

Town of Enfield Deliberative Session/Town Meeting 2001

Moderator David Beaufait opened the deliberative meeting at 9:00am on February 3, 2001. He introduced the Board of Selectmen: Ilene P. Reed, Donald A. Crate Sr., and Keith Oppenpeer; the Assistant Town Managers: Stephen Griffin and Mitch Manseau; and the Town Attorney, Bart Mayer. He explained that since the article under consideration would be projected onto an overhead screen he would dispense with reading each article in its entirety (no audience objection).

D. Kenneth Daniels Jr., (K. Daniels), Director of Public Works, and James Gerding, Budget Committee member and representative, are cited repeatedly within this record and other persons cited are Town voters.

Article 1. To choose by ballot to serve for:

Three years: One Selectman
One Tax Collector
One Trustee of Trust Funds
One Cemetery Trustee
One Fire Ward
One Library Trustee
Two Recreation Commission Members
Two Zoning Board of Adjustment Members
Three Budget Committee Members

Two Years: One Budget Committee Member

No discussion. To be voted on by ballot on March 13, 2001.

Article 2. Are you in favor of the adoption of Amendment #1 as proposed by the Enfield Planning Board for the Town of Enfield Zoning Ordinance as follows?

In order to facilitate the harmonious development of wireless telecommunications facilities in the Town of Enfield, add the following as Article VIII:

ARTICLE VIII

WIRELESS TOWERS

A. DEFINITIONS

“Alternative tower structure” - innovative siting techniques that shall mean man-made trees, clock towers, light poles, and similar alternative-design mounting structures that camouflage or conceal the presence of antennas or towers.

“Antenna” shall mean any exterior apparatus designed for telephonic, radio, television, personal communications service (PCS), pager network, or any other communications through the sending and/or receiving of electromagnetic waves of any bandwidth.

“Buildings and Related Structures” shall mean any structure, improvement, land development, or infrastructure, including rights-of-way, necessary for the operation of telecommunication facilities defined in this section.

“Co-location” means locating wireless communication facilities from more than one provider on a single tower.

“FAA” - an acronym that shall mean the Federal Aviation Administration

“FCC” - an acronym that shall mean the Federal Communications Commission.

“Height” shall mean, when referring to a tower or other structure, the distance measured from the average existing ground level within ten feet of the tower location at the time of application to the highest point on the tower or other structure, including antennas or other appurtenances.

“Telecommunications facility” shall mean any structure, antenna, tower or other device which provides, but is not limited to the following services: commercial mobile wireless services, unlicensed wireless services, cellular phone services, specialized mobile radio communications (SMR), enhanced SMR, personal communications service (PCS), paging and similar services that are marketed to the general public.

B. APPLICABILITY

1. Amateur Radio; Receive-Only Antennas. This Ordinance shall not govern any tower or antenna that is less than 35 feet in height and is owned and operated by a federally licensed amateur radio station operator or is used exclusively for receive-only antennas.

2. Essential Services and Public Utilities. Telecommunications facilities shall not be considered infrastructure, essential services, or public utilities; siting for telecommunications facilities is considered a use of land subject to Planning Board review.

C. GENERAL REQUIREMENTS

1. Telecommunications facilities are permitted by Special Exception provided that all standards set forth in this Article are met as well as all other applicable ordinances and regulations (including Site Plan Review). Existing towers or structures that are not presently used as telecommunications facilities must meet all requirements of this Ordinance once they are proposed for use as a telecommunication facility. Applicants proposing an increase in height of an existing telecommunications facility must also meet all requirements of this Ordinance.

2. Principal or Secondary Use. Subject to this Ordinance, an applicant who successfully obtains permission to site under this Ordinance as a second and permitted use may construct a telecommunications facility in addition to the existing permitted use. A different existing use or an existing structure on the same lot shall not preclude the installation of an antenna or tower on such lot. For purposes of determining whether the installation of a tower or antenna complies with development regulations, including but not limited to setback requirements, lot-coverage requirements, and other such requirements, the dimensions of the entire lot shall control, even though the tower or antenna may be located on a leased parcel within such lot. Telecommunications facilities that are installed in accordance with the provisions of this Ordinance are not considered an expansion of a non-conforming use or structure.

3. MAXIMUM HEIGHT: Height: In no case shall a wireless telecommunications facility exceed ten (10) feet over the average tree canopy height. The Planning Board will consider a 15' extension provided that the applicant can demonstrate the technical necessity of such extension and provided that the performance and design standards of Sections 5 and 6 are met. The applicant will pay for the Town to hire an independent qualified radio frequency engineer to substantiate the applicant's claim of technical necessity. Technical considerations include, but are not limited to, the availability of alternative sites, collocation and improved reception and cover within the Town. The Planning Board shall not grant the extension for any siting within scenic vistas designated by the Planning Board.

a. Height, Existing Structures and Utility Poles: Carriers that locate new wireless telecommunications facilities on water towers, electric transmission and distribution towers, utility poles and similar existing utility structures, guyed towers, lattice towers, masts and monopoles may be permitted with no increase in height.

b. Height, Other Existing Structures: The height of a wireless telecommunications facility shall not increase the height of a structure unless the facility is completely camouflaged; for example, a facility completely within a flagpole, steeple, or chimney. The increase in height of the structure shall be in scale and proportion to the structure as originally configured. A carrier may locate a wireless telecommunications facility on a building that is legally non-conforming with respect to height, provided that the provisions of this Ordinance are met.

4. Guyed Wires are prohibited.

5. Aesthetics and Lighting.

a. Towers shall maintain a non-glossy, galvanized steel finish or be painted a neutral color (subject to FAA requirements) to reduce visual obtrusiveness. The use of alternative tower structures is strongly encouraged by the Town.

b. At a telecommunications facility site, the design of buildings and related structures, including utility service to the facility, shall use materials, colors, textures, screening

and landscaping that will allow it to blend with the natural setting and built environment. These buildings and related structures shall also be subject to all other Site Plan Review requirements.

c. If an antenna is installed on a structure other than a tower, the antenna and supporting electrical and mechanical equipment must be of neutral color that is identical to or compatible with the existing structure, and shall be made as visually unobtrusive as possible. In no case shall the height of any antenna be more than 20 feet greater than the height of the existing structure with which it is associated, and shall not exceed the maximum height limitation specified herein.

d. Towers and related structures shall not be lighted unless required by the FAA or other applicable authority.

e. Telecommunications facilities shall not contain any permanent or temporary signs, writing, or graphical representation of any kind, other than warning or safety signs placed within 10 feet of the ground surface.

6. **Building Codes, Safety Standards.** To ensure the structural integrity of towers, antennas, and accessory structures, the owner of a tower shall ensure that it is maintained in compliance with standards published by the Electronic Industry Association and local building codes. Telecommunications facilities shall be surrounded by security fencing not less than 6 feet in height and shall be equipped with an appropriate anti-climbing device. If, upon inspection, the Town concludes that a tower fails to comply with such codes and standards and constitutes a danger to persons or property, then upon notice to the owner of the tower, the owner shall have 30 days to bring the facility into compliance with such standards. If the owner fails to bring such tower into compliance within 30 days, such action shall constitute an abandonment and grounds for the removal, in accordance with Section G. of this Ordinance, of the tower and antenna(s) at the owners expense through execution of the posted security.

7. **Setbacks and Separation Requirements.** The following requirements shall supersede any other applicable standards of the Zoning Ordinance that are less strict:

a. Towers must be set back a minimum distance equal to the tower height from all lot lines.

b. Towers and accessory structures must satisfy all other setback requirements of the Enfield Zoning Ordinance.

c. A telecommunications tower or antenna over 70 feet in height shall not be located within two miles of an existing tower or antenna over 70 feet in height, whether or not such existing tower is located within the Town of Enfield.

8. **Landscaping/Natural Growth Buffer.** Telecommunications facilities shall be landscaped with a buffer of plant materials that effectively screens the view of the tower from occupied portions of adjacent property. Existing mature tree growth and natural landforms on

the site shall be preserved to the maximum extent possible, and constitute the preferred method of screening.

9. Towers Excluded.

a. Construction of telecommunications facility towers is specifically excluded from areas within a horizontal distance of 300 feet of topographic summits greater than 700 feet elevation National Geodetic Vertical Datum, or 300 feet from a ridgeline leading to such topographic summit.

b. No telecommunications facility shall be constructed within 1000 feet of a historically or culturally significant location designated as such by the Town of Enfield, State of New Hampshire or federal government agencies.

10. Co-Location. A permittee shall cooperate with other telecommunications providers in co locating additional antennas on towers or existing structures, provided that such proposed co locators have received approval by Special Exception from the Town. A permittee shall exercise good faith in co-locating with other providers and sharing the permitted site, provided that such shared use does not give rise to a substantial technical level impairment of the ability to provide the permitted use (i.e., a significant interference in broadcast or reception capabilities as opposed to a competitive conflict or financial burden). Such good faith shall include sharing technical information to evaluate the feasibility of co-location. In the event a dispute arises as to whether a permittee has exercised good faith in accommodating other users, the Town may require a third party technical study at the expense of either or both the applicant and permittee.

D. SUBMITTAL REQUIREMENTS

All applicants under this Ordinance shall apply to the Planning Board for Site Plan Review, in accordance with the Town of Enfield Site Plan Review regulations. At least two weeks prior to approval, a weather balloon with a color that will contrast with the background shall be erected to denote the impact and location of the proposed tower. Said balloon will be the same height as the proposed tower.

Applicants shall also be required to submit the following information:

1. A map showing the service area and an explanation of need.
2. A map showing the locations and service areas of other existing or proposed sites operated by the applicant which are close enough to impact service within the Town's borders.
3. A diagram and/or map showing the view shed of the proposed telecommunications facility, including all buildings and accessory structures.

4. Photo simulations from at least four directions, which simulations adequately represent the appearance of the completed structure when viewed from inhabited areas and/or traveled roads within the Town.

5. A site and landscaping plan, which also meets the requirements of Site Plan regulations.

6. If the applicant is proposing a new tower, written evidence demonstrating that no existing structure within two miles of Town borders can accommodate the applicant's proposed antenna. This evidence can consist of:

a. Substantial Evidence that no existing towers or structures are located within the geographic area.

b. Substantial Evidence that existing towers are not of sufficient height to meet the applicant's engineering requirements or do not have sufficient structural strength to support applicant's proposed equipment.

c. Substantial Evidence that the applicant's proposed antenna would cause electromagnetic interference with the existing antenna(e) on the towers or structures, or vice-versa.

7. An agreement with the Town that allows for the maximum allowance for co-location upon the new telecommunications structure. Such statement shall become a Condition to any approval, and shall, at a minimum, require that the applicant supply available co-location for reasonable fees and costs to other telecommunications providers.

8. Engineering information detailing the size and coverage required for the telecommunications facility location. Structural plans shall bear the seal of a qualified Professional Engineer licensed in the State of New Hampshire. The Planning Board may have any submitted information reviewed by a consultant for verification of any claims made by the applicant regarding technical limitations and feasibility of alternative locations, or any other matter required by the application. Cost for this review shall be borne by the applicant in accordance with RSA 676: 4, 1(g).

E. WAIVERS

Where the Planning Board feels that extraordinary hardships, technical difficulties, or unreasonable expense would result from strict compliance with the foregoing regulations, or to encourage innovative approaches to providing telecommunications services, it may approve waivers to these regulations. The purpose of granting waivers under provisions of these regulations shall be to insure that an applicant is not unduly burdened, as opposed to merely inconvenienced, by said regulations. The Board shall only approve any waivers(s) when a majority of those present and voting, where proper quorum requirements are met, shall find that any waiver would not be detrimental to the public safety, health or welfare, or be injurious to

other property; would promote the public interest; and will substantially secure the objectives and requirements of these regulations. A petition for any such waiver shall be submitted in writing by the applicant along with the application for Board review.

F. SECURITY AND INSURANCE

1. Recognizing the extremely hazardous situation presented by abandoned or unmonitored towers, the Planning Board shall set the form and amount of security that represents the cost for removal and disposal of abandoned towers in the event that the tower is abandoned and the tower owner is incapable or unwilling to remove the tower in accordance with Section I.

2. Furthermore, the Planning Board shall require the annual submission of proof of adequate insurance covering accident or damage. Such insurance shall provide for a minimum 30 days notice of cancellation to the Town.

G. REMOVAL OF ABANDONED ANTENNAS AND TOWERS

Any antenna or tower that is not operated for a continuous period of 12 months shall be considered abandoned and hazardous to the public health and safety, unless the owner of said tower provides proof of quarterly inspections and operation. The owner shall remove the abandoned structure within 90 days of receipt of a declaration of abandonment from the Planning Board notifying the owner of such abandonment. A declaration of abandonment shall only be issued following a public hearing, noticed per Town regulations, with notice to abutters and the last known owner/operator of the tower. If the abandoned tower is not removed within 90 days the Town may execute the security and have the tower removed. If there are two or more users of a single tower, this provision shall not become effective until all users cease using the tower.

H. INSPECTIONS, ENFORCEMENT

The owner of the telecommunications facility shall provide for quarterly structural and safety inspections to be conducted by a licensed professional Engineer experienced in the evaluation of telecommunications structures. The results of these inspections shall document compliance with applicable FCC requirements, and shall be submitted on an annual basis to the Town's Code Enforcement Officer. If deficiencies are noted during an inspection, the owner must notify the Code Enforcement Officer within 5 day of completion of the inspection. Enforcement of the provisions of this Ordinance shall be in accordance with New Hampshire RSA 676.

K. Oppeneer made the motion to accept the article as printed; D. Crate seconded. There was no discussion on the article.

Article 3. Are you in favor of the adoption of Amendment #2 as proposed by the Enfield Planning Board for the Town of Enfield Zoning Ordinance as follows?

In order to facilitate commercial development in the Commercial Business District (CB) without compromising fire safety, change Article IV. Section 401.6, V to read:

Within the downtown area, defined as those properties abutting Main Street and Blacksmith Alley between High and Oak Grove Streets, lot size, development and the placement of non-residential and mixed-use structures are exempted from dimensional (with the exception of building height), and parking requirements. The use of all floors of all structures directly accessible to grade, except for the areas used to access upper floors, shall be nonresidential, except by special exception. Parking may be leased or owned, on or off site. Planning Board site plan approval is not exempted.

Note: Italics denote additions.

K. Oppenneer made the motion to accept the article as printed; D. Crate seconded. K. Oppenneer and D. McIntire both spoke in favor of the article, mentioning the work with the Main Street Program that the Enfield Village Association has been pursuing. S. Plumley asked about the feasibility of off site parking, and S. Griffin replied that what is reasonable would be determined through site plan approval by the planning board.

Article 4. Are you in favor of the adoption of Amendment #3 as proposed by the Enfield Planning Board for the Town of Enfield Zoning Ordinance as follows?

In order to define mixed use, add to the list of definitions:

Mixed-Use: Any Combination of permitted uses in the affected district

I. Reed made the motion to accept the article as printed; K. Oppenneer seconded. I. Reed spoke in praise of the Enfield Village Association and its work to improve the downtown area and asked the townspeople to support the effort.

Article 5. Are you in favor of the adoption of Amendment #4 as proposed by the Enfield Planning Board for the Town of Enfield Zoning Ordinance as follows?

In order to facilitate the harmonious development of facilities relating to new developments and subdivisions add the proposed Impact Fee Ordinance.

PROPOSED IMPACT FEE ORDINANCE

Purpose: This ordinance is enacted pursuant to RSA 674:21, and in order to:

- Promote the public health, safety and welfare and prosperity;
- Ensure that adequate and appropriate facilities are available to individuals who may come to be located in the Town of Enfield;
- Prevent scattered or premature development of land as would involve danger or injury to health, safety, or prosperity by reason of the lack of water supply, drainage, transportation, schools, fire protection, or other public services, or necessitate the excessive expenditure of public funds for the supply of such services;

- Provide for the harmonious development of the municipality and its environs;
- Ensure the proper arrangement and coordination of streets; and,
- Ensure streets of sufficient width to accommodate existing and prospective traffic.

Definitions:

Impact Fee means a fee or assessment imposed upon development, including subdivision, building construction or other land-use change, in order to help meet the needs occasioned by the development for the construction or improvement of capital facilities owned or operated by the municipality, including and limited to water treatment and distribution facilities; wastewater treatment and disposal facilities; sanitary sewers; storm water, drainage and flood control facilities; public road systems and rights-of-way; municipal office facilities; public school facilities; the municipality’s proportional share of capital facilities of a cooperative or regional school district of which the municipality is a member; public safety facilities; solid waste collection, transfer, recycling, processing and disposal facilities; public libraries; and public recreation facilities, not including public open space.

Authority to Assess Impact Fees:

- The Planning Board is hereby authorized to assess impact fees, as herein defined, and in accordance with the standards herein set forth. The Planning Board shall have the authority to adopt regulations to implement the provisions of this ordinance.

Assessment Methodology:

- The amount of any impact fee shall be a proportional share of municipal capital improvement costs which is reasonably related to the capital needs created by the development, and to the benefits accruing to the development from the capital improvements financed by the fee.
- Upgrading of existing facilities and infrastructures, the need for which is not created by new development, shall not be paid for by impact fees.

Administration of Impact Fees:

- Each in fact impact fee shall be accounted for separately, shall be segregated from the Town’s general fund, may be spent upon order of the governing body, and shall be used solely for the capital improvements for which it was collected, or to recoup the cost of capital improvements made in anticipation of the needs for which fees are collected to meet.
- All impact fees shall be assessed prior to, or as a condition for, the issuance of a building permit or other appropriate permission to proceed with development.
- Between the date of assessment and collection, the Planning Board may require developers to post security, in the form of a cash bond, letter of credit or performance bond so as to guaranty future payment of assessed impact fees.

- Impact fees shall be collected as a condition for the issuance of a Certificate of Occupancy; provided however, in projects where off-site improvements are to be constructed simultaneously with a project's development, and where the Town has appropriated the necessary funds to cover such portions of the work for which it will be responsible, the Town may advance the time of collection of the impact fee to the issuance of a building permit.
- The Planning Board and the assessed party may establish an alternate, mutually acceptable schedule of payment of impact fees.

Return of Impact Fee:

If the full impact fee assessed under this ordinance is not encumbered or otherwise legally bound to be spent for the purpose for which it was collected within six years, the fee shall be refunded to the assessed party, with any accrued interest.

- Whenever the calculation of the impact fee has been predicated upon some portion of capital improvement costs being borne by the Town, a refund shall be made upon the failure of the Town Meeting to appropriate the Town's share of the capital improvement costs within six (6) years from the date of payment thereof.

Applicability:

This ordinance shall not be deemed to affect the existing authority of the Planning Board over subdivisions and site plans, including, but not limited to the authority to declare a development to be premature or scattered in accordance with the regulations of the Board and in accordance with RSA 674:36, II (a).

K. Oppenneer made the motion to accept the article as printed; D. Crate seconded. K. Oppenneer and S. Griffin gave a brief explanation of impact fees.

Article 6. Shall the Town raise and appropriate the sum of one million dollars (\$1,000,000) (gross budget) to build a consolidated Department of Public Works facility, and to authorize the issuance of not more than \$1,000,000 of bonds or notes in accordance with the provisions of the Municipal Finance Act (RSA 33), and to authorize the Selectmen to issue and negotiate such bonds or notes and to determine the rate of interest thereon? (3/5-majority ballot vote required.) This appropriation is in addition to Warrant Article # 7.

The Board of Selectmen recommends passage of this article.
The Budget Committee recommends passage of this article.

D. Crate made the motion to accept the article as printed; I. Reed seconded. K. Oppenneer, K. Daniels, and J. Gerding all spoke in favor of the article. F. Altvater, T. Jennings, B. Powell, and C. Aufiero all posed questions: K. Daniels explained that the Shedd Street location was impossible to upgrade to meet EPA regulations; that \$800,000 will be used for an 18,000 sq. ft. pre-engineered, 2-story, heated, peaked roof building, and

that the remaining \$200,000 would be used to finish the interior, install a lift, chemical and salt storage areas, etc. At some future time the transfer station with the recycling facility may be moved to the same location. Projected clean-up of the Shedd Street facility would include tearing down the existing structures and returning the property to private use.

T. Jennings and C. Aufiero both urged returning it only to residential use, and T. Jennings recommended that the Board of Selectmen make a definite vote to do so as soon as possible.

Article 7. Shall the Town raise and appropriate as an operating budget, not including appropriations by special warrant articles and other appropriations voted separately, the amounts set forth on the budget posted with the warrant or as amended by vote of the first session, for the purposes set forth therein, totaling \$3,915,211? Should this article be defeated, the operating budget shall be \$3,089,464, which is the same as last year, with certain adjustments required by previous action of the Town or by law; or the governing body may hold one special meeting, in accordance with RSA 40:13, X and XVI, to take up the issue of a revised operating budget only. [If the proposed operating budget is approved the estimated Town tax rate is \$8.79 per \$1,000 valuation. The effective tax rate for the 2000 operating budget including approved warrant articles was \$8.53 per \$1,000 valuation. If the default operating budget is approved the estimated Town tax rate is \$7.56 per \$1,000 valuation.]

I. Reed made the motion to accept the article as printed; K. Oppenheimer seconded. K. Oppenheimer and S. Griffin explained that the budget was reasonably level funded, reflecting inflationary increases in employee health insurance, solid waste tipping fees, trash collection, and highway materials. J. Gerding explained that some things were included in this budget that previously would have been presented as separate warrant articles (front-end loader, police technology updates) because the budget committee felt that they were vital to the town's welfare. S. Griffin explained employee health insurance in reply to a query from A. Farewell. T. Jennings encouraged the Board of Selectmen to try to provide wider public explanation of the reason for the increases so voter support would be assured. F. Altvater, C. Aufiero, and K. Plumley all supported this, mentioning flyers, a town report insert, and word of mouth. E. Brady stated that this reflected a good example of why we should return to the "old style" town meeting. S. Griffin stated that he would look into printing a flyer.

Article 8. Shall the Town raise and appropriate the sum of two thousand six hundred fifty dollars (\$2,650), from the undesignated fund balance, for deposit into the Cemetery Maintenance Fund, an expendable general trust fund previously established under the provisions of RSA 31:19-a for the purpose of maintaining the cemeteries? This money represents revenue from the sale of lots in 2000 and is available to offset the appropriation. This appropriation is in addition to Warrant Article # 7 and has no impact on the tax rate.

The Board of Selectmen recommends passage of this article.

The Budget Committee recommends passage of this article.

K. Oppenheimer made the motion to accept the article as printed; D. Crate seconded. There was no discussion on the article.

Article 9. Pursuant to a petition of twenty-five (25) or more legal voters:

Shall the Town raise and appropriate \$30,000 in support of an application to the New Hampshire Main Street Center? Funds will be matched with \$60,000 in private donation pledges raised by the Enfield Village Association after which the Association will contract with the Town to access these funds, which will be used for Main Street program operational expenses over a three-year period. This appropriation is in addition to Warrant Article # 7. [Estimated tax impact of 13 cents per \$1,000 valuation.]

The Board of Selectmen recommends passage of this article.

The Budget Committee recommends passage of this article.

D. Crate made the motion to accept the article as printed; I. Reed seconded. D. Smith introduced himself as the originator of the petition and gave an overview of the Main Street Program: it is a national program to revitalize and make economically viable downtown areas with an emphasis on historic preservation. Experience has taught that a dedicated budget and manager are needed to ensure progress. B. Powell, N. Smith, and C. Aufiero encouraged support of the article. A. Farewell raised the objection that Enfield Center was being overlooked, specifically the Enfield Center Town Hall, and was assured by D. Smith, B. Powell, C. Aufiero, and I. Reed that it was not forgotten and that this program would give access to information, tools and training that would benefit the entire town, not just specifically the “downtown area”. J. Gerding reminded the audience that the Enfield Village Association would have to raise the \$60,000 cited in order to receive the \$30,000 to be appropriated.

Article 10. Pursuant to a petition of twenty-five (25) or more legal voters:

Shall the Town vote to establish a Heritage Commission in accordance with the provisions of RSA 673 and RSA 674, or take any other action relating thereto?

Article 10. AS AMENDED Pursuant to a petition of twenty-five (25) or more legal voters:

Shall the Town vote to establish a Heritage Commission in accordance with the provisions of RSA 673:4-a, consisting of five (5) members, who shall be appointed by the Board of Selectmen for three (3) year terms, or take any other action relating thereto?

I. Reed made the motion to accept the article as printed; K. Oppeneer seconded. D. Smith again introduced himself as the originator of the petition and explained the importance of recognizing the town’s historic resources. This Commission would not create an historic district or change planning and zoning rules but would recognize and inventory historic resources in the entire town. No monies would be appropriated for it except by specific vote at town meeting. K. Oppeneer made a motion to amend the article to (noted above), seconded by D. Crate. B. Mayer explained the reason for the amendment, as recommended by the Enfield Village Association. A voice vote was taken on the amendment; passed. S.

Plumley asked if this takes any rights away from property owners; B. Mayer explained that it didn't, that it was only in place to take inventories and make reports, being advisory only in nature and not able to make regulations.

Article 11. Shall the Town authorize the Selectmen to accept for the Town parcels of land, formerly the property of the Northern Railroad or state owned rights-of-way, that the New Hampshire Department of Transportation considers surplus to its needs?

Article 11. AS AMENDED Shall the Town authorize the Selectmen to accept for the Town parcels of land, which authority shall continue until rescinded, formerly the property of the Northern Railroad or state owned rights-of-way, that the New Hampshire Department of Transportation considers surplus to its needs?

K. Oppeneer made the motion to accept the article as printed; D. Crate seconded. C. Aufiero and K. Gotthardt asked about making this a “boilerplate article” so it wouldn't have to be brought up very year. To do so S. Griffin recommended making an amendment to the article. K. Oppeneer made a motion to table the article while the Board of Selectmen drafted an amendment, D. Crate seconded. After discussion of Article 12 S. Plumley made the motion to return to the tabled article, T. Jennings seconded. The amendment was read (as above); K. Oppeneer made the motion to amend the article, B. Powell seconded. A voice vote was taken, article accepted as amended.

Article 12. Shall the Town raise and appropriate the following sums to be placed in the designated Capital Reserve Funds previously established?

Capital Reserve Account	Appropriation	Estimated Tax Impact Per \$1,000 Valuation
Land Acquisition	25,000	11.24
Municipal Building	10,000	4.54
Technology Services	35,000	15.74
Ambulance	10,000	4.54
Fire Vehicle/Equipment	20,000	9.04
Whitney Hall Renovation	13,000	5.94
Police Equipment	10,000	4.54
Public Works Vehicle/Equipment	50,000	22.54
Total	\$173,000	77.84

This appropriation is in addition to Warrant Article # 7.

The Board of Selectmen recommends passage of this article.
The Budget Committee recommends passage of this article.

D. Crate made the motion to accept the article as printed; I. Reed seconded. F. Altvater questioned if the Land Acquisition Account was new, and what was its purpose. S. Griffin, J. Gerding and K. Oppenneer all gave explanations: the Land Acquisition Account was started in 1998; the State Heritage/Conservation programs have monies available to assist towns to acquire property but towns must match their funds, and this account allows us to have monies available to do so without increasing the budget within any one year.

Article 13. Shall we rescind the provisions of RSA 40:13 (known as SB 2), as adopted by the Town on March 12, 1996, so that the official ballot will no longer be used for voting on all questions, but only for the election of officers and certain other questions for which the official ballot is required by state law? (3/5-majority ballot vote required.)

I. Reed made the motion to accept the article as printed; K. Oppenneer seconded. The Board of Selectmen each spoke of their support of this article. The “old style” town meeting allowed for a greater number of voters to be educated on the articles by hearing and participating in discussion of each article. B. Mayer said that it was his experience with other towns that the same thing was happening to them under SB 2, that fewer people were attending the deliberative session. T. Jennings, S. Carr, and N. Smith all spoke in support of the article.

K. Oppenneer made the motion to adjourn, D. Crate seconded. The Moderator declared the meeting closed at 11:15am.

Respectfully submitted,

Carolee T. Higbee
Deputy Town Clerk/
Tax Collector