem was solved. Christopher Cairns seconded. Merle Kenyon asked the Moderator to consider a 10 minute break to attempt to resolve this issue. Angus Gorman stated that this was just a stall tactic so “they” could control the meeting. Moderator Frost asked the Supervisors to respond to the issue. George Curran, Supervisor of the Checklist stated that the Supervisors did not have the proper/necessary documentation. He stated that the Supervisors regret that Mr. Barlow could not vote today, but that the law does not allow registration today and that Mr. Barlow had the opportunity to present himself at the last 2 sessions and did not. Brian Fellers continued to shout out inappropriate remarks. Tim Condon stated that if Mr. Barlow was not allowed to vote it would open the Town up to a law suit and that the NH Statue gave him a fundamental right to vote. Merle asked Mr. Condon if he was referring to any particular NH Statue when he made this statement. Mr. Condon said he was not sure of the Statue. Moderator Frost assigned counters for voting purposes. (Elaina Bergamini and Angus Gorman). **Sean Frost moved the question. Pamela Grinley seconded. Ayes: 93. Nay: 0. Motion to postpone the meeting: Ayes: 10. Nays: 89. Motion failed.**

Neil Alexander noted a conversation he had with George Curran regarding his daughter’s right to vote. He said she too, was not allowed to vote because she was unable to get the paperwork back to the Supervisors at their last session. **Amendment presented by Brian Fellers and seconded by Christopher Cairns which read “In order to avoid a lawsuit all residents being 18 or older have the right to vote in this deliberative session.” Motion by Sean Frost to restrict reconsideration of amendment to rules and to move the question. Seconded by Steve Darrow.** Bonnie Haubrich reminded Moderator Frost that there was already an amendment on the floor which had to be finalized. Brian Fellers shouted out, “give my neighbor his right to vote”. Jeffrey Weiss, Supervisor of the Checklist stated that the Supervisors of the Checklist are the only body that can accept a voter registrant. He stated that the Town Clerk did not include the “voter registration” form, only the Proof of Residency and personal ID with supporting documentation and that Mr. Barlow had 3 opportunities to present to the Checklist and he did not. He stated that Mr. Barlow could complete his paperwork on March 1st when the Supervisors are in session. Dan Bergamini asked that we vote on the amendment. **Ayes: 29. Nay: 71. Motion failed. Jeremy Olson presented a motion to reconsider the rules. Tony Stelleck seconded. Ayes: 9. Nays: Motion failed. Motion by Sean Frost to restrict reconsideration of amendment to rules and to move the question. Seconded by Bruce Frost. Ayes: 80. Nays: 23. Motion passed.** Brian Fellers continued to be disrespectful and shout out comments. Moderator Frost warned Brian should he be out of order once more; he would be removed from the meeting. Joe Brown stated that an amendment could not limit reconsideration and call the question. At this point Brian Fellers was escorted out of the meeting by Police Chief Poitras due to multiple warnings for bad behavior. Elaina Bergamini asked that in the future all amendments be singular in intent. **Nancy Robertson moved the question. Seconded by Sean Frost. Ayes: 80. Nays: 23. Motion passed.** This segment (3 hours) was spent on the rules of the Deliberative Session.

12:15pm

Moderator Frost read Article #1 and Article #2. **Bonnie Haubrich made a motion to waive reading the remainder of the Warrant at this time in order to save time. Seconded by Elaina Bergamini.** Neil Alexander noted that he was concerned that the Warrant would not be read. Bonnie explained that the Moderator would read the Articles at the time they were presented but to save time the Warrant would not be read at this time in its entirety. **Ayes: 100 Nays: 2. Motion passed.**

Tom Ploszaj asked the Moderator to “address” the issue he had spoken to her about earlier. Moderator Frost said she would do so. The Moderator stated that those present need to understand that during this meeting everyone is free to speak. She said that Angus had stepped down as a counter and that David Rienzo would take his place.

Article #2:

“Shall the Town raise and appropriate as an operating budget, not including appropriations by special warrant articles and other appropriations voted separately, the amounts set forth on the budget posted with

the warrant, or as amended by the vote of the first session, for the purposes set forth therein totaling \$993,556. Should this article be defeated, the default budget shall be \$1,019,316, 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	32,083
Financial Administration	49,417
Reappraisal of Property	25,060
Legal Expense	15,000
FICA & Medicare	24,000
Planning Board	750
General Government Buildings	64,426
Cemeteries	8,000
Insurance	85,249
Advertising/Regional Dues	1,500
Contingency	2,000
Subtotal	\$356,485
Public Safety	
Police	\$132,053
Ambulance	14,280
Fire Department	14,470
Emergency Management	100
Forest Fire Warden	1,000
Subtotal	\$161,903
Highway and Streets	
Highway and Streets	\$342,800
Street Lights	2,700
Subtotal	\$345,500
Solid Waste	
Subtotal	\$94,000
Health and Welfare	
Health Agencies	\$10,000
Health Officer	0
Public Assistance	20,000
Subtotal	\$30,000
Culture and Recreation	
Parks & Recreation	\$2,400
Library	10,795
Patriotic Purpose	300
Subtotal	\$13,495
Debt Service	

Operating Budget Total**\$1,006,383**

Amendment presented by Ed Grinley: **“Shall the Town raise and appropriate as an operating budget of \$993,556.00.” Seconded by Scott Smith.** Ed stated that he presented this amendment due to a clerical error. Sean Frost, Selectmen stated that because this was discussed at the Budget hearing the Department of Revenue Administration advised that this error could not be adjusted; that an amendment be presented today. Jeremy Olson asked which line item this would change. Ed stated that no line item would be affected; that the bottom line is correct when added. Robert Constantine asked everyone to keep in mind that the school bond, if passed, will have a large increase in Grafton’s taxes. Brad Grange asked which amount was correct. It was now noted that there were discrepancies in the information (Warrant) handed out. **Angus Gorman called the question. Seconded by Scott Smith. Ayes: 91. Nay 0. Motion passed.**

Amendment presented by Elaina Bergamini and seconded by Angus Gorman, which read, “Motion to accept the warrant article #2 as amended.” Pam Curran asked how this would affect the Budget Act of the 10% rule. Steve Darrow, Selectman, explained the 10% rule and if this body were to approve anything over 10% of the Budget Committee’s recommendation the Department of Revenue Administration would consider it null and void. Bruce Frost asked the Budget Committee to explain what account had changed since the numbers on the Warrant handed out added up to \$1,006,383. Ed responded that the Financial Administration account was adjusted. Bruce Frost stated that the figures still do not agree. Peg noted that someone had asked if the totals add up, but they do not add up to the bottom line. Ed stated that the Budget Committee had reduced the Financial budget as the audit has already taken place. Steve Darrow responded that the Town had voted to eliminate Town Auditors a few years ago and that the State requires the audits continue. The Supervisors of the Checklist are the responsible party to appoint auditors if there is a vacancy, but since the Town had eliminated Town Auditors there was no position for them to appoint. Therefore, the Town had to hire outside auditors to accomplish this task. Joe Brown asked if we were voting on the bottom line. Steve Kudlik stated that the figures still don’t add up. Steve Darrow reminded that we are voting on the Budget Committee’s budget. Christopher Kairns moved the question. Moderator Frost noted that due to the confusion and discrepancies there was a need for additional discussion. Brad Grange stated that the body needed to have corrected paperwork in order to make a decision. Ed stated that the amended Article would correct the error made. Robert Constantine asked for the Statue which pertained to posting an incorrect amount. Steve Darrow stated that the original posted Warrant’s figures were correct. **Ayes: 85 Nays 1. Amendment passed.** Steve Kudlik asked why the operating budget had not been presented line by line and that he was confused that they were voting on the bottom line. Jennie made a motion to restrict reconsideration. Moderator Frost stated that the body voted on the Amendment and it had passed. Jeremy Olson said he had asked the Moderator twice to accept an Amendment and she had indicated that she would. Travis Anderson stated that it was clear to him that the vote was being taken on the Amendment, which meant the bottom line figure. Angus reminded that anyone could ask for reconsideration on an Article. Jeremy noted that Steve Darrow had a motion on the floor prior to Jennie’s motion to restrict reconsideration. The Moderator asked those present if they had understood they were voting on the amendment and bottom line. Merle Kenyon suggested a Motion to Reconsider. **Motion by John Connell and seconded by Christopher Kairns to reconsider Amendment to Article #2. Ayes: 36. Nays 60. Motion failed. Motion by Deb Clough and seconded by Merle Kenyon to limit reconsideration on the Amendment to Article #2. Ayes: 67. Nays: 27. Motion passed.**

Motion to discuss Article #3: Ayes: 55. Nays: 3 Motion passed.

Article #3.

To see if the Town will vote to authorize the Board of Selectmen to borrow the sum of \$296,000.00 for a five year period for the purpose of constructing a new Town Office building. *(By Petition) The Selectmen recommends this article/ the Budget Committee recommends this article.*

Brad Grange stated that there was never any real discussion for Article #2 prior to accepting an Amendment. He asked when the Budget Committee was presenting their budget. The Moderator stated that they would present their budget and explanation as the items came up. Steve Darrow stated that there was a typographical error with this Article. The Selectmen do not recommend this Article. Sean Frost stated that the Board did not think this was fiscally responsible at this time. Taxes are very difficult for many people and the school is asking for a large renovation project this year.

Ed Grinley presented an amendment as follows: **“To see if the Town will vote to authorize the Board of Selectmen to borrow the sum of \$296,000.00 for a five year period for the purpose of constructing a new Town Office building. Should this Warrant Article pass the other building Articles become null and void. #4,5”** *(By Petition) The Selectmen do not recommend this article/ the Budget Committee recommends this article.* Seconded by Scott Smith. Ed informed those present the Board of Labor had cited the Town for various violations. The Town Clerk was ordered out of her office and renovations occurred in the sum of \$11000 because her office was deemed unsafe. The Selectmen were given deadlines. The Selectmen appointed a committee to study options, but they never met. Ed said that he decided to present 2 options to the voters, which were either a new building or renovations. Ed said that he had gotten contractors to give bids and that the options would be presented to the voters in March. Ed noted many structural problems with the present building, including the fact that the sills were rotting. Scott Smith said that he has spoken to many people and that they had indicated to him that they were tired of putting money into an old building. Steve Darrow stated that the Board had recently had a building inspector, who they trusted, inspect the office building as well as the Town Hall and that he did inspect the sills in question and he had indicated that the sills were fine. Sean stated that the renovation plans for the existing building will satisfy the Board of Labor. Steve Kudlik noted that he now serves on the Planning Board and they have a subcommittee studying use of the Town Hall, etc. Bonnie said that she is 2 department heads, Tax Collector and Town Clerk, and she had never been asked by Ed what her needs are and since Ed had never served as Town Clerk or Tax Collector how could he know what type of space, etc were necessary for the jobs. Fire Chief Babiarez agreed that he had never been consulted with Ed’s plans as far as what fire and safety issues need to be addressed in new construction. He noted that it is his job to inspect public buildings and that fire codes need to be met. Roger Fremont asked if the Town has considered a trailer. Lorraine Clough called the question. The Moderator noted that there was no question to call. Robert Constantine stated that of the 3 Articles presented (new building, middle of the road renovation plan and the bare minimum) that the 3rd would satisfy the Board of Labor. Ed stated that the Amendment simply says that if 3 passes it eliminated overspending by voiding #4 and #5. Much discussion ensued regarding the wording to ensure that not multiple Articles pass for this issue. Steve Darrow ensured people that if an Article passes money can only be spent on what it was requested for, which would eliminate overspending. Eugenia Fitzgerald stated that \$296,000 would be just the beginning and that there would be more costs along the way. She asked Ed if he had plans that people could review. He said that he had not brought them with him, but that there were drawn up by a professional. Eugenia said that the people need to see the plans. **Bruce Frost noted that the Amendment was merely to add words to the Article and to move the question. Seconded by Cindy Kudlik. Motion to move the question: Ayes: 88 Nay: 0. Motion passed. Vote of Amendment to Article #3: Ayes: 80. Nays: 3. Motion passed.**

Amendment #2 for Article #3 presented by Steve Darrow as follows: “To see if the Town will vote to authorize the Board of Selectmen to borrow the sum of \$296,000 for a five year period for the purpose of constructing a new town office building. Should this Article pass, Article #4 and 5 become null and void. 3/5 vote required. (By petition) The Selectmen do not recommend this Article/the Budget Committee recommends this Article.” Seconded by Elaina Bergamini. Steve

explained due to a typo error this language needs to be added. Sharon Duffy asked if the 3/5 was by law. Steve affirmed it was. **Ayes: 79 Nays: 2 Amendment passed.**

Amendment #3 for Article #3 presented by Joseph Brown which reads, “To see if the Town will vote to authorize the Board of Selectmen to sell the Town Hall on Turnpike Road and such other Town-owned properties as the Board may choose, in order to raise and appropriate the sum of no less than \$296,000 for the purpose of constructing a new Town Office building. If the winning bids on such properties do not total at least that amount, then no sale shall occur. The Board is authorized to sell such properties up to a total amount of \$450,000 and to appropriate any amount up to that total for construction of a new Town Office building. The Board is specifically authorized to include the current Town Office building among the buildings it may choose to sell, but only if the buyer is willing to lease the building back to the Town for a duration sufficient to allow the completion of a new Town Office building. (Should this article pass Warrant Articles #4 and #5 will become null and void.” The Moderator wished a few minutes to review the Article to ensure intent. Joe assured the Moderator that he has spoken with David Scanlan at the Secretary of State’s Office to ensure it did not alter the intent of the original Warrant Article and that Mr. Scanlan indicated that it was appropriate. He said that an Amendment can dictate where monies are to come from. Neil Alexander charged that the Moderator did not have the authority to reject the Amendment. Maureen O’Reilly argued that it did change the intent of the Article. Sean Frost stated that he did not think that the Amendment was legal and that it was just a stall tactic on behalf of their group. Moderator Frost warned Sean to refrain from such comments. Angus Gorman agreed that he felt the intent was changed. John Babiarz cautioned people explaining that the Fire Station shares a common septic, water and emergency power, which all would incur cost. Steve Kudlik cautioned that if the Town sells off property it could affect future plans from other Departments. John Connell noted that Jeremy had spoken to the Secretary of State and to listen to him. Jerome Kramer noted that he has lived in Grafton for 38 years and he is not in favor of selling the historical properties of Grafton. Susan stated that she had allowed this discussion but that she was not going to accept the Amendment. Joe reiterated that he had spoken with David Scanlan on this matter. **Motion to Limit Reconsideration by Elaina Bergamini. Seconded by Sean Frost. Ayes: 66. Nays: 13. Motion passed.**

Article #4:

To see if the Town will vote to raise and appropriate the sum of one hundred thirty-seven thousand dollars (\$137,000.00) to remove the old town clerk’s office and build a two-story addition on the site where the old town clerk’s office was removed and to remedy violations found in the town office building per Dept. of Labor inspection. This is a special warrant article. (Should this article pass, Warrant Article #5 will become null and void) ***The Selectmen recommend this article/the Budget Committee recommend this article.***

Sean Frost, Selectmen, spoke on this Article. He noted that the Board felt this was the best bang for the buck. The Board felt the cost was reasonable. He stated that the Board has been accused of not reacting to the Board of Labor’s requirements, but that the Board has been working to ensure that legal issues were addressed as well as coming up with a good plan. MTD, a construction company with a good reputation, put a proposal together. Steve noted that the Board does have plans and will put them on the Town website for people to review. Ed stated that the Budget Committee does not agree with this Article; that it is putting good money after bad money. He further stated that he has spoken with people and that MTD does not have a good reputation. Sean asked Ed to refrain from such remarks. **Motion to open the Article up for discussion by Bruce Frost. Seconded by Nancy Robertson. Ayes: 58 Nays: 5. Motion passed.** Roger Fremont asked who the contractor is and if he is related to anyone in Grafton. Steve Darrow responded that MTD is the company the Board has been working with. He further stated that they had originally had 4 contractors who indicated they were interested in the job, but only MTD came forth with a plan. Steve noted several projects MTD has done recently such as the EMS/Fire Station in Canaan as well as working for the Mascoma School District. He also stated that to the best of his knowledge Matt Dow is not related to anyone in Grafton. Cindy Kudlik asked if the Town would get

their meeting room back. Sean affirmed that the Town Clerk's move was intended to be temporary, and the meeting room would be returned to the Town. Cindy was concerned that the Town spent \$11,000 for a temporary move. Scott reminded the public that the Budget Committee was not supportive of this expenditure and that the minutes are available to anyone. He further noted that his experience has been that MTD is much higher in cost than other contractors. Sean noted that the Board had advertised this project widely and that he himself had disseminated many packets of information to encourage bids, but MTD was the only one who expressed an interest. Cindy Drouin asked if both sets of plans would be available for people to review and make an informed decision. Ed stated that his plans would be available for review. David Tupper announced that he had been one of the original contractors who were approached for a proposal but he was never asked for a bid. He expressed displeasure that MTD has been earmarked for the project. Joe Brown reminded the voters that we are just approving the money, not the bid. He further asked if the old Town Clerk's Office will be removed or utilized for something else. Steve stated that the old Town Clerk's Office needs to be removed. Sean commented that the Board of Labor had ordered that the office could not be utilized, but that the existing foundation would serve as a footprint for the new addition. Deb Clough agreed that it is impossible to make a decision without seeing plans. Steve Kudlik said he was bringing forth a Planning Board recommendation that they do not recommend this expenditure. The Planning Board has never seen the plans for this addition and that it is a knee jerk reaction. Steve said that his personal opinion is to take a breath and just address the violations. Tim Condon asked if the renovations for the Police Department included a holding tank. Sean answered no, it does not. Elaine responded that the plans need to be put on line and that this was not going to be resolved here. **Ed Grinley presented an amendment as follows: "To see if the Town will vote to raise and appropriate the sum of one hundred thirty-seven thousand dollars (\$137,000.00) to remove the old town clerk's office and build a two-story addition on the site where the old town clerk's office was removed and to remedy violations found in the town office building per Dept. of Labor inspection. This is a special warrant article. (Should this article pass, Warrant Article #5 will become null and void) *The Selectmen recommend this article/the Budget Committee does not recommend this article.*" Ayes: 60. Nays: 2 Amendment passed.** Much more discussion took place as to electrical/plumbing, heating, boiler, hot water and Labor Board violations. Steve Darrow responded that the renovation plan addresses all of these issues. Steve Kudlik asked if the Town Clerk was to be on the 2nd floor was there a plan for an elevator. Sean responded that the Town Clerk would be on the 1st floor and the Police Department would be on the ground floor. Sharon Duffy asked if all 3 Articles fail what plan does the Selectboard have. Steve Darrow responded that they would have to approach the Department of Labor for assistance and guidance.

Amendment #2 for Article #4:

Amendment to Article #4 presented by Tim Condon and seconded by Jeremy Olson. "To see if the Town will vote to raise and appropriate the sum of zero dollars (\$0) to remove the old Town Clerk's office and build a two-story addition on the site where the old Town Clerk's office was removed, and to remedy violations found in the Town Office building per Dept. of Labor inspection. This is a special warrant article. (Should this pass, Warrant Article #5 will become null and void.) Steve Darrow noted that everyone has a right to make an Amendment but it takes the choice away from voters. Ed stated that he agreed – let the voters make a choice and that it is their right. Deb Clough asked if an Article can be zeroed out. The Moderator affirmed it can. **Nancy Robinson motioned to move the question. Seconded by Cindy Drouin. Ayes: 74 Nays: 0. Motion passed. Vote on the Amendment: Ayes: 21 Nays: 62 Amendment failed. Motion to Limit Reconsideration to Article #4 by Angus Gorman. Seconded by Merle Kenyon. Ayes: 67 Nays: 7 Motion passed.**

Article #5:

To see if the Town will vote to raise and appropriate twelve thousand dollars (\$12,000) to remedy violations found in the town office building per Dept. of Labor inspection. This is a special warrant article. *The Selectmen recommend this article/the Budget Committee recommends this article.*

Steve Darrow explained that this option would cover 8 violations from the DOL, which directly relate to safety issues (sill in Police Department, fire alarms, etc.) He noted that although it is the cheapest it does not satisfy the Town's immediate needs.

Amendment presented by Ed Grinley as follows: To see if the Town will vote to raise and appropriate twelve thousand dollars (\$12,000) to remedy violations found in the town office building per Dept. of Labor inspection. This is a special warrant article. *The Selectmen recommend this article/the Budget Committee does not recommend this article.* Again, this is to correct a typographical error. **Ayes: 60 Nays: 2 Amendment passed.** Jeremy Olson spoke on behalf of the Planning Board. He noted that the Planning Board is looking for this cost to be reduced. Moderator Frost had taken an Amendment from Jeremy, but then realized that Robert Constantine had given her one previously. Moderator Frost tabled Jeremy's Amendment; taking Robert's first.

Amendment #2 for Article #5 presented by Robert Constantine to read as follows: "To see if the Town will vote to raise and appropriate \$12,000 to remedy violations found in town office building per Dept of Labor inspection. This is a special warrant article. Should this article pass Warrant Articles #3 and #4 will become null and void." Seconded by Jeremy Olson. **Angus Gorman moved the question. Seconded by Sean Frost. Motion to move question: Ayes: 74 Nays: 8 Motion passed. Vote on Amendment: Ayes: 29 Nays: 45. Amendment failed.**

Motion to Limit Reconsideration on Article #5 by Elaina and seconded by Angus Gorman. Motion withdrawn as the Moderator had already accepted an **Amendment from Jeremy Olson, which read, "To see if the Town will vote to raise and appropriate three thousand dollars (\$3,000) to remedy violations found in the Town Office building per Dept. of Labor inspection. This is a special warrant article. Seconded by Robert Constantine.** Jeremy stated that the Town could use volunteer labor. Jennie noted that volunteers had offered to address some of the violations, but they never showed up. Jeremy asked who that was. Jennie noted that Brian Fellers had offered to fix the railing at the Library but that Bob Bassett was the one who finally did it. Bruce Frost stated that you cannot vote on the probability of volunteers stepping up. Jim Dugan asked why the Selectmen did not wait to make all of the repairs until March. Sean stated that the Town Clerk's violations had to be addressed. Although the Labor Board was willing to give an extension on some of the violations they would not extend the move of the Town Clerk's Office. Jeremy noted that the Planning Board felt that the vestibule for the Selectmen's Administrative Assistant' Office was not necessary; she simply needs to lock her door. Joe Brown stated that if the Town votes for the \$12,000 and volunteers show up to do the work the money would not need to be spent. John Babiarz reminded that licensed electricians are required to do the work. Sean stated that he has no issues with volunteers, but the Town needs to employ contractors with insurance and also the ability to fall back on them if the work is not adequate. **Deb Clough called the question. Seconded by Cindy Drouin. Ayes: 66 Nays: 2 Motion to call question passed. Vote on Amendment: Ayes: 20 Nays: 69 Amendment failed. Motion to Limit Reconsideration by Cindy Drouin. Seconded by Elaina Bergamini. Ayes: 58 Nays: 3 Motion passed.**

Article #6

To see if the Town will vote to raise and appropriate the sum of twenty-five thousand dollars (\$25,000) to be placed in the previously established Library Capital Reserve Fund and appoint the Selectmen as agents to expend from this fund. **(By Petition) The Selectmen recommend this article/The Budget Committee recommends this article.**

Jim Griffin, Library Trustee, stated that the Labor Board has recognized problems with the Library such as septic, water, and a railing to go downstairs. The Trustees would like to come up with a long-term plan as the present building, as it exists, is not functional for today's needs. He further noted that the Town Hall might be a short-term solution, but not for the long-term. The Trustees are looking at different funding sources. The Trustees are working toward a plan. They hope that a plan would satisfy the Labor Board. Steve noted that the Trustees did not want to go forth with a Warrant Article for a septic system as

they were unclear as to what the long-term goal is. He agreed a plan will show the DOL that the issue is coming to resolution. Ed said that he supports the Library Trustees but he understood the Building Inspector to say that the sills were rotten. Steve affirmed that the sills needed attention. **Amendment presented by Jim Griffin to read as follows: "To see if the Town will raise and appropriate the sum of \$25,000 to be added to the already established Library Capital Reserve Fund and to appoint the Library Trustees as agents to expend for the purposes of developing a long term plan which will ultimately address the Labor Department's findings."** Seconded by Deb Clough. Jeremy stated that the Planning Board does not support this Warrant Article.

Jim Griffin informed the voters that the request for \$25,000 would start the process, pay architectural costs, etc. They did not plan on using the whole \$25,000 to come up with a plan. Deb Clough noted that installing water and septic would not remedy all of the Library's problems. Deb spoke of a visitor a week ago who turned out to be a grandson of the man who built the Library. Joe Brown noted that he and Deb had spoken a few days ago and discussed the possibility of moving the existing Library. Jim urged people to support this Article and to make the Trustees the agents, which makes sense. Jeremy asked if this amendment changed the intent of the Article. Moderator Frost accepted the Amendment. Catherine Mulholland asked if the Trustees of the Trust Funds should also be included in the Article. Jeremy (a Trustee of the Trust Funds) said that would not be necessary. Sandra Griffin moved the question. Seconded by Cindy Kudlik. **Motion to move the question: Ayes: 80 Nays: 1 Motion passed. Vote on Amendment: Ayes: 70 Nays: 12 Amendment passed. Amendment presented by Jeremy Olson as follows: "To see if the Town will vote to raise and appropriate the sum of three thousand dollars to be placed in the previously established Library Capital Reserve Fund and to appoint the Library Trustees as agents to expend for the purposes of developing a long term plan which will ultimately address the Labor Department's findings."** Seconded by Steve Kudlik. Jeremy stated that \$25,000 was too much to develop a plan. Deb noted that if the present Library was required to put in a septic and water the cost would far exceed \$25,000. Steve Kudlik stated that it was difficult to support the Article unless they had a plan. Bonnie explained that she had tried for many years to get a Capital Improvement Plan in Grafton, which works well in other towns, but the Planning Board (where it has to start) was not supportive of it. Elaina stated that at this rate it would take 100 years to build a new Library. **Dan Bergamini moved the question. Seconded by Travis Anderson. Motion to move the question: Ayes: 71 Nays: 2 Vote for Amendment: Ayes: 21 Nays: 60 Amendment failed. Motion to Limit Reconsideration by Dan Bergamini and seconded by Cindy Kudlik. Ayes: 65 Nays: 2 Motion passed.**

Article #7:

"To see if the Town will vote to raise and appropriate eleven thousand two hundred dollars (\$11,200) to be used to remedy violations found at the Recycle Center per Dept . of Labor and to fund this appropriation by authorizing the withdrawal of this amount from the Recycle Revolving Account. *The Selectmen recommend this article/the Budget Committee does not recommend this article.*

Motion to discuss by Joe Brown. Seconded by Jeremy Olson. Ayes: 37 Nays: 6 Motion passed. Jeremy reported that the Planning Board did not support this Article. He stated that the Planning Board members had visited the Recycling Center and determined that the employees at the Recycling Center could use the Highway Department facilities and it was no further to walk than the compactors at the end of the property. Jennie stated that the Article had nothing to do with walking distance that the employees need readily access to water in case of a chemical spill, battery acid or any need to decontaminate. Jeremy asked Tom Ploszaj to speak on the issue. Tom stated that he had been to view the Recycling Center and that there was an emergency eye wash on sight and if the employees needed more the walk to the Highway Department is less than the furthest container. Jennie stressed that this would not cost the taxpayers any money as the Recycling Center Revolving Account is available to fund this. Travis Anderson asked if the DOL had stipulated any distance that the water had to be available. Jennie stated that there is the possibility of contaminants that need to be addressed. Travis asked again if the DOL had stipulated a distance. Steve responded that the DOL had not stipulated a distance but the funds were

available to support the project without tax burden. Jeremy stated that this request was more wanted than necessary. Amendment presented by Steve Darrow which reads, "To see if the Town will vote to raise and appropriate eleven thousand two hundred dollars (\$11,200) to be used to remedy violations found at the Recycle Center per Dept . of Labor and to fund this appropriation by authorizing the withdrawal of this amount from the Recycle Revolving Account. This article if passed will have no impact on taxation." *The Selectmen recommend this article/the Budget Committee does not recommend this article.* Steve Kudlik reminded the voters that there is no such thing as a free lunch. Cindy Kudlik asked what the balance was in the revolving account. Jennie responded that there was approximately \$40,000. Tom Ploszaj noted that the Town has 8 violations and citations. He said that there is no reason the employees can't use the Highway Department. **Vote on amendment: Ayes: 62 Nays: 4 Amendment passed.** Amendment presented by Jeremy Olson that reads, "To see if the Town will vote to raise and appropriate zero dollars (\$0) to be used to remedy violations found at the Recycle Center per Dept. of Labor inspection and to and to fund this appropriation by authorizing the withdrawal of this amount from the Recycle Center Revolving Account." **Seconded by Steve Kudlik.** Angus Gorman stated that this is democracy hogwash and asked to move the question. **Seconded by Cindy Drouin. Motion to move the question: Ayes: 61 Nays: 15. Motion passed.** **Vote on amendment: Ayes: 21 Nays: 45 Motion failed.** **Motion to Limit Reconsideration by Merle. Seconded by Elaina Bergamini. Ayes: 56 Nays: 3.**

Article #8

"To see if the Town will vote to raise and appropriate one hundred thirty-seven one hundred seventy-eight dollars (\$137,178) to repair and upgrade the heating system in the Fire/Ambulance building. This will be a 5 year non-lapsing fund." *The Selectmen recommend this article/the Budget Committee recommends this article.*

Motion to discuss by Cindy Kudlik. Seconded by Wayne Kramer. Ayes: 65 Nays: 3. Sean explained that the Town had been part of a class action law suit and this money was awarded due to some of these heating systems installed in the US had failed. He stated that the plan was to bring the original floor back to what it used to be. He noted that one of the heating loops in the floor has failed. He stated that the Town had granted the use of these funds at last year's election but due to delays they had not been able to go through the process properly. Fire Chief Babiarz stated that when the work is complete it must be up to state code. Maureen O'Reilly asked why they had chosen a 5 year non-lapsing fund and asked why they don't wait until the floor really fails. Steve noted that if they get a 5 year non-lapsing they don't have to go back to the voters each year to expend. Tim Condon asked if it all had to be spent on the fire station. Steve responded that it is labeled a special warrant article, therefore it must be spent for this purpose only. George Curran asked if the Article had to contain that language. **Amendment presented by Steve Darrow, which reads, "To see if the Town will vote to raise and appropriate one hundred thirty-seven one hundred seventy-eight dollars (\$137,178) to repair and upgrade the heating system in the Fire/Ambulance building. This will be a 5 year non-lapsing fund. This article, if passed will have no impact on taxation." The Selectmen recommend this article/the Budget Committee recommends this article.** Robert Constantine asked if not all of the money is spent on the floor could the balance be used to offset taxes. Steve responded that it could be used for that purpose. **Vote on Amendment: Ayes: 69 Nay: 1 Amendment passed.** Amendment presented by Robert Forshee which read, "To see if the Town will vote to raise and appropriate one hundred thirty-seven thousand one hundred seventy-eight dollars (\$137,178) to repair and upgrade the heating system in the Fire/Ambulance building. This will be a 5 year non-lapsing fund. Existing claims against the Town related to this project must be settled before the Town may proceed with construction." **Seconded by Tom Ploszaj.** Robert Forshee expressed his concern regarding the existing litigation against the Town due to a canceled contract for this work. He asked if the Town should wait to see what the ramifications are before proceeding. Tim asked what contract he was referring to. Robert Forshee stated that the Town had an agreement with Smith River Energy which the Town canceled. Sean stated that the contract had been canceled because the proposal submitted did not meet codes. He further stated

that the liability the Town would have faced could have been far greater than accepting the contract. Sean said he could not speak further on the issue due to litigation. Jeremy Olson asked if the Town has liability insurance to cover this suit. Steve Darrow responded that it would not cover this issue. Maureen stated that she felt it changed the intent of the Article. Moderator Frost disagreed. Sean stated that if the Warrant Article fails and the heating system fails – where would the money come from? **Angus Gorman motioned to move the question. Seconded by Daniel Bergamini. Ayes: 67 Nays: 2 Vote on Amendment: Ayes: 13 Nays: 53. Amendment failed. Amendment presented by Steve Darrow, which reads, “To see if the Town will vote to raise and appropriate one hundred thirty-seven thousand one hundred seventy eight (\$137,178) to be withdrawn from the unassigned fund balance to repair and upgrade the heating system in the Fire/Ambulance building. This will be a 5 year non-lapsing fund. The article, if passed will have no impact on taxation. The Selectmen recommend this article/the Budget Committee recommends this article.** Robert Constantine asked if there were left over monies would the Selectboard use it to offset taxes. Steve replied that he was not opposed to doing that. Jennie agreed. Sean cautioned taxpayers because if the Town gets into the habit of doing that and a year comes when they can’t the taxes would spike. John Connell asked if the Town has set aside monies for legal suits. Steve responded that they have not and if a suit comes up they would need to find the funds. **Deb made a motion to move the question. Seconded by Wendall Clough. Ayes: 63 Nays: 2 Motion passed. Vote on amendment: Ayes: 66 Nays: 8. Amendment passed. Motion to Limit Reconsideration by Wendall Clough. Seconded by Lorraine Clough. Ayes: 55 Nays: 4 Motion passed.**

Article #9

“To see if the Town will vote to raise and appropriate the sum of forty five thousand dollars (\$45,000) for the purpose of paving town roads. *The Selectmen recommend this article/the Budget Committee recommends this article.* **Motion to discuss by Neil Alexander and seconded by Angus Gorman. Ayes: 42 Nays: 4 Motion passed.**

Neil Alexander asked what paving money was included in the operating budget. Steve noted that there is nothing included in the operating budget for paving. He said that the Town receives a block grant (\$120,000 this year) which helps offset the highway budget. Steve noted that there are approximately 60 miles on roads in Grafton and that the paved roads are deteriorating. He further explained that last year they had to rip up a paved road because it was in such bad need of repair. Christopher Cairns asked if the Article could specify exactly what road would be done as it is easier to make a decision if you know what you are paying for. Steve said that people could consult with the Road Agent but the intent for this money was to put Riddle Hill back in order. Ed noted that there is \$20,000 in the operating budget for paving. He also stated that 1 mile of road cost approximately \$65,000 to repair. Steve said they keep this in the operating budget because if it was put as a separate warrant article and failed there would not even be money for cold patch. Tim Condon asked if this money is dedicated to existing roads or new paving. Steve responded that it was only for repairing existing paved roads. **Motion to Limit Reconsideration by Merle Kenyon. Seconded by Neil Alexander. Ayes: 60 Nays: 3. Motion passed.**

Article #10

To see if the Town will vote to authorize the Selectmen to purchase the Paula Webster Property across from the Town Office Building on Library Road and to authorize the Selectmen to borrow the sum of \$45,000.00 (forty-five thousand dollars) to do so. (By Petition). *The Selectmen recommend this article/the Budget Committee recommends this article.*

Jennie stated that Paula Webster had approached her and requested she present this to the taxpayers. Discussion ensued regarding possible usage, including a place to relocate the Library. It was noted that the property has an existing well and septic. **Amendment presented by Joe Brown, which reads, “To see if the Town will vote to authorize the Selectmen to purchase the Paula Webster Property across from the Town Office Building on Library Road and to authorize the Selectmen to borrow the sum**

of thirty thousand dollars (\$30,000.00) to do so.” Seconded by Jeremy Olson. Tim Condon asked how much land the Town of Grafton presently owns. The Board did not have a response for him. Sean cautioned when looking at that information as it includes cemeteries also. Tim asked how much land was included on this parcel. Jennie stated approximately 2 acres. Sean stated that the property is central to the Town Offices and town facilities and urged those present to let the voters decide. Deb Clough stated that in her conversations with the present owner, \$30,000 would not be considered. Joe said he is not opposed to the purchase but the Town needs to get it at an excellent price. Karen Meyers asked what the asking price is. Deb responded that it is \$50,000 so the Town is getting a break. Maureen stated that Paula Webster had offered it to the Town in 2006 for \$40,000. Deb said in her conversation with a realty company; they indicated that the \$45,000 is a good purchase. **Vote on amendment: Ayes: 23 Nays: 45 Amendment failed.** Jeremy stated that the Planning Board is not in favor of this purchase. Much discussion ensued including the need for an updated Master Plan, terms of the loan versus a bond. Steve stated that this Article was a petitioned article, therefore it was accepted as presented. Deb cautioned that once the property is purchased it is gone and the Town will have no control as to what is built on it. **Motion to Limit Reconsideration by Kamala Tupper and seconded by Elaina Bergamini: Ayes: 57 Nays: 11.**

Article #11

To see if the Town will vote to raise and appropriate the sum of forty thousand dollars (\$40,000) for the purpose of placing ledge pack on town dirt roads. **The Selectmen recommend this article / the Budget Committee recommends this article.**

Scott Smith noted that he has received nothing but positive feedback regarding the utilization of this product. Steve Darrow stated that the Road Agent started using ledge pack on the roads this year. Lorraine Clough asked how many miles the \$40,000 would cover. No one seem to be able to answer her question. Tim Condon stated that the highway budget is the single largest budget for the Town and asked why this expense was not included in the operating budget. Steve Darrow stated that the highway budget could be in peril if all of these funds were included in the operating budget, which would inflate the budget.

Article #12

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 recommends this article.**

Steve Darrow stated that putting away these monies allows a gradual plan for the future. Fire Chief Babiarz informed the voters that the newest trucks cost between \$130,000 and \$140,000 with a life expectancy of 20 years. The 1972 fire engine has been out of service for 4 or 5 years. The prime vehicle is now about 14 years old. The cost today to replace it is between \$200,000 and \$250,000. He further noted according to the 10 year plan this truck should have been replaced last year. Lorraine Clough noted that if the Town were to combine all of the Capital Reserve Funds together the Town could purchase something it really needs. **Amendment presented by Maureen O’Reilly which reads, “To see if the Town will vote to raise and appropriate the sum of \$15,000 to be placed in the previously established Fire Apparatus Capital Reserve Fund.” Seconded by Jeremy Olson. Vote on Amendment: Ayes: 23 Nays: 49 Amendment failed. Motion to Limit Reconsideration by Rosalie Babiarz. Seconded by John Connell. Ayes: 56 Nays: 4 Motion passed.**

Article #13

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.**

Motion to discuss by Tim Condon. Seconded by Cindy Kudlik. Scott Smith said that he had a conversation with the Road Agent and Bob had indicated that there have been recent problems with the grader, which is very old. **Motion to Limit Reconsideration by Jennie. Seconded by Sean. Motion passed.**

Article #14

To see if the Town will vote to raise and appropriate the sum of nine thousand dollars (\$9,000) to be placed in the previously established Police Vehicle Capital Reserve Fund. ***The Selectmen recommend this article/the Budget Committee recommends this article.***

Motion to discuss by Ed Grinley. Seconded by Russell Poitras. Police Chief Russell Poitras said that the police vehicles need to be replaced every 7 years. Repairs on one of the existing vehicles are starting to cost more than the vehicle is worth. Currently there is approximately \$14,000 in the Capital Reserve Account and a new vehicle costs approximately \$38,000 to \$40,000. Chief Poitras is aiming for a purchase in 3 years. **Amendment presented by Tim Condon which read, “To see if the Town will vote to raise and appropriate the sum of \$3,000 to be placed in the previously established Police Vehicle Reserve Fund.” Seconded by Jeremy Olson.** Tim Condon stated that we have a new cruiser with blacked out windows and no police markings. He further stated that traditionally Grafton has been a 1 police officer town and that Grafton does not need more police here. Chief Poitras stated that the call volume is up significantly by 25% and that Grafton has been more than a 1 police officer town for more than 10 years. Poitras noted that the police department has been working extremely hard over the past couple of years. Jeremy asked for the number of calls. Chief Poitras said his log is not accurate due to the way the system logs. David Tupper asked how often there is a need for 2 officers and 2 cruisers. Chief Poitras responded that one cruiser, in addition to patrolling is utilized for transportation to court, training, investigating, etc and there is a need to have a deputy on duty at the same time to assist in coverage. Tim Condon stated that he is not anti Russell or anti Police but there is not a need for additional police. Chief Poitras stated that Merle Kenyon, previous Police Chief, has given his life to the Town and for free, but Poitras stated that he has a family, which is also important to him. Angela Barry stated that perhaps the budget Chief Kenyon worked on was not adequate at the time. **Sandra Griffin motioned to move the question. Seconded by Pamela Curran. Ayes: 46 Nays: 17 Motion passed. Vote on Amendment: Ayes: 17 Nays: 48 Amendment failed. Motion to Limit Reconsideration by Kamala Tupper. Seconded by Elaine Bergamini. Ayes: 58 Nays: 8 Motion passed.**

Article #15

To see if the Town will vote to authorize the Board of Selectmen to withdraw the sum of \$4347.95 plus accrued interest, from the Capital Reserve Fund created for this purpose, for building a storage vault in a new Town Office Building. (Should the article for a new building pass this amount shall be deducted from the \$296,000.00. If the article doesn't pass, this article will be null and void). ***(By Petition)*** ***The Selectmen recommend this article/the Budget Committee recommends this article.***

Motion to discuss by Joe Brown. Seconded by Jeremy Olson. Ayes: 32 Nays: 23 Motion passed. **Amendment presented by Steve Darrow, which read, To see if the Town will vote to authorize the Board of Selectmen to withdraw the sum of \$4347.00 from the Capital Reserve Fund created for this purpose, for building a storage vault in a new Town Office Building. (Should the article for a new building pass this amount shall be deducted from the \$296,000.00. If the article doesn't pass, this article will be null and void). (By Petition).** ***The Selectmen recommend this article/the Budget Committee recommends this article.*** Steve withdrew his Amendment as it did not get a second. Steve explained that he brought forth this amendment to round off the figure and that the Article could not include the wording “plus accrued interest”. **Amendment presented by Edward Grinley which read, “To see if the Town will vote to authorize the Board of Selectmen to withdraw the sum of \$4302.00 from the Capital Reserve Fund created for the purpose of constructing a storage vault in a new Town Office building. (Should this Article for a new Town Office Building pass this amount will be**

deducted from the \$296,000. If the Article doesn't pass this Article will be null and void.) Seconded by Joe Brown. Cindy Kudlik asked why the requested amount decreased. Catherine Mulholland responded that the interest took a plunge last year and is now climbing back up. **Vote on the amendment: Ayes: 57 Nays: 2 Amendment passed. Motion to Limit Reconsideration by Angus Gorman. Seconded by Kamala Tupper. Amendment passed by voice vote.**

Article #16

To see if the Town will vote to raise and appropriate the sum of three thousand dollars (\$3,000) for the restoration of the Town's historical records. *The Selectmen recommend this article/the Budget Committee recommends this article.*

Motion to discuss by Joe Brown. Seconded by Jeremy Olson. Bonnie Haubrich, Town Clerk, spoke on the Article. She stated that the project of restoring the Town records began about 18 years ago with the previous Town Clerk, Donna Dugan and for many years the project laid idle. There are approximately 41 books in total. The Town has restored 14 of these books, dating back to the 1700s. The total estimate for 24 of the 41 books 3 years ago was \$43,000. Bonnie stated that she had applied for a grant for \$10,000 3 years ago and received \$9,973, which restored 7 of the books. She said she continues to apply for grants to further this project and asked that the voters support this Warrant Article. Tim asked where the books are stored. Bonnie responded that as many as she can fit are stored in the fireproof file cabinets, but many are too large to store in them. He asked why the books can't just be digitized. Bonnie stated that the books that have been restored are also digitized at that time. **Amendment presented by Jeremy Olson and seconded by Tim Condon which reads, "To see if the Town will vote to raise and appropriate the sum of three thousand dollars (\$3,000) for the restoration of the Town's historical records. (No amount of this money shall be raised by taxation.)"** Jeremy stated that this is an excellent project but that monies could be sought through additional resources such as the NH Historical Society. Sharon Duffy stated that there is a new citizen in town who does limited restoration such as seam binding, etc. **Vote on Amendment: Ayes: 25 Nays: 49 Amendment failed. Motion to Limit Reconsideration by Kamala Tupper. Seconded by Patricia Bolduc. Motion passed by voice vote.**

Article#17

To see if the Town will vote to raise and appropriate five hundred dollars (\$500) to increase the Town Clerk's stipend. *The Selectmen recommend this article/the Budget Committee recommend this article.*

Motion to discuss by Peg Emslie. Seconded by Cindy Drouin. Steve Darrow stated that the Town Clerk has not had an increase in several years and the Board supported this Article. **Amendment presented by Ed Grinley which reads, "To state the Budget Committee does not recommend."** Seconded by Cindy Drouin. Scott Smith stated that he had received information from Ed indicating that with the Town Clerk's fees she is getting around \$22.00 an hour. Bonnie responded that the information Ed disseminated in not at all accurate. She stated that she receives a yearly stipend of \$3,350 a year plus fees and that she works far more hours than her office hours indicate. She further stated that she is open more hours than any previous Town Clerk. Merle Kenyon noted that the ability to register your vehicle in Town is worth the fees and this request is not asking for much. Angus Gorman asked to let the voters decide. **Motion to move the question by Angus Gorman. Seconded by Cindy Drouin. Vote on Amendment: Passed with a voice vote. Motion to Limit Reconsideration by Angus Gorman and seconded by Rosalie Babiarz. Motion passed with a voice vote.**

Article #18

To see if the Town will authorize the Board of Selectmen to lease the land and buildings known as the East Grafton Christian Union Church and Parsonage to the Grafton Township Historical Society until such time as the organization no longer exists or ceases activities for a period of one year.

Motion to discuss by Deb Clough. Seconded by Joe Brown. Amendment presented by Robert Constantine which read, "To see if the Town will authorize the Board of Selectmen to offer a no bid rental contract and open the Town to all f the potential landlord liabilities and costs when leasing the land and buildings known as the East Grafton Township Historical Society until such time as the organization no longer exists or ceases activities for a period of one year. Seconded by Bob Forshee. Bob Constantine reminded the voters of the potential liability of becoming a landlord. Ken Cushing, President of the Grafton Historical Society, stated that the cost to repair the floors, sills and drainage problems is approximately \$80,000 and in order for the Historical Society to take on these costs they need a guarantee of return (extended lease). Ken stated that they have applied for a grant and have received \$40,000 towards the project. Ken noted that this is a serious investment on their behalf. He stated that the Town owns multiple properties and that the Town provides liability insurance on those properties. Ken discussed their plans for the building usage, including the possibility of opening it up for Town usage. Deb Clough stated that this church had been moved down from the hill and stated that it is in no better hands than the Historical Society. She asked those present to vote this amendment down and get on with it. Neil Alexander accused the body of being on a spending spree. Jeremy asked who would own the improvements and if taken or given back will the Town be responsible for the cost of those improvements. Steve Darrow stated that the Historical Society is aware there is no payback. George Curran stated that when he was on the Selectboard the Historical Society had purchased the Carding Mill and asked the Town to cover the liability. **Motion to move the question by Angus Gorman. Seconded by Patricia Bolduc. Motion passed by voice vote. Vote on Amendment: Failed by voice vote.** Peg Emslie stated that a one year lease is too small but felt indefinite was too large. Cindy Kudlik noted that she was under the impression that it had to be a 5 year lease and asked what changed. Steve Darrow said the attorney reviewed the lease and found it acceptable. **Motion to Limit Reconsideration by Kamala Tupper and seconded by Merle Kenyon. Motion passed by voice vote.**

Article #19

To see if the Town will 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 percent. **(By Petition)**

Motion to discuss by Bob Constantine and seconded by Jeremy Olson. Ayes: 33 Nays: 26 Motion passed. Jeremy Olson noted that is Article requires a 3/5 vote and limits spending 1% over the previous year. Tim Condon stated that the City of Laconia has a tax cap and asked if anyone has information pertaining to how it works for them. Jeremy stated that Manchester and Franklin also have it and the information he has received is that it is working well. Sean asked Jeremy what their annual budgets were. Jeremy did not have that information. Jim Griffin stated that 1% cannot keep up with inflation. Deb Clough stated that the Article is too radical and that we vote in Budget Committee members and Selectmen to make these decisions. Maureen O'Reilly stated that both the Budget Committee and Selectmen work very hard and it is an insult not to acknowledge the work and effort put into the budget. **Amendment presented by Maureen O'Reilly which read, "Shall we adopt the provisions of RSA 32:5:6, 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 5%?" Seconded by Deb Clough.** Jeremy noted that 2% went on the Warrant last year. **Vote on Amendment: Ayes: 27 Nays: 29 Amendment failed. Motion to Limit Reconsideration by Joe Brown. Seconded by Jeremy Olson. Motion passed by voice vote.**

Article #20

To see if the Town will vote to require the Moderator and other Town officials to use *Robert's Rules of Order* at the Deliberative Session and all other meetings held by the Town. The eleventh edition of *Robert's Rules of Order Newly Revised* shall be used unless the voters vote to adopt a newer edition at some future Town Meeting. **(By Petition)**

Motion to discuss by Neil Alexander. Seconded by Jeremy Olson. Joe Brown stated that this Article was pretty straight forward. Steve Darrow noted that according to Town Counsel this Article would only be binding at a single meeting. Jeremy stated that it should be made a standing policy. **Motion to Limit Reconsideration by Steve Darrow and seconded by Kamala Tupper. Motion passed by voice vote.**

Article #21

To see if the Town will pass an ordinance that shall be known as “The Grafton United Nations Free Zone Act”. The purpose of this Act is to establish the Town of Grafton, New Hampshire as a United Nations free zone in that the United Nations is prohibited within the Town limits and that citizens are sovereign from the jurisdiction of the United Nations. To maintain and preserve the Supreme Law of the Land as set forth in the Constitution of the State of New Hampshire, and of these United States of America to the benefit of the people of the Town of Grafton, include but not limited to, the freedom of speech, press, assembly and petition, and the right to bear arms, to trial by jury, to the privilege against self incrimination and to the common law writ of habeas corpus. To protect the citizens of the Town of Grafton from taxation without representation, by forbidding the implementation within the town limits of any tax, levy, fee, assessment, surcharge, or any other financial imposition by the United Nations. ***(By Petition)***

Motion to discuss by Steve Kudlik and seconded by Joe Brown. John Babiarz presented his opinion to support this Article, stating that Grafton should be a free zone. Deb Clough noted that this Article seems to appear every year (4 or 6 times) and stated let it go on the ballot and fail again. Jeremy Olson corrected her to say it has not been on the ballot for the past 2 years. Tim Condon stated that it is very clear that the United Nations is very corrupt. **Amendment presented by Rich Blair, which read, “To see if the Town will pass an ordinance that shall be known as “The Grafton Sponge Bob Square Pants Free Zone Act”. The purpose of this Act is to establish the Town of Grafton, New Hampshire as a Sponge Bob Square Pants free zone in that Sponge Bob Square Pants is prohibited within the Town limits and that citizens are sovereign from the jurisdiction of Sponge Bob Square Pants. To maintain and preserve the Supreme Law of the Land as set forth in the Constitution of the State of New Hampshire, and of these United States of America to the benefit of the people of the Town of Grafton, include but not limited to, the freedom of speech, press, assembly and petition, and the right to bear arms, to trial by jury, to the privilege against self incrimination and to the common law writ of habeas corpus. To protect the citizens of the Town of Grafton from taxation without representation, by forbidding the implementation within the town limits of any tax, levy, fee, assessment, surcharge, or any other financial imposition by Sponge Bob Square Pants. Seconded by Deb Clough. After reading this Amendment the Moderator refused to accept the Amendment.**

Article #22

RESOLVED, the People of Grafton, NH stand with communities across the country to defend democracy from the corrupting effects of undue corporate power by amending the United States Constitution to establish that: 1) Only human beings, not corporations, are endowed with constitutional rights, and 2) Money is not speech, and therefore regulating political contributions and spending is not equivalent to limiting political speech. BE IT FURTHER RESOLVED, that the People of Grafton, NH, hereby instruct our state and federal representatives to enact resolutions and legislation to advance this effort. ***(By Petition)***

Motion to discuss by Steve Kudlik . Seconded by Neil Alexander. Catherine Mulholland stated that this Article is on more than 50 towns/cities Warrant this year and it is to clarify constitutional rights. Bob Constantine said he appreciated the sentiment but the government is meant to protect. Tony Stelleck stated that this is a direct violation to the constitution. Jeremy stated that as a Libertarian, he supports the 1st ½ of the Article but not the entire Article. **Amendment presented by Joe Brown which read, “RESOLVED, the people of Grafton, NH stand with communities across the country to defend democracy from the corrupting effects of undue corporate power by amending the United States**

Constitution to establish that only human beings, not corporations, are endowed with constitutional rights. BE IT FURTHER RESOLVED, that the People of Grafton, NH, hereby instruct our state and federal representatives to enact resolutions and legislation to advance this effort. Bruce Frost stated that it changed the intent of the Article. Joe Brown responded that expressing an opinion does not change the intent. **The Moderator refused to accept this Amendment stating that it was her opinion that it would change the intent. Motion by Bruce Frost to Limit Reconsideration on Article #21 and Article #22. Seconded by Cindy Kudlik. Motion passed by voice vote.**

Article #23

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 stated 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 nonprofit 501(c)(3) organization. All costs shall be paid using voluntarily raised funds. **(By Petition)**

Motion to discuss by Joe Brown and seconded by Jeremy Olson. John Connell spoke on this Article and contended that this is the one place where your rights are protected. He stated that this mailing will be of no cost to the Town and will all be done by volunteers. Deb Clough asked if the DRA would allow this passage and is the Town expected to raise money to support it. She reminded all that volunteers have offered in the past to support endeavors and have not shown up. John Connell stated that there is nothing in the Article that obligates the Town to anything. Elaina Bergamini asked Connell why he didn’t just do it. He responded that if a mailing went out in his name it would probably be ignored, but coming on Town letterhead would bring a better response. Deb Clough brought attention to the fact the Article says, “The information shall be sent by the Town to all voters individually via first-class mail”. Bob Constantine stated that he has already donated money towards this effort and is willing to donate additional money. Patricia Bolduc asked why the project needs validation from the Town. Joe Brown stated that it is the same forum as notifying a dog owner of the need to register his dog. **Motion to Limit Reconsideration by Steve Kudlik. Seconded by Jeremy Olson. Motion passed by voice vote.**

Article #24

To see if the Town will vote to establish a donation reserve trust fund and to appoint the Selectboard as agents to expend those monies. The fund’s purpose is to allow donors to fund the regular or unanticipated expenses of the Town, and to allow those donors to indicate the purposes for which their donated funds must be used. Donations may, at the time they are presented to the Town, have stipulations attached, but the Selectboard may refuse to accept any donation if the Selectboard determines that the stipulations are inappropriate, unreasonable, or excessively burdensome. Acceptance of any donation is a binding agreement to restrict the expenditure of those funds based upon the stipulations. If the Selectboard later reverses its decision to accept a donation, the funds shall be refunded to the donor who supplied them. Severability: this Article is not severable, and any final determination by a court of competent jurisdiction that such stipulations may not be applied to donations shall also void this Article in its entirety, and all donated fund then in the Town’s possession shall be refunded to their respective donors. **(By Petition)**

Steve Darrow read a legal opinion from Town Counsel which indicating there is no need for this Article as the Town already has the authority to accept donations according to RSA 31:95(b) and 31:19(a). Maureen asked who the author of this Article is. Joe Brown stated that he was the author. Elaina Bergamini related her experience as a Library Trustee and the problems with donations being specified

for a certain purpose. Joe Brown stated that the Selectmen would have the right to refuse the donation if it became too cumbersome. Elaina stated then would the donors fault the Selectboard for refusing the donation? **Motion to Limit Reconsideration by Wendall Clough. Seconded by Jeremy Olson. Motion passed by voice vote.**

Article #25

To see if the Town will vote to require that the Town's unencumbered income must be used for tax reduction rather than being held as an account balance, except that the Selectboard may vote to maintain a balance not to exceed 5% of the current year's budget or such amount as may be required by statute. Using such funds to decrease loan balances in order to reduce the overall tax burden over multiple years shall be considered to be in accordance with the intent of this Article. **(By Petition)**

Motion to discuss by Kamala Tupper and seconded by Bob Constantine. Jim Griffin asked the Selectboard when they receive the fund balance numbers. Steve Darrow stated they do not get this information until the spring when the MS5 is prepared. He noted that the DRA suggests holding a balance of 10% for emergency funding. Steve stated that the balance at the end of 2012 was \$137,000 (reserved for the fire station heating repairs) and \$167,792. **Motion to Limit Reconsideration by Joe Brown and seconded by Jeremy Olson. Motion passed by voice vote.**

Article #26

To see if the Town will vote to require the Moderator to determine and announce an alternate date and time for the Deliberative Session at the same time that the primary date and time are set, for the purpose of allowing voters to schedule availability in advance in case inclement weather or other circumstances require that the primary date be canceled. **(By Petition)**

Motion to discuss by Joe Brown and seconded by Jeremy Olson. Joe Brown noted this would help people who had to make arrangements for child care or appointments, etc. **Motion to Limit Reconsideration by Joe Brown. Seconded by Kamala Tupper. Motion passed by voice vote.**

Article #27

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)**

Motion to discuss by Bruce Frost and seconded by Kamala Tupper. Steve Darrow stated that this Article is a non-binding Article. Tim Condon stated if it is not binding it is advisory. **Motion to Limit Reconsideration by Kamala Tupper and seconded by Dan Bergamini. Motion passed by voice vote.**

Article #28

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 the 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 or its use by Town employees. **(By Petition)**

Motion to discuss by Steve Darrow and seconded by Jeremy Olson. Jeremy ensured those present that this does not overrule any state laws regarding drinking nor does it allow Town employees the right to drink on the job. **Amendment was presented by Joe Brown which read, "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 the same on Town property. The repeal of this ordinance shall not supersede, overrule, or in any way affect any State or Federal laws or regulations governing the possession of alcohol on public property or public intoxication or its use by Town employees." Seconded by Jeremy Olson.** Joe assured that this did not support public intoxication. Police Chief Poitras noted that this could have the

potential of bringing on more alcohol problems but the people of Grafton should vote on it. He also stated that he hoped that it would exclude the July Celebration. Jim Dugan stated that he had been the principle voice that helped enact this ordinance in 1994. He related that following a July Celebration a person had left the Rec Field intoxicated and had died in a car accident down the road. He stated that the Town should not have that liability. Bonnie Haubrich stated that although she was not giving an opinion one way or the other on this Article she wanted to clarify the incident Jim was referring to. At the time she was an EMT and responded to that fatality. The gentleman who died was intoxicated but he had not been at the July Celebration; he had come down the hill from his residence and overturned his car on Route 4. Rich Blair and Steve Colburn who had both been EMTs at the time supported that statement. Lorraine Clough stated that other neighboring towns allow alcohol on town property it becomes individual responsibility. Joe Brown stated that if they are going to drink; they are going to drink. Jim Spaulding responded that he used to attend the July Celebration but the alcohol brought out the cussing and behavior that he did not want his children exposed to. Merle Kenyon noted that his life as Police Chief was much easier once the ordinance was enacted. Much discussion followed regarding this issue. **Motion to move the question by Steven Kudlik and seconded by Jeremy Olson. Motion passed by voice vote. Vote on Amendment: Failed by voice vote. Motion to Limit Reconsideration by Jeremy Olson and seconded by Kamala Tupper. Passed by voice vote.**

Article #29

To see if the Town will vote to require that any building energy improvements shall be done in such a way as to provide a reasonable return on investment. For the purposes of this Article, "building energy system" shall refer to any device or set of devices which are designed to produce, transfer, or conserve energy in a building, including (but not limited to) heating, air conditioning, and electrical systems. For the purposes of this Article, "reasonable return on investment" shall be defined as recovery of the total cost of the project as savings in purchased energy within a term of six years for any upgrade or change to an existing system, eight years for replacement of a system which is less than ten years old, ten years for replacement of a system which is more than ten years old, and twelve years for replacement of a system which has actually failed to function. Determinations of system failure and analysis of return on investment calculations provided by bidders shall be made by independent contractors, who shall be prohibited from bidding upon the project for which they submitted an analysis for a period of five years. ***(By Petition)***

Sean Frost stated that this Article was clearly a way to get rid of the project to replace the fire station floor. Sean noted that these funds were received from a civil suit. Joe Brown noted that the floor would have to be put out to bid as a separate item. Sean accused this Article as being aimed to derail the project. Jim Griffin noted that it addresses improvements and the floor is actually a repair. Steve Darrow shared the opinion from Town Counsel which stated "cannot say is not binding". Jeremy stated that this disallowed anyone doing an analysis from bidding on a project. Wayne Kramer asked who pay for the analysis? And asked where the wording, "town property" comes in to play in this Article. Joe Brown responded that it did not have to state "town property" as it is a given. Scott Smith reminded all that Town buildings fall under state regulations. **Motion to Limit Reconsideration by Joe Brown and seconded by Deb Clough. Motion passed by voice vote.**

Article #30

To see if the Town will begin the process of withdrawing from the Mascoma Valley Regional School District, in accordance with the process outlined in RSA 195:25. This Article does not constitute a vote on whether the Town will leave the District, but solely acts to establish a study to determine the impact on both the Town and the District, such that voters in a future year may make an informed choice on this issue. ***(By Petition)***

The Moderator appointed Bonnie Haubrich as Moderator Pro Tem for this Article in order for her to speak on the issue. Motion to discuss by Dan Bergamini and seconded by Kamala Tupper. Tim Condon stated that the intent is just for a study to be done and that this Article does not throw Grafton out

of the district. He stated that Grafton pays \$150,000 a month and if Grafton pulls out it is still entitled to state education funds. He noted that we can provide a better education in Grafton. Susan Frost stated that she had worked in the Mascoma School District for many years and that people need to consider the whole picture – such as special needs (the cost of educating a special needs child), transportation, legal requirements for curriculum and the fact that we have to pay for the study. Schooling in Grafton would be very expensive. Neil Alexander suggested we look into sending our children to other schools. Steve Darrow noted that he too had served on the School Board and that during Enfield’s study they found they would have to tuition their children back into Mascoma if other school districts refused them. Jerome Kramer disagreed with this Article and stated that we need to do what is best for our kids. Bruce Frost indicated that the Town will be surprised at the cost of this study and that he had been a member of the School Board when Enfield studied to withdraw and the costs were extreme. Deb Clough noted that the Town has a hard enough time to renovating a Town Clerk’s office – don’t think the Town should take on a school. Neil Alexander stated that we are not getting our money’s worth. He noted that he home schools his children. **Motion to Limit Reconsideration by Elanina Bergamini and seconded by Steve Darrow. Motion passed by voice vote.**

Susan thanked those coming today. Steve Colburn thanked Susan for doing such a good job as Moderator.

Motion to adjourn by Kamala Tupper and seconded by Elaina Bergamini. All in favor.

Meeting adjourned at 8:27pm.

Respectfully submitted:

Bonnie J. Haubrich
Town Clerk

Motions or Amendments not taken by the Moderator:

1. I make a motion to discuss the budget, warrant articles, line by line. (Steve Kudlik)
2. Amendment to #3: To require the Selectmen to appoint a committee to review/amend the proposed design before commencing constructing or borrowing. (Jeff Weiss)
3. This Article requires 3/5 vote. (Author unknown – Article # unknown)