



# Deliberative Session Meeting Minutes February 4, 2023 3:00PM

The Deliberative Session opened at 3:00PM on 4 February 2023. Select Board Chair led the attendees in the Pledge of Allegiance.

Moderator: I'd now like to OPEN the 2023 SB2 Deliberative Session for the Town of New Durham and thank everyone here for attending. I hope everyone has been enjoying our winter weather and has thawed out from their trip here. My name is Linda Callaway, and I will be the Moderator for tonight's session. Also present is Tom Baker, who will be serving as the Assistant Moderator and will take over the gavel for Warrant Article #5 from which I am recusing myself as Moderator. My hope is that everyone attending will work together constructively to have a slate of articles put on the March Ballot which is agreeable to all the town voters.

Moderator Callaway invited the Budget Committee and Select Board each to open and recess their meetings.

Board Chair Mark DeCoff made a motion to open a Select Board meeting at 3:02 on February 4<sup>th</sup> - and was seconded by Selectman Ron Uyeno. The motion passed with a 2-0 vote. Chair DeCoff then made a motion to recess the meeting until the end of the Deliberative Session, was seconded by Mr. Uyeno. The motion passed 2-0.

Chair Jarvis made a motion to open the Budget Committee meeting of February 4, 2023, which was seconded by Ken Fanjoy. The Motion passed on a roll call vote of 5-0. Chairman Jarvis then made a motion to recess the Budget Committee meeting until the end of the Deliberative Session, with a second by Kelly Bisson. The Motion passed on a roll call vote of 5-0.

Members of the Boards and Town were introduced.

Moderator: The Town Deliberative Session is the opportunity for all interested registered voters in town to participate in reviewing, discussing, and/or amending (by in-person vote this evening) the slate of Articles which will appear on our Town Warrant at the March Elections. The Deliberative Session is not a Select Board or Budget Committee meeting, although they may have opened and recessed a meeting during this session. The Select Board and Budget Committee members are participating as registered voters, just as you and I, however, their expertise with some subjects may be critical to our understanding of any given Article. This is your opportunity to ask questions and propose amendments to the Warrant Articles. If you don't understand something or need any clarification, please ask. Actual voting on the Warrant Articles will take place on Tuesday, March 14<sup>th</sup>, from 8AM to 7PM at the New Durham School gymnasium.

Please be aware we are limited in what we may do tonight. We may amend or modify, but we may not change the subject matter of any Article. In the case of Zoning Articles, we cannot amend or modify. Discussion will be limited to what can be done at this meeting, but that doesn't mean you shouldn't ask questions to make sure you understand the proposed Articles. We may not remove an Article from the Warrant, but merely vote on whether articles presented tonight will move to the official ballot as written or as amended. Each Article will be introduced, moved to the floor and seconded, and then I will recognize someone for up to 10 minutes to provide an explanation in support of the article. Members of the public will then be allowed to speak as they are recognized by the Moderator. During the discussion of an Article, if a written amendment has been proposed and seconded, there will be a hand count vote. If the amendment passes (and there is no further discussion or other amendments proposed), that version of the Article will appear on the Town Warrant; if the amendment fails, the original Article will be moved forward as written. Once each Article has been moved forward and deliberation and/or voting has been completed, I would ask that someone make a motion to "Restrict the Article from Reconsideration", have someone else second the motion, and we vote on the motion to Restrict. This will allow the meeting to move smoothly through the Articles and not have them resurface later in the session. We will then move



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on to the next Article until all Articles have been debated and moved on. I will make a few closing remarks before ending the Deliberative Session and turning things over to the Select Board.

This meeting is of town registered voters, who should have received a voter's card after checking in with the Supervisors of the Checklist before taking their seats. If you have not done so, please check-in and get your voter's card now. Other people may attend, but generally will not be allowed to speak unless it is determined they have information pertinent to the discussion.

Warrant articles presented by the Planning Board are governed by NH statutes which contain public hearing provisions. Discussion and questions are allowed, however, the Planning Board Articles go directly to the ballot and cannot be amended by the voters at today's Deliberative Session.

All other Warrant Articles are subject to the Deliberative Session procedures

Moderator Callaway then reviewed her Rules for order during the meeting.

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## **Article 01 Election of Officers**

To choose all necessary town officers for the ensuing year:

Number of Positions Office Term of Office

1 Selectman 3 Years

2 Budget Committee 3 Years

1 Budget Committee 1 Year

1 John C. Shirley

Cemetery Trustee 3

Years 1 Library Trustee

3 Years

1 Library Trustee 1 Year

2 Planning Board 3 Years

1 Trustee of the Trust Funds 3 Years

2 Zoning Board

of Adjustment 3

Years 1

Supervisor of the

Checklist 2

Years 1

Supervisor of the

Checklist 1 Year

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## **Article 02 Zoning Amendment**

Are you in favor of Amendment #1 as proposed by the New Durham Planning Board for the New Durham Zoning Ordinance as follows: Amend Article VI.L., Accessory Dwelling Units (ADUs) to allow ADUs by right in all districts except the Shoreland Conservation District, where attached ADUs with at least one off street parking space per ADU bedroom and a limit of four total bedrooms for nonconforming lots are permitted by conditional use permit; to limit ADUs to one per lot; to limit the gross living area of all ADUs to 1,000 square feet, unless the primary dwelling is less than 1,000 square feet, in which case the ADU may have no more than 750 square feet; to require



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attached ADUs to have an interior door and common wall between the primary dwelling unit and the ADU; to require one driveway for both the primary dwelling unit and the ADU; and to allow detached ADUs only on lots with at least 150% of the required lot area?

Majority Vote Required

The Planning Board recommends this article by a 4 to 0 vote.

Jeff Allard, Chair of the Planning Board (363 South Shore Road) made a motion to move the Article #2 concerning Accessory Dwelling Units to the Warrant, was seconded by Mark DeCoff. Jeff was recognized to speak in favor of this first of three Zoning articles which they worked on with the Strafford County Regional Planning Commission. Mr. Allard gave the history of the State of New Hampshire having passed legislation three or four years ago that required all towns in New Hampshire to allow an Accessory Dwelling Unit (ADU), which he described as basically an in-law apartment, or a unit which is subordinate to (and must be smaller than) the primary dwelling. The rationale for this legislation was to allow seniors to age in place, provide more affordable housing, particularly for students. This was implemented for three types of ADUs: attached (part of the house such as the attic, basement, an addition to the house), detached (which means in a barn or over a garage, and standalone (which is a totally separate building on the property). The town originally allowed all three types and still does. There is an existing requirement that you still need for a standalone ADU, you must have 150% of the land area required for a minimal lot size. The town uses soil-based lot-sizing, so there isn't actually one specific size for any given lot type. The basic size they use to allow an ADU is 60,000 sq ft, which is roughly 1.5 acres (a builder's acre, not a true acre). So, if you had a conforming lot and wanted to build a standalone ADU, you would need 90,000 sq ft. The Planning Board tried to simplify the Article after having experience with its implementation over the past couple years. Up until now, all ADUs required a Conditional Use Permit, but now as long as setbacks and other requirements were met, only a building permit from the Building Inspector would be necessary. You would now only need a Conditional Use Permit if you were building in the Shoreland Conservation Overlay District (SCOD), which in New Durham means you are building within 300 feet of the water. The Town has always had a requirement of one ADU per lot, but it increased the allowed square footage from 750 sq ft to 1000 sq ft, contingent on the home square footage (i.e. if the home is not at least 1,000 sq ft, the ADU cannot be more than 750 sq ft.). These were the only significant changes to the current ADU ordinance

Maureen Knepp (Kings Highway) asked how does adding a bedroom affect their septic system, and is that also upgraded at the time. Mr. Allard explained that is allowed for in the ordinance, and the maximum number of bedrooms allowed on a non-conforming lot would be four; if it's conforming, there's no limit. However, every time you add new bedrooms, the septic system has to be adequate, i.e. if you currently have a 2-bedroom home with a 4-bedroom septic design and you want to add a 2-bedroom ADU, you don't have to do anything. If you have a 2-bedroom house with a 2-bedroom septic design, you must either dig up your septic and install a new one for a 4-bedroom house or you could add two bedroom's worth of septic treatment, but he had no details on this process. This is all based on State of New Hampshire Septic Design requirements.

Scott Drummy (Old Bay Road) made a Motion to Restrict from Reconsideration, which was seconded by Jeff Allard. Motion passed with a majority of voter's cards.

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#### Article 03 Zoning amendment

Are you in favor of Amendment #2 as proposed by the New Durham Planning Board for the New Durham Zoning Ordinance as follows: Delete Article XIII, Wetland Conservation Overlay District and Article XV, Water



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Quality Protection Overlay District and adopt instead a new Article XIII entitled Water Quality Protection Overlay District, to streamline and clarify various requirements? The boundaries of the WCOD are defined as the upland area within the buffers and setbacks of various types of water bodies and wetlands and are shown on the New Durham Soils Map 2022 on file in the Land Use Office. Permitted uses within the WCOD include, but are not limited to, various recreation trails and paths, accessory structures of less than 150 square feet, installation of utilities, forestry management, and agriculture. Uses permitted by conditional use permit include access roads and driveways, accessory structures, and outdoor recreational facilities that do not require structures. All other uses are prohibited.

Majority Vote Required

Planning Board recommends this article by a 4 to 0 vote.

The Jeff Allard, Chair of the Planning Board (363 South Shore Road) made a motion to move the Article #3 concerning replacing/combining some current Wetland Conservation Overlay District and Water Quality Protection Overlay District articles with a new Article for more streamlined and clear requirements. Scott Drummey seconded. Mr. Allard was recognized to speak in favor of this article.

This change is in response to a \$10,000 Federal grant received (PREPA), which is administered by the State. Mr. Allard explained there are two Zoning Districts in New Durham: Town Center Mixed Use District and the Residential and Agricultural District (i.e. everything not Town Center). There are also "Overlay Districts" in New Hampshire, which means you may have other features in your town, which you may want to regulate differently, like lakes or rivers or wetlands or steep slopes. The Planning Board worked with Strafford Regional to simplify the ordinances and remove redundancies. The Grant also focused on making sure there were appropriate setbacks and buffers for wetlands. Public discussions surfaced issues with the complexities of requirements for building trails, which were addressed. Setbacks were also addressed, as the Planning Board wanted longer setbacks based on studies done. Town situations such as many properties in town which may not have adequate area to comply with the larger buffers were a particular sticking point. The decision was made to make the changes proposed, but to hold off on actually implementing the new buffers to a later date after more review. This will not change the prior ordinance which exempts any property created prior to 2007 to complying with setbacks from wetlands. The Planning Board intends to work on establishing the best buffers possible for the town and are not overly restrictive during its 2023 term.

There were no public comments or questions. Scott Drummy (Old Bay Road) made a Motion to Restrict from Reconsideration, which was seconded by Terry Jarvis. Motion passed with a majority of voter's cards



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#### **Article 04 Zoning Amendment**

Are you in favor of adoption of Amendment #3 as proposed by the New Durham Planning Board for the New Durham Zoning Ordinance as follows: Amend the New Durham Zoning Ordinance to update soil types? The Soil type table in the current Zoning Ordinance describes several soil types that have become obsolete. The soil tables in Appendix A will be updated, and several changes in verbiage throughout the ordinance are made necessary by the recommended changes to soil types. These changes will not alter ordinance regulations or change lot size requirements for the creation of new lots or subdivisions.

Majority Vote Required- -

The Planning Board recommends this article by a 5 to 0 vote.

Jeff Allard, Chair of the Planning Board (363 South Shore Road) was recognized to speak in favor of Article #4 concerning soil types. (sound cuts out briefly from 28:35 to 29:02) Since lot sizes are based on soil types and there have been changes in nomenclature over time, in order to prevent future confusion, the town hired a Soil Scientist who updated the table and this ordinance will update the tables and verbiage in various ordinances to clear up any discrepancies or updates. This relates ONLY to terminology and not any actual ordinance requirements or calculations.

There were no public comments or questions. Scott Drummy (Old Bay Road) made a Motion to Restrict from Reconsideration, which was seconded by Mark DeCoff. Motion passed with a majority of voter's cards.

The Moderator had participated in drafting, getting signatures, and registering this Petition Article requesting a repeal of a Special Exception Zoning Article which passed during last year's warrant. In order to prevent any conflict of interest, Moderator Callaway stepped down and Assistant Moderator Tom Baker took the gavel to deliberate on this article. Moderator Callaway reserved the right to vote on this particular Article.

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#### **Article 05 Petitioned Zoning Amendment**

Are you in favor of repealing Article XIV Section G SPECIAL EXCEPTIONS of the New Durham Zoning Ordinances? G. SPECIAL EXCEPTIONS Deviations from the requirements of this Article may be permitted by Special Exception. Such a Special Exception is required in addition to any other relief which may be required herein, such as a Conditional Use Permit. Special Exceptions granted under this Article for one or two family homes shall be exempt from the requirements of Article VII. Other uses listed in Table 4. In Article VII must comply with the requirements of Article VII. The Zoning Board of Adjustment shall grant a Special Exception if all of the following requirements are met: 1. The proposed use must otherwise be allowed in this Shorefront Conservation Overlay District. 2. The proposed use will not reduce water quality in the adjacent water body measured by methods such as increased storm water run off and increased phosphorus and nitrogen runoff. 3 The structure is proposed to be moved as far back from the reference line as possible. 4. Property values in the district will not be reduced. 5. The use will not place excessive or undue burden on Town services and facilities. 6.



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The proposed use or structure is consistent with the spirit of this Article as described in paragraph XIV.A. 1 above.

The Planning Board recommends this article by a 4 to 0 vote.

Moderator Baker read the article and recognized Chair Jarvis of the Zoning Board of Adjustment to speak in favor of the petition article. Chair Jarvis explained the original goal of the Special Exception Article XIV, Section G, voted in at last year's election was to replace the large number of variances required to build in the Shoreland Conservation Overlay District. Unfortunately it did not work out as anticipated, and it only removed one variance and left between six and 10 other variances still required. The new process confused the Zoning Board itself, as well as town applicants. It has also imposed considerable extra costs and requirements to applicants, such as two separate applications, abutter lists, and other unnecessary document duplication, registrations, and certified mailings. It has also increased the time spent by the Zoning Board to review every case by 45-60 minutes, which means if the Board receives three new cases in a given month, there is no way two, let alone three cases can be completed. There could also be conflicts in how the Planning Board and the Zoning Board may be reviewing studies and reports, and since the Planning Board has the expertise in Storm Water Management and Phosphorous and Nitrogen figures, the Zoning Board feels that these types of decisions should be made there. Since the Zoning Board looks at many of the same requirements for the Special Exception as it considers for other variances, it ended up making the process more complicated and unnecessarily duplicative. Because the Zoning Board did not have as much time as anticipated to work with the Planning Board to have suitable corrections made, this ended up as a Petition Article. The Zoning Board hopes this article passes, so they have an opportunity over the next year or so to sit down with the Planning Board and figure out how to reach our goals of protecting the water quality without imposing such undue burdens on our applicants and other boards that we have.

There were no public comments or questions. Terry Jarvis (Main Street) made a Motion to Restrict from Reconsideration, which was seconded by Linda Callaway. Motion passed with a majority of voter's cards.

Assistant Moderator Tom Baker stepped down, and Moderator Callaway resumed her duties for the Deliberations. Before continuing with the articles, Moderator Callaway recognized the Chair of the Budget Committee, Theresa Jarvis, to make a presentation on Budget Committee data which underlay their decisions to either support or conflict with recommendations made by the Select Board. Due to the timing of when the Select Board wrote the original warrants and the subsequent date of the Budget Committee meeting with some updated data on costs and estimates, one or other of the committees may have a different recommendation at this time. (NOTE: any recommendation changes which may occur when the Budget Committee and Select Board reconvene their meetings after the Deliberative Session ends will be reflected in the updated Warrant Articles and Voter Guide available from the Town Clerk well before the Town Election.

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#### **Article 06    Operating Budget**

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 Selectmen, for the purposes set forth therein, totaling \$3,991,499. Should this article be defeated, the default budget shall be \$3,821,901, 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 a special meeting, in accordance with RSA 40:13, X and XVI, to take up the issue of a revised operating budget.

Majority Vote Required



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[Note: Operating Budget & Default Budget includes the Library Budget]  
Estimated Tax Rate Impact- 2023 Proposed Budget: \$4.79 per \$1,000 assessed valuation. Estimated Tax Rate Impact- 2023 Default Budget: \$4.52 per \$1,000 assessed valuation. The Board of Selectmen recommends this article by a 3-0 vote.  
The Budget Committee recommends this article by a 5-2 vote.

Chair Jarvis explained multiple figures and changes between the FY2022 and FY2023 budgets:

FY 2022 Operational Budget was \$3,546,149, with the FY 2023 being \$3,991,499, which is approximately a 12.2% increase in the Operational Budget and is not affected by any of the Warrant Articles which follow Article #6. Factors which impacted the costs were Health Insurance (estimates arrived after Board of Selection meeting), Social Security (wage increases to retain and attract employees also increase Social Security and Medicare costs, as well as retirement for full-time employees), mileage reimbursement rates, which follow Federal rates, heating oil, gasoline, diesel and electricity rates. (NHEC contract saved a bit over rates from Eversource). For FY2023, the aggregate of power costs alone increased the budget by more than \$130,000, which is more than 20% of the total budget increase. The anticipated tax rate for the operational budget is \$4.79 per \$1,000 valuation. Increases in financial assistance services, moving some line items into a line item where they should have been initially, more contracted services and consultations with town engineers as planning board needs get more complicated (ADUs, etc), janitorial services and maintenance on town buildings, cemetery and parks and recreation mowing costs. The Other General Government category includes many seemingly unrelated items and includes all the town work on Water Quality issues such as testing, education, and a new septic system review project. The town is very fortunate to have so many volunteers to do much of the work, but the Health and Code Enforcement Officer has to follow up on all the results. The Police, whose phones and vehicle maintenance costs are up and outside details (paving work, tree details) have never accurately reflected the actual costs incurred. [i.e. Budgeted at \$1, but actual costs are much higher. The actual costs are reflected in the incoming revenue, but not in the police budget itself, which makes it appear the Police are incredibly over budget.] This year the Budget Committee has budgeted \$20,000 to cover what is actually coming in for revenues. Fire Department calls, many other dues and fees are also up, to include fire alarm monitoring. The largest increase is budgeting an EMT for 10 hrs/day for five days a week, but they are considering that revenue may go up if our EMT can provide more mutual aid to other towns as well as taking care of a higher number of in-town calls ourselves. The Budget Committee will take a close look at how this works out next year. The Code Enforcement/Building Inspector has gone from a part-time to a full-time position incurring additional costs. Other increases are highways and streets, salt and sand increases, culvert replacements. Solid Waste monitoring has increased considerably by outside engineering firms, hauling costs, Welfare and Utility Assistance, Parks and Recreation will be replacing the fence at the town beach, and the Library operating costs are up for subscriptions, books, etc.

Chair Jarvis again explained that their more updated figures (some of which arrived literally at the last minute), their consideration of Capital Improvement Committee results, as well as looking more closely at current balances of various funds, gave them a more detailed assessment of what any particular warrant may require.

Moderator Callaway announced no comments or questions would be taken regarding Chair Jarvis's presentation since this was just background information for upcoming Warrant Articles. Those present could surface any questions, comments, or concerns when any specific Article was deliberated later in the session.

Article called for a \$3,991,499 budget, but if not approved the default budget of \$3,821,901 would be automatically approved.



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Mark DeCoff was recognized to speak to this Article. Mr. DeCoff stated he agreed with the Budget Committee's actions regarding the Budget and the change in the numbers. The Select Board had looked at the tax rate, with the fuel rate costs going up and trying to maintain pay increases by previous boards, the number on the Warrant was the number the Select Board came up with. Mr. DeCoff thanked the CIP for all the efforts they put in, and he highly recommends that whenever the CIP meets, the townspeople go and listen, because the CIP wanted them to increase more in Warrant Articles to cover how far behind we are.

There were no public comments or questions. Mark DeCoff (Old Bay Road) made a Motion to Restrict from Reconsideration, which was seconded by Theresa Jarvis. Motion passed with a majority of voter's cards.

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#### **Article 07    RSM S**

To see if the Town will vote to raise and appropriate the sum of \$400,000 for the purposes of a Road Program said appropriation will be offset by an anticipated \$101,412 from the Highway block grant; \$131,000 from unassigned fund balance and the remainder to come from general taxation.

Majority Vote Required

Estimated-2023 Tax Rate Impact: \$0.27 per \$1000 assessed valuation. The Board of Selectmen recommends this article by a 3 to 0 vote.

The Budget Committee recommends this article by a 7 to 0 vote.

Mark DeCoff was recognized to speak to this Article. Mr. DeCoff stated the Road Agent brought this forward for work on Ham Road. There was another Article brought up, but after looking at the tax rates, they decided to only go ahead on only this project to mitigate the impact to taxpayers but maintain the roads as much as possible.

There were no public comments or questions. Mr. DeCoff made a Motion to Restrict from Reconsideration, which was seconded by Ken Fanjoy. David Bickford (Brackett Road) was belatedly recognized to speak before the Motion was completed. Mr. Bickford wanted an explanation of the designated fund balance and what that leaves in the fund. Mr. DeCoff said he does not have that information at hand, but he can get that to the Budget Committee. Nicole Zoltko, Town Administrator (not a town resident) was recognized to provide more information to Mr. Bickford. 16% in unassigned fund balance, but about \$400,000 in unassigned fund balance would be utilized potentially this year if all of those Warrant Articles were to pass, and that would still leave us with a healthy balance of approximately 11%-12% left in the Unassigned Fund Balance. The Town has a policy of not going below 8%, which follows the DRA policy. TA Zoltko doesn't have exact balances, but she did want to pass on the percentages. TA Zoltko explained that the Unassigned Fund is money that is carried over year after year. This year it was \$131,000 put toward the tax impact from the 2022 taxation season, so discussion were held on using \$131,000 towards the RSMS in addition, because there was enough to do that at that time. This should be clarified in the Voter Guide as well.

There were no further public comments or questions. Mr. DeCoff made a Motion to Restrict from Reconsideration, which was seconded by Ken Fanjoy. Motion passed with a majority of voter's cards.



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#### **Article 08 Discontinue SWR CRF**

To see if the town will vote to discontinue the Solid Waste Equipment Capital Reserve Fund established on established on March 10, 2010, Article #14. Said funds in the amount of \$71,510 and accumulated interest to date of withdrawal will be transferred to the general fund. This article is contingent upon Articles 9 and 10 passing.

Estimated 2023 Tax Rate Impact: \$.0 cents per \$1,000 assessed valuation. The Board of Selectmen recommends this article by a 3 to 0 vote.

The Budget Committee recommends this article by a 6 to 1 vote.

Before reading Warrant Article #8, Moderator Callaway cautioned voters to pay close attention to the Voter Guide, because there are some articles which are contingent upon the passage of other articles, look closely at the wording.

Mark DeCoff was recognized to speak to this Article. Mr. DeCoff read directly out of the Voter Guide that the SWR (Solid Waste Fund purchased only Transfer Station equipment) and the Highway Equipment (only purchased highway equipment) were approved by the town voters prior to a change in 2016 where the Highway and Solid Waste Transfer Station became the combined Department of Public Works. In 2021 the purchase of an excavator was made combining funds from the two original CRFs because the equipment would be shared and maintained under the umbrella of the Public Works. Discontinuing and combining the two funds would bring the town in line with the 2016 decision to create the Department of Public Works. The amount being transferred in Articles 8 and 9 into the general fund would then be transferred out of the General Fund to partially fund the newly-established Public Works Equipment CRF in Article 10.

David Allen (18 Wentworth Road), one of the Trustees of the Trust Fund was recognized and asked for clarification on information at the bottom of page 6 of the Voter Guide that "a 'yes' vote on these articles will continue to raise x-number of dollars into this new CRF and a 'no' vote would not continue funding to the stated capital reserves. "That is technically true if all five are defeated, right? But what this implies to me, and it might be a little bit confusing is, if you vote no on anything, then the money does not go into the CRFs, and that's not true. It's only true if all five are voted. Correct?" Mr. DeCoff responds that there is another option to vote 8 and 9 not to discontinue, those stay the way they are. Mr. Allen says that is correct, but you could vote 8, 9, and 10... Mr. DeCoff injects that 10 is where they are asking for additional funds, because every year you vote to ask to add funds to the account. Mr. Allen agrees, but adds that if you vote 'no' on 8, 9, and 10, you can still vote yes on 11 and 12 and that still puts the money into those respective capital reserve funds. So, it's not like if you vote 'no' on all of them, there is no money going anywhere (Mr. DeCoff agrees), but if you vote 'no' on just the first three, the money still goes into the Capital Reserve Funds... " The Moderator asks if that depends on voting 'yes' on articles 11 and 12, and Mr. Allen agrees and explains that there is that option where you can vote down the discontinuance and establish the new one and still have money going into the old funds. Mr. DeCoff says they will adjust the wording so this is made more clear in the Voter Guide.

Mr. Bickford is then recognized and states he has been opposed to this idea because it is an expansion of a capital reserve fund. Originally when they started these funds in the 80s due to high interest rates, it was a way to save money for a single item (i.e. a truck) and then state gave them the authority to expand into more things. Mr. Bickford was concerned that this expansion is giving the Selectmen more authority to be the agents to expend and just getting whatever they want without coming back to the public to say they want this specialty "thing". Mr. Bickford says this allows the Selectmen to choose what they want to expend funds on and this eliminates the democratic side of things for the public.



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There were no more public comments or questions. Mark DeCoff made a Motion to Restrict from Reconsideration, which was seconded by Terry Jarvis. Motion passed with a majority of voter's cards

#### **Article 09 Discontinue Highway Equipment CRF**

To see if the town will vote to discontinue the Highway Equipment Capital Reserve Funds established on March 15, 2006, Article #12. Said funds in the amount of \$109,306 and accumulated interest to date of withdrawal will be transferred to the general fund. This article is contingent upon Articles 10 and 8 passing.

Estimated 2023 Tax Rate Impact: \$.0 cents per \$1,000 assessed valuation. The Board of Selectmen recommends this article by a 3 to 0 vote.

The Budget Committee recommends this article by a 5 to 1 to 1 vote.

Mark DeCoff was recognized to speak to this Article. Mr. DeCoff stated this is basically the same explanation from Article #8 and they will be taking those funds and moving them into Article #10 (via the General Fund).

Christopher Baca, Drew Road, is recognized and asks about the "accumulated interest" from these funds and how much interest they are getting from this capital reserve fund? Mr. Allen is recognized and says the amount of interest is minimal. They are with TD Bank at this point and rates are less than a half a percent, so the totals shown on the article are not going to change much by the time it is voted on.

There were no further public comments or questions. Mark DeCoff made a Motion to Restrict from Reconsideration, which was seconded by Kelly Bisson. Motion passed with a majority of voter's cards.

#### **'Article 10 Establish Public Works Equipment CRF**

To see if the town will vote to establish a Public Works Equipment Capital Reserve Fund with the Board of Selectmen as designated agents to expend, for the purpose of purchasing equipment for the Department of Public Works and to raise and appropriate the sum of \$315,266 to be deposited in this account, with \$138,450 to come from taxation and \$176,816 to come from unassigned fund balance as of December 31; 2022. This \$176,816 represents the amount of funds in the Solid Waste Equipment Capital Reserve Fund and the Highway Equipment Capital Reserve Fund, discontinued above. The Selectmen recommend this article. This article is contingent upon Articles 8 and 9 passing.

Estimated 2023 Tax Rate Impact: \$.22 cents per \$1,000 assessed valuation. The Board of Selectmen recommends this article by a 3 to 0 vote.

The Budget Committee does not recommend this article by a 0 to 6 to 1 vote.



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Mark DeCoff was recognized to speak to this Article. Mr. DeCoff continued his explanation that they are combining the two funds from the Solid Waste and the Highway Equipment and they are also asking to raise and appropriate the sum of money that they would have needed for each department to continue the operation for future equipment down the road.

Terry Jarvis from the Budget Committee also asked to be recognized to explain they are not recommending this Article not due to philosophy, but due to the cost. When the Budget Committee had reviewed all the various items, they had recommended \$110,000 be the figure coming from Unassigned Funds as opposed to \$138,450.

Cathy Orlowicz, Birch Hill Road was recognized and asked if someone could tell her what the pictures would look like if one of the articles passed and one of them fail? As an example, Article 8 fails and Article 9 passes? This does say it is dependent on both articles passing.

Mr. DeCoff says that 10 cannot exist unless both Article 8 and Article 9 Pass. It would stay Article 8 and Article 9. Ms. Orlowicz then says that if that is the case and Article 8 fails, then they no longer have a Solid Waste Reserve Fund. So that if Article 9 passes to dissolve... she rephrases to ask if they dissolve the Highway Equipment Capital Reserve, now the town does not have a Capital Reserve for Highway Equipment, right? The Moderator clarifies that the three articles all must pass together in order for this to work, and although they have not yet reached Articles 11 and 12, they will be the backstop to get the funding. So if any of the three don't pass, they will still have the funds to put the money in them separately. That is the concern a lot of people have had. The Moderator asks Mr. DeCoff to confirm that, and he doesn't believe that would be the case.

Mr. Drummy is recognized and asks if there was a way to modify 8, 9, and 10 and merge them into one article. The Moderator states that you cannot remove any articles; they have to go forward either with amendments or as-is. Legal Counsel confirms that all three need to go forward.

Janis Anthes, 103 Meaderboro Road is recognized and has a question about the \$138,450 and how it was settled on. She stated that the Select Board had spoken to both departments, but it is a rather large sum. Mr. DeCoff said they also considered what the CIP had recommended and factored in the costs of the years going forward for equipment needing to be replaced.

Mr. Bickford is recognized and as a follow-up to Ms. Anthes' question, he asked if he could get a list of items the money is going to be used for. Mr. DeCoff doesn't have a list, and Mr. Bickford responded he is concerned that just about anything could be purchased. Ms. Jarvis then says that the CIP report states what they are looking at for the Highway Equipment (a 20-ton trailer) and the Solid Waste is still looking to purchase a drive-on scale. She said there is an extensive spreadsheet at the back of the CIP report of items they have identified that the town owns, which department they belong to, the replacement costs, and anticipated replacement year.

Ms. Jarvis then makes a motion to Amend Article 10 to decrease \$138,450 from taxation to \$110,000. Mr. DeCoff seconds. Town Counsel notes that the tax rate will change and appropriation amount would decrease from \$315,266 to \$286,816. The Moderator explains that the new actual Tax Rate Impact amount will not be available tonight but will show up on the updated Voter Guide and on the Town Ballot.

Amendment #1 to Article 10 reads:

To see if the town will vote to establish a Public Works Capital Reserve Fund with the Board of Selectmen as designated agents to expend, for the purpose of purchasing equipment for the Department of Public Works and to raise and appropriate the sum of \$286,816 to be deposited in this account, with



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\$110,000 to come from taxation and \$176,816 represents the amount of funds in the Solid Waste Equipment Capital Reserve Fund and the Highway Equipment Capital Reserve Fun, discontinued above. The Selectmen recommend this article. This article is contingent upon Article 8 and 9 passing.

Mr. DeCoff seconds. Mr. Bickford is recognized to asks for an explanation of the change. Chair Jarvis explained they looked at the accounts, which would be sufficient for this year, especially considering that the Transfer Station Equipment account currently has over \$71,000 and they are planning to spend a total of \$146,000 in the next 10 years. This would take a bit more off this year's tax rate.

Ellen Phillips (Main Street) is recognized and comments that as a member of the CIP (Capital Improvement Committee), they spent weeks looking at what the town needs for future commitments for roads, the highway department, whatever. "We found we have been falling further and further behind and we are coming to the point where we will not be able to do something that is absolutely needed." Although she originally voted against lowering the amount, she will support it now but encourages people to really pay attention to the Capital Improvement Plan Committee and why they vote for certain amounts and for what.

Gregory Anthes, 103 Meaderboro Road, is recognized and comments that when he was a selectman there was a lot of discussion of a scale, but he spent a lot of time researching it and found it was not practical for this town. He is concerned that there may be money buried in these figures for a scale, which would be bad for the town since there are so many other equipment needs for the Highway Department and Solid Waste. Others have commented about commingling the money and taking away the choice of the public for individual items. There was a vote years ago and the town turned it down. Mr. Anthes says he wants the town to know if that purchase is going to come back and be done now. Mr. DeCoff said he has no plans for a scale for Solid Waste but has no idea if other board or committee members do.

Mr. Bickford stated there is a scale in the document, and Ms. Jarvis read it off. He states that the CIP will look at that paperwork and see that there is a scale wanted and figure out how much money. The town voted it down back in 2011. Numerous boards have come forward to say they are going to get it anyway. By putting money into a pool, they can purchase whatever they want. Mr. Anthes says it should be voted on separately and this Article should not be approved. There have been different numbers going back and forth, depending on who is a selectman, things the voters don't want may be bought.

Mark McFadden, 181 Merrymeeting Road is recognized and asked for a clarification on the Budget Committee not recommending this Article by a 0-6-1 vote, is that going to be amended on the final or are we still discussing the amendment? Ms. Jarvis responds that after the deliberative Session ends, the Budget Committee will come out of recess and review the revised amounts. If they agree with them the votes will be changed at that time under the amended amount.

Pat Grant, 3 St. Moritz Road in Copple Crown, is recognized and say she understands about concern over the equipment, but if you don't want these things to happen, people need to go to Selectmen's meetings to let them know. If she had a concern, she would go to the meeting to point it out and make sure they know how the taxes are impacting everyone. Mr. Bickford says he has been going to the meetings for years and hopes others will join in. Mr. Fanjoy says he understands people's concerns about the scale, but they need to compare themselves with other towns that do have them and the potential of revenue of a scale – different contracts can load in different places, there could be fees assessed, and people from other towns come in to dump and there are arbitrary and potentially low fees assessed. It will be standardized to paying a set amount per a given weight. Mr Fanjoy says it may be something the town may want to look into again because it is could be a chance for revenue.

Ellen Phillips comments that the CIP had looked into this and thought they were losing a lot of revenue because they do not have a scale. Perhaps the town may want to revisit this because the town has



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changed a lot over the years, especially with all the building and renovation going on and increase in demolition.

Mr. Anthes comments that he had studied this and that most contractors use dumpsters and not local dumps with that large an amount of debris. For a town this size to spend over \$100,000 and maintain it and hire another employee to run it, they will not recoup the costs. Maintenance costs are high and frequent, he did the numbers, and money isn't there for a town our size. It should be better spent on other equipment the Road Agent needs. Mr. Bickford supports Mr. Anthes's comments about only small-time people using it vs the high price of the scale. Mr. Bickford reiterates his concerns that they will not have debates like this over purchases once these wider funds are in place for the Selectmen to use.

With no further public comments or questions on Amendment #1 to Article 10 as previously read, the Moderation requested a vote which passed by a majority of voter cards. Mark DeCoff then made a Motion to Restrict from Reconsideration, which was seconded by Mr. Fanjoy. Motion passed with a majority of voter's card

#### **Article 11      Appropriate to Highway Equipment CRF**

Should Articles 08,09, and 10 not pass, to see if the Town will vote to raise and appropriate the sum of \$50,000 to be placed in previously established Highway Equipment Capital Reserves Funds established on March 15, 2006, Article #12: with said funds to come from taxation.

Estimated 2023 Tax Rate Impact: \$ .08 cents per \$1,000 assessed valuation.

The Board of Selectmen recommends this article by a 3 to 0 vote.

The Budget Committee recommends this article by a 6 to 0 to 1 vote.

Mark DeCoff was recognized to speak to this Article. Mr. DeCoff stated this is to add funds to the Highway CRF for future equipment and none of the figures which changed on earlier articles will impact the numbers appearing in this article. Article 12 may be impacted.

Cathy Orlowicz is recognized and requests further clarification on the wording of the article stating that "should articles 8, 9, AND 10 (emphasis from Ms. Orlowicz) not pass", it's not an "or" statement and it seems to her that they all have to not pass and wants to know if that is a proper interpretation. Mr. DeCoff agrees that is how it reads. After more discussion, Ms Orlowicz asks if this can be amended to an "and/or" situation, which Town Counsel opposed because of the meaning. Mr. Mitchell is concerned that people who have not attended this meeting will not understand the complications. Ron Uyeno confirms that all three of the articles 8, 9, and 10 must pass. Kelly Bisson then requests that the Voter Guide be updated to make sure all this discussion is contained for all voters to understand these circumstances. Alicia Housel, speaking as the Town Clerk, informs those present that the Town Report which will be issued a week before the Town Election will contain the meeting minutes from this Deliberative Session, so hopefully everyone will see these discussions that are taking place.

Jeff Allard then comes up and states Articles 8, 9, and 10 are worded properly because they clearly read that "if any one of those three articles fail to pass, all three fail to take effect." Mr. Allard does believe they should amend Article 11, because that is confusing, and Ms. Orlowicz was correct that the "and" statement does not read as intended. Mr. Allard says it should be amended tonight to read "Article 8 or 9 or 10". Ms. Orlowicz says she agrees that would clear up the issue and meaning. Mr. Bickford said he would like an opinion from Counsel on the proposed Amendment.

Mr. Allard then makes a motion that Article 11 as amended should read: "Should Articles 8 or 9 or 10 not pass, to see if the Town will vote to raise and appropriate the sum of \$50,000 to be placed in previously established Highway Equipment Capital Reserves Funds established on March 15, 2006, Article #12, with



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said funds to come from taxation. Cathy Orlowicz seconded. With no further discussion, the Amendment passed with a majority of voter's cards.

Mr. Drummey made a Motion to Restrict from Reconsideration, which was seconded by Mr DeCoff. Motion passed with a majority of voter's cards.

#### **Article 12 Appropriate to SWR Equipment CRF**

Should Articles 08,09, and 10 not pass, to see if the Town will vote to raise and appropriate the sum of \$88,450 to be placed in previously established Solid Waste Equipment Capital Reserve Funds established on March 10, 2010, Article #14 with said funds to come from taxation.

Estimated 2023 Tax Rate Impact: \$ .14 cents per \$1,000 assessed valuation. The Board of Selectmen recommends this article by a 3 to 0 vote.

The Budget Committee does not recommend this article by a 0 to 6 to 1 vote.

Terry Jarvis made a motion to Amend Article 12 to say "Should Articles 8 or 9 or 10 not pass, to see if the Town will vote to raise and appropriate the sum of \$60,000 to be placed in previously established Solid Waste Equipment Capital Reserve Funds established on March 10, 2010, Article #14, with said funds to come from taxation." Mr. DeCoff seconds, and Ms. Jarvis explains according to the CIP Report, the fund currently has \$71,510 and by adding \$88,450 it gives it a total of \$159,960. According to the report, over the next 10 years it is anticipated to need only \$146,160 and there is no need for any extra right away. The Budget Committee felt that \$60,000 was more in line for what might be needed in the immediate future. Mr. Anthes asks if there is money for the scale included in these funds for the scale rather than other needed equipment in the next 10 years. Ms. Jarvis said that would be up to the Board of Selectmen in how this Capital Reserve Funding is spent, and she anticipates they would want recommendations from the DPW heads, the Board would discuss it and make a decision. Mr. Anthes wants to specify no funds can be used for the scale, and Mr. DeCoff believes that will change the intent of the Article.

The Moderator comments this will change the tax impact rate and that will be updated in the Voter Guide and on the Ballot.

With no further discussion, the Amendment passed with a majority of voter's cards.

Mr. DeCoff made a Motion to Restrict from Reconsideration, which was seconded by Ms Orlowicz. Motion passed with a majority of voter's cards.

The Moderator recessed the meeting for a 10 minute break for everyone to go out in the snow to wake up.



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#### **Article 13 Appropriate to Highway Trucks CRF**

To see if the Town will vote to raise and appropriate the sum of \$150,000 to be placed in previously established Highway Trucks Capital Reserve Funds established on March 4, 1988, Article #9 with said funds to come from taxation.

Estimated 2023 Tax Rate Impact: \$ .25 cents per \$1,000 assessed valuation. The Board of Selectmen recommends this article by a 3 to 0 vote:

The Budget Committee recommends this article by a 5 to 1 to 1 vote

Mark DeCoff was recognized to speak to this Article. Mr. DeCoff stated this is for the Highway Department for highway trucks only to replace trucks that are going out of service. Of course the price of the vehicles keeps rising, so this is to put more in the funds for future replacement vehicles.

There were no public comments or questions. Cathy Orlowicz made a Motion to Restrict from Reconsideration, which was seconded by Ken Fanjoy. Motion passed with a majority of voter's cards.

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#### **Article 14 Appropriate to CRF**

To see if the Town will vote to raise and appropriate the sum of \$25,000 to be placed in previously established Vehicle & Equipment Maintenance Capital Reserve Funds established on March 10, 2010, Article #15 with said funds to come from taxation.

Majority Vote Required

Estimated 2013 Tax Rate Impact: \$ .04 cents per \$1,000 assessed valuation. The Board of Selectmen recommends this article by a 3 to 0 vote.

The Budget Committee does not recommend this article by a 1 to 4 to 2 vote.

Mark DeCoff was recognized to speak to this Article and said this was to have sufficient funds that if there is a major breakdown there would be sufficient funds to cover the cost.

Mr. Drummy wanted to know if, since this is a Vehicle & Equipment Fund, is it restricted to Heavy equipment only, or does it apply to Solid Waste or to Parks and Recs, if they have a vehicle or anyone else in town. How widespread is this? Is this for a Police car engine? Mr. DeCoff believes it could be used for any town equipment.

Ms Jarvis states that in her experience, this has been for any large unanticipated expenses. One year it was a \$23,000 bill on a Highway truck, another year it was one of the fire trucks. Mr. Anthes noted the Budget Committee did not recommend this and asked if there was a reason. Ms. Jarvis said the Budget Committee did not recommend the article because of the amount; they recommended \$20,000. The CIP requested \$20,600 and only expected to spend \$20,600 every year for the next 10 years, so \$20,600 would be appropriate considering there is currently \$26,173 in the account. In response to Mr. Anthes inquiry on why she had not made a motion for an amendment, Ms. Jarvis stated she was giving someone else the opportunity to make the motion to reduce the appropriation. Mr. Drummey then made a Motion to Amend Article #14 to reduce the amount to \$20,000, which was seconded by Mr. Anthes.



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“To see if the Town will vote to raise and appropriate the sum of \$20,000 to be placed in previously established Vehicle & Equipment Maintenance Capital Reserve Funds established on March 10, 2010, Article #15, with said funds to come from taxation.” This was seconded by Mr. DeCoff.

Voters were informed there would be an adjustment in the tax rate valuation, which would be seen in the Voter Guide and on the Ballot. With no further discussion, Article 14 as amended passed with a majority of voter’s cards. Ms Orłowicz made a Motion to Restrict from Reconsideration, which was seconded by Kelly Bisson. Motion passed with a majority of voter’s cards

#### **Article 15**

##### **Water Quality- Milfoil CRF**

To see if the Town will vote to raise and appropriate the sum of \$15,000 to be placed in previously established New Durham Water Quality & Milfoil Treatment Capital Reserve Funds established on March 9, 2009, Article #7 Amended March 12, 2019, Article #11 with said funds to come from taxation.

Estimated 2023 Tax Rate Impact: \$ .02 cents per \$1,000 assessed valuation. The Board of Selectmen recommends this article by a 3 to 0 vote.  
The Budget Committee recommends this article by a 6 to 1 vote.

Mark DeCoff was recognized to speak to this Article. Mr. DeCoff stated this was the usual Milfoil treatment for the Merrymeeting Lake and River – the gem of our town. Mr. Anthes seconded.

Janis Anthes made a Motion to Restrict from Reconsideration, which was seconded by Cathy Orłowicz. Motion passed with a majority of voter’s cards.

#### **Article 16**

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##### **Discontinue CRF**

To see if the town will vote to discontinue the Solid Waste Facilities and Improvement Capital Reserve Funds established on March 10, 2010 Article #14. Said funds in the amount of \$30,497 and accumulated interest to date of withdrawal will be transferred to the general fund. This article is contingent upon Article 17 passing.

Estimated 2023 Tax Rate Impact: \$.0 cents per \$1,000 assessed valuation.  
The Board of Selectmen recommends this article by a 3 to 0 vote.  
The Budget Committee recommends this article by a 5 to 1 to 1 vote.

Mark DeCoff was recognized to speak to this Article and stated they are voting to discontinue this fund and the details of the action will be explained in Article #17.

Christopher Baca, Drew Road, brought up the issue of CRFs and accumulated interest and commented that “we are not making any interest.” He wanted to know why we are not looking for ways to change that and who is establishing the CRFs. Ms. Jarvis stated that the Trustees of the Trust Fund make the decisions on where the money is invested, and they are completely separate from the Budget Committee. There are statutes which dictate what can and cannot be done with Trust Funds money. Mr. Bickford lets Mr. Baca know that with interest rates finally rising, he may want to contact Mr. Allen from the Trustees of the Trust Fund, who is here tonight, and has been on the Trustees of the Trust Funds for many years and has been looking into this.



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Mark DeCoff made a Motion to Restrict from Reconsideration, which was seconded by Kelly Bisson. Motion passed with a majority of voter's cards.

#### **Article 17**

##### **Establish CRF**

To see if the town will vote to establish a Public Works Facilities and Improvements Capital Reserve Fund with the Board of Selectmen as designated agents to expend, for the purpose of Facility and Improvements for the Department of Public Works and to raise and appropriate the sum of \$100,497 to be deposited in this account, with \$70,000 to come from taxation and \$30,497 to come from unassigned fund balance as of December 31, 2022. (This \$30,497 represents the amount of funds in the Solid Waste Facilities and Improvement Capital Reserve Fund, discontinued above.) The Selectmen recommend this article. This article is contingent upon Article 16 passing.

Estimated 2023 Tax Rate Impact: \$.11 cents per \$1,000 assessed valuation.

The Board of Selectmen recommends this article by a 3 to 0 vote.

The Budget Committee recommends this article by a 4 to 2 to 1 vote.

Mark DeCoff was recognized to speak to this Article and stated they are complying with the 2016 vote to have the Highway and Solid Waste be combined under the title of the Department of Public Works. Aside from transferring the funds from CRF discontinued in Article 16, there is also an appropriation the sum of funds needed for improvements down there.

Janis Anthes questioned the \$70,000 amount. Mr. DeCoff said this was based on the CIP figures and an adjustment they made in relation to its impact on this year's tax rate impact. Ms. Anthes questioned if this was due to the size of the building, and Mr. DeCoff said the building will actually need to be expanded for winter equipment storage. Currently there is equipment outside in the winter that needs to be heated in order to start and by storing them inside, those energy costs will be mitigated. Ms Anthes also brought up the hole in the building's current roof, and Mr. DeCoff said that was also an issue that needed to be fixed.

Mark DeCoff made a Motion to Restrict from Reconsideration, which was seconded by Ken Fanjoy.

Motion passed with a majority of voter's cards.

#### **Article 18**

##### **Appropriate to CRF**

Should Articles 16 and 17 not pass, to see if the Town will vote to raise and appropriate the sum \$70,000 to be placed in previously established Solid Waste Facilities and Improvement Capital Reserve Funds established on March 10, 2010 Article #14 with said funds to come from taxation

Estimated 2023 Tax Rate Impact: \$ .11 cents per \$1,000 assessed valuation.

The Board of Selectmen recommends this article by a 3 to 0 vote.

The Budget Committee does not recommend this article by a 2 to 3 to 2 vote.



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Mark DeCoff was recognized to speak to this Article and made a motion to Amend that the article should state: "Should Articles 16 or 17 not pass" and is seconded by Terry Jarvis. Janis Anthes then asks for clarification if this is \$70,000 only for Solid Waste Facilities, and Mr. DeCoff says it is, but the other articles don't pass. Ms. Anthes says they already have \$30,497, and CIP actually identified \$100,000 worth of facilities work needing to be done at the Solid Waste Station. Nicole Zoltko, Town Administrator, read figures from the "CIP Report, page 12, Solid Waste Facilities Improvement CRF, anticipated balance as of August 31, 2022 is \$30,497. Requested is \$350,000 for five years, which would equal \$70,000. Recommended is \$70,000. Account to be spent between 2022 and 2031 is \$350,000. Rationale: There are no plans for any changes to the Solid Waste Facility in the coming years. The current balance should handle the maintenance items, however the Highway garage is in need of two additional bays for truck storage and repair work while there is no CRF to fund this, therefore the ACIP recommends that the CRF be renamed the Public Works Facilities CRF and the CRF include both the Highway Garage and the Solid Waste Facility. The ACIP also recommends that \$350,000 be added to the fund over the next five years to pay for this expansion." Mr. DeCoff said Ms Zoltko's information was sufficient clarification.

Scott Drummey said that as the author of the CIP report, he agrees with what was said, but the problem is that the \$70,000 is Solid Waste money, and you can't put two new bays in that Highway Department and you can't fix the salt shed. So the money's just going to sit there, unspent. I recommend you zero that out. My motion is to remove the \$70,000.

Since the "or" amendment was still under consideration, the Moderator requested a vote on that amendment before considering a second. The vote to change the phrase on Article #18 from "16 and 17" to "16 or 17" passed with a majority of voter cards.

Mr. Drummey made a new amendment to change the Article #18 to read "Should Articles 16 or 17 not pass, to see if the town will vote to raise and appropriate the sum of \$0 to be placed in previously established Solid Waste Facilities and Improvement Capital Reserve Funds established on March 10, 2020, Article #14, with said funds to come from taxation?" Janis Anthes seconded. Mr. Drummey then wanted to know why the Budget Committee had not recommended the original Article #18, and Ms Jarvis stated they did not agree with the amount of money specified. They had agreed on \$60,00, but the recent information meant that if Mr. Drummey had not made the motion to zero out the amount, she would have made it \$1.

The motion on Article 18 with the amendment to reflect the phrase "16 or 17" and the modify it to a "sum of \$0" passed with a majority of voter cards.

Mark DeCoff made a Motion to Restrict from Reconsideration, which was seconded by Janis Anthes. Motion passed with a majority of voter's cards.

#### **Article 19 Appropriate to CRF**

To see if the Town will vote to raise and appropriate the sum of \$39,000 to be placed in previously established Police Cruiser Capital Reserve Funds established on March 15, 2000, Article #7 with said funds to come from taxation.

Majority Vote Required

Estimated 2023 Tax Rate Impact: \$ .06 cents per \$1,000 assessed valuation. The Board of Selectmen recommends this article by a 3 to 0 vote.

The Budget Committee does not recommend this article by a 0 to 3 to 4 vote.

Mr. DeCoff proposed an amendment: "To see if the Town will vote to raise and appropriate the sum of \$28,000 to be placed in previously established Police Cruiser Capital Reserve Funds established on March 15, 2000, Article #7, with said funds to come from taxation." His reasons for the amendment is that



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the amount request by the Police Chief was originally \$35,000, but that when he spoke with the Budget committee at a later time, he requested only \$28,000. Ms. Jarvis seconded the motion. Ellen Phillips commented that the Chief came to speak with the Budget Committee after the Board of Selectmen, so it was after this Article had already been drafted. This was not a vote against any funds for the CRF, but was against the amount in the Article.

The Amendment to Article #19 to change the sum from \$39,000 to \$28,000 passed by a majority of voter cards.

Cathy Orlowicz made a Motion to Restrict from Reconsideration, which was seconded by Mark DeCoff. Motion passed with a majority of voter's cards.

#### **Article 20     Appropriate to CRF**

To see if the Town will vote to raise and appropriate the sum of \$5,000 to be placed in previously established Smith Ballfield & Equipment Capital Reserve Funds established on March 13, 2000, Article #9 with said funds to come from taxation. .

Majority Vote Required

Estimated 2023 Tax Rate Impact: \$ 0.01 per \$1,000 assessed valuation. The Board of Selectmen recommends this article by a 3 to 0 vote.

The Budget Committee recommends this article by a 6 to 1 vote.

Celeste Chasse (Parks and Recreation) spoke to the article explaining that she has been working to expand and improve the ballfield for all the townspeople. The funds would go towards the walking trail, possible tennis courts and pickle ball and hopefully a future building would be great. She hoped that with some grants and future funds they can get there over time.

Ken Fanjoy made a Motion to Restrict from Reconsideration, which was seconded by Jeff Allard. Motion passed with a majority of voter's cards.

#### **Article 21 •     Appropriate to CRF**

To see if the Town will vote to raise and appropriate the sum of \$15,000 to be placed in previously established Facilities related Capital Reserve Funds as follows with said funds to come from taxation:

Account	Established	2022
1772 Meetinghouse Restoration	March 15, 2000, Article #14	\$15,000
		Total \$15,000

Majority Vote Required

Estimated 2023 Tax Rate Impact: \$ 0.02 per \$1,000 assessed valuation. The Board of Selectmen recommends this article by a 3 to 0 vote.

The Budget Committee recommends this article by a 6 to 1 vote.

Mr. DeCoff said the Board had looked at how close the Meetinghouse has gotten to their goal to get a matching LCHIP grant, and they thought increasing the amount to \$15,000 would increase their chances of meeting the goal for matching funds.



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Cathy Orlowicz made a Motion to Restrict from Reconsideration, which was seconded by Tom Baker. Motion passed with a majority of voter's cards.

#### **Article 22 Appropriate to CRF**

To see if the Town will vote to raise and appropriate the sum of \$20,000 to be placed in previously established Fire Vehicles Capital Reserve Funds established on March 12, 2013, Article #11 Amended March 12, 2017, Article# 7 with said funds to come from taxation. The Board of Selectmen recommend this Warrant Article

Estimated 2023 Tax Rate Impact: \$.03 cents per \$1,000 assessed valuation. The Board of Selectmen recommends this' article by a 3 to 0 vote.  
The Budget Committee recommends this article by a 6 to 1 vote.

Mark DeCoff was recognized to speak to this Article with a disclaimer that he is a member of the Fire Department. The Board felt the Fire Department has enough funds and will only put \$20,000 in the fund. The equipment can last a little longer and they may be able to refurbish some of the vehicles so they won't have a big capital outlay.

Ken Fanjoy made a Motion to Restrict from Reconsideration, which was seconded by Cathy Orlowicz. Motion passed with a majority of voter's cards.

#### **Article 23 Appropriate to CRF through Fund Balance**

To see if the Town will vote to raise and appropriate the sum of \$96,000 to be placed in previously established Road Reconstruction Capital Reserve Funds established on March 10, 2010, Article #5 with said funds to come from Unassigned Fund Balance (UFB) as of December 31, 2022. The Board of Selectmen Recommend this Warrant Article.

Estimated 2023 Tax Rate Impact: \$.00 cents per \$1,000 assessed valuation. The Board of Selectmen recommends this article by a 3 to 0 vote.  
The Budget Committee recommends this article by a 5 to 2 vote

Mark DeCoff was recognized to speak to this Article saying this money for the Fund is what they received from the grant they received to do the 319 project. They just want to have the money moved back into the Road Reconstruction Fund instead of leaving it in the General Fund.

Cathy Orlowicz made a Motion to Restrict from Reconsideration, which was seconded by Mark DeCoff. Motion passed with a majority of voter's cards.



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#### **Article 24     Appropriate to CRF**

To see if the Town will vote to raise and appropriate the sum of \$15,000 to be placed in previously established Fire Department Ancillary Equipment Capital Reserve Funds established on March 10, 2015, Article #15 with said funds to come from taxation. The Board of Selectmen recommend this Warrant Article.

Majority Vote Required

Estimated 2023 Tax Rate Impact: \$.02 cents per \$1,000 assessed valuation. The Board of Selectmen recommends this article by a 3 to 0 vote.

The Budget Committee does not recommend this article by a 1 to 5 to 1 vote.

Mr. DeCoff was recognized to speak and stated they added the sum of \$15,000 to the Fire Department to buy any necessary equipment they might need added to the Capital Equipment.

Mr. Drummy asks why the Budget Committee did not recommend this article with a vote of 1 to 5. Ms. Jarvis stated that this was a restricted account which already had almost \$42,000 in it and their next big expense isn't until 2028, which is \$160,000 for air packs and the Chief had been able to get a lend-lease so the town did not have to pay out all the money. Ms Jarvis said it all comes back to what we need to expend and what it will do to the tax rate, so they suggested only \$10,000.

Cathy Orlowicz made a Motion to Restrict from Reconsideration, which was seconded by Mark DeCoff. Motion passed with a majority of voter's cards.

#### **Article 25     Appropriate to ETF**

To see if the Town will vote to raise and appropriate the sum of \$10,000 to be placed in previously established Accrued Benefits Liability Expendable Trust Funds established on March 13, 1996, Article #16 with said funds to come from taxation. The Board of Selectmen recommend this Warrant Article.

Majority Vote Required

Estimated 2023 Tax Rate Impact: \$.02 cents per \$1,000 assessed valuation. The Board of Selectmen recommends this article by a 3 to 0 vote.

The Budget Committee recommends this article by a 7 to 0 vote

Mr. DeCoff was recognized to speak and stated that this fund is used for when an employee leaves or retires and the Town needs to pay out their accrued days off, so they want the funds available in case for future retirements.

Mark DeCoff made a Motion to Restrict from Reconsideration, which was seconded by Ms. Jarvis. Motion passed with a majority of voter's cards.

#### **Article 26     Appropriate to ETF**

To see if the Town will vote to raise and appropriate the sum of \$50,000 to be placed in previously



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established Computer Systems & Office Equipment Expendable Trust Funds established on March 13, 1996, Article #11 revised on March 9, 2011, Article 26 with said funds to come from taxation. The Board of Selectmen recommend this Warrant Article.

Majority Vote Required

Estimated 2023 Tax Rate Impact: \$.08 cents per \$1,000 assessed valuation.

The Board of Selectmen recommends this article by a 3 to 0 vote.

The Budget Committee does not recommend this article by a 1 to 6 vote.

Mr. DeCoff was recognized to speak and read from the Voter Guide that “these funds are needed from part of a significant multi-year software upgrade implementation including tax collection, Town Clerk, Motor Vehicle, Payroll Services followed by the Assessing Department and Building/Code Enforcement with the third phase of an upgrade to Finance Department. Some of these upgrades are vital due to state requirements while other are needed to improve internal and external customer service.”

David Bickford wanted to amend the amount to \$25,000, seconded by Terry Jarvis. Ms. Jarvis said they put that amount because they were waiting for additional information. Since this appears to be an annual expense, Ms Jarvis questions if this should be an Operational Expense going forward as opposed to a Capital Reserve.

Jeff Allard has a question for the selectmen as to what it will actually take to implement the computer system. Was \$50,000 going to implement it, or would it be five years away? Mr DeCoff believes the entire system is \$150,000, so it's a 3-year upgrade and explained that the \$50,000 gets the upgrade started, then you add \$50,000 for the next segment and the third year will be the final installment to get the Finance piece. Cutting the funding would push out the implementation. Mr. Allard said he would encourage voters to defeat that amendment, because if the Land Use department is any gauge of what other departments are facing, it is a very severe problem. Files are everywhere, conditions are put on permits and those need to be tracked by the building inspector, and dozens of those are completely lost. People don't turn in required log books, and we need a computer system to track those. He feels very strongly that this is a critical need and not the place to scrimp on funding so it should get done. Janis Anthes agreed with Mr Allard to vote no because there was an issue with an upgrade where Finance lost a half a year of records and had to manually reconstruct them for the auditors and CPA. Alicia had noted to her that the systems are not integrated, so getting registrations done means they are on the phone waiting for someone to answer while a resident is standing there waiting as well. We have been delaying for years and it's time to get them up to date.

Patricia Grant stated that she is a Supervisor of the Checklist and has been one for 13 years. She stated it is very time-consuming to get the computers to work and hers is a state-mandated job that they must do. She has to go to a number of people to get their systems working. It is desperately needed.

David Bickford commented that throwing more money at something doesn't necessarily make it better, although one would hope so. His point is that half a loaf is sometimes better than one. Right now the article does not have the support of the Budget Committee, and that was the point of making an amendment – to get half a loaf, which would probably be approved by the budget committee and get the article on the warrant.

Mark DeCoff, speaking as a resident, asked if they will not be listening to the townspeople who say that it is necessary and will just go along with the amended amount? Mr DeCoff clarified that this is possibly not a done deal and that after discussions, the Budget Committee could possibly change it to recommend the article after they reconvene after the Deliberative Session? Mr. Bickford said it is a possibility, if the Budget Committee thinks the information is convincing. Maureen Knepp, Kings Highway, stated she will



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be wearing two hats – one as a Supervisor of the Checklist. Ms. Knepp stressed they need the new computers and agrees with the Land Use. She is starting the Septic Survey, agrees that the files are a mess, and she encourages everyone to vote this amendment down.

Mr. McFadden, 181 Merrymeeting Road agreed with Ms. Knepp that we need to move into the 21st Century when we are now in 2023. Nicole Zoltko had laid out a very good plan for setting up the system and doing beta-testing over the next year. Certain pieces could be implemented, but they need the money to do that. The more you invest now, the more you are ahead of the game and you're not lagging. Right now Customer Service is #1 and people are impatient. The computer system is vital in every town. Sometimes towns don't want to invest in technology, but unfortunately that's society. We're looking at generations to come that only know technology. You run the chance of them getting impatient with delays and just moving forward and you are risking having more problems by pushing this down the road. Mr. Bickford adds that they already have \$18,000 in the account, so \$25,000 added onto that is a substantial start. If it was \$50,000 you would have \$68,000 so it's not like the issue is being ignored. Mr. McFadden reiterated that it's not the fact that we have the money here now and waiting, it's getting it implemented. There will be times for necessary testing and transitions and conversions that have to take place, and those all cost money. Any delay may mean that the cost could go up; as technology changes, so do the prices. So \$18,000 in the bank now is great, but if your car is going to cost you \$50,000 next year it's not going to cut it if you are still going to need an additional \$50,000. Mr. McFadden said he would rather be a little less conservative at this point on technology in this town's pivotal area only because the residents here are changing. Technology is going to be a leader in moving this town forward, and this is a cost we need to look at.

The Moderator reminded voters that the amendment was to change the Article amount from \$50,000 to \$25,000. The Amendment fails with the majority of the voter cards against it.

Mark DeCoff made a Motion to Restrict from Reconsideration, which was seconded by Cathy Orlowicz. Motion passed with a majority of voter's cards.

#### **Article 27      Change of ETF Purpose**

To see if the town will vote (i) to change the purpose of the Computer Systems and Office Equipment Expendable Trust Fund to additionally include the purchase of Town Software, Office Equipment, and Technology Maintenance and Improvements.  
2/3 Vote Required

Estimated 2023 Tax Rate Impact: \$.00 cents per \$1,000 assessed valuation. The Soard of Selectmen recommends this article by a 3 to 0 vote

Mr. DeCoff speaks to the article mentioning it was one of the items former Selectman Rosiello brought up – to have the ETF also include Town software and Equipment and technology and maintenance, which is why they wanted to change the purpose of the ETF.



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Scott Drummy wanted to know if this fails, can this software improvement go forward? Does the current computer upgrade include software improvements? And all the testing and integration that needs to happen? Mr. DeCoff stated the Select Board can choose the expenditures on that, plus software is part of the computer system. But he also wanted to make sure it was software, office equipment and technology maintenance and improvements. Mr. Drummy wanted to know what is not included – a server rack, a fan, or an air conditioner for the server room? Mr. DeCoff stated that software maintenance contracts are being taken out of the General Fund right now. Ms. Jarvis stated that this particular ETF has been open to interpretation depending on who is on the Trustee of the Trust Funds at the time. When office equipment was added in years ago, the intent was for it to be all-encompassing. They could buy new computers, software, an adding machine. The intent has changed over the years and what was originally intended for a broad interpretation has been narrowed down considerably with the latest Trustees. Ms Jarvis states it is very necessary for this to pass.

Mark DeCoff made a Motion to Restrict from Reconsideration, which was seconded by terry Jarvis. Motion passed with a majority of voter's cards.

#### **Article 28      Discontinue ETF**

To see if the town will vote to discontinue the Forest Fire Control Expendable Trust Fund. Said funds in the amount of \$22,382 and accumulated interest to date of withdrawal will be transferred to the general fund. This article is contingent upon Articles 29 and 30 passing.  
Majority Vote Required

Estimated 2023 Tax Rate Impact: \$.00 cents per \$1,000 assessed valuation. The Board of Selectmen recommends this article by a 3 to 0 vote.  
The Budget Committee recommends this article by a 5 to 0 to 2 vote.

Mr. DeCoff speaks to the article stating both the Fire Chief and Deputy Fire Chief recommended this ETF should be discontinued and it can be added into a new ETF established to include Emergency Management and Forest Fire Fund, with the funds being combined into one.

Mark DeCoff made a Motion to Restrict from Reconsideration, which was seconded by Jeff Allard. Motion passed with a majority of voter's cards

#### **Article 29      Discontinue ETF**

To see if the town will vote to discontinue the Emergency Management Expendable Trust Fund. Said funds in the amount of \$6,768 and accumulated interest to date of withdrawal will be transferred to the general fund. This article is contingent upon Article 28 and 30 passing.

Estimated 2023 Tax Rate Impact: \$.00 cents per \$1,000 assessed valuation.  
The Board of Selectmen recommends this article by a 3 to 0 vote. The Budget Committee recommends this article by a 5 to 0 to 2 vote

Mr. DeCoff spoke to the article stating the Fire Chief recommended that we discontinue this fund so we can combine it into the Emergency Management and Forest Fire Fund.



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Mark DeCoff made a Motion to Restrict from Reconsideration, which was seconded by Kelly Bisson. Motion passed with a majority of voter's cards

#### **Article 30**

##### **Establish ETF**

To see if the town will vote to establish an Emergency Management and Forest Fire Fund with the Board of Selectmen as agents to expend, for the purpose of Emergency Management and Forest Fire and to raise and appropriate the sum of \$29,150 to be deposited in this account, with \$29,150 to come from unassigned fund balance as of December 31, 2022. This \$29,150 represents the amount of funds in the Forest Fire Control Expendable Trust Fund and the Emergency Management Expendable Trust Fund, discontinued above. The Board of Selectmen recommend this Warrant Article. This article is contingent upon Articles 28 and 29 passing.

Estimated 2023 Tax Rate Impact: \$.00 cents per \$1,000 assessed valuation.  
The Board of Selectmen recommends this article by a 3 to 0 vote.  
The Budget Committee recommends this article by a 6 to 1 vote.

Mr. DeCoff spoke to the article stating this tracks with the other two articles where the Fire Chief recommended, and Deputy Fire Chief, who is also the Deputy Fire Warden, recommended we make this one Emergency Management and Forest Fire Fund.

Ken Fanjoy made a Motion to Restrict from Reconsideration, which was seconded by Janis Anthes. Motion passed with a majority of voter's cards.

#### **Article 31     Appropriate to ETF**

To see if the Town will vote to raise and appropriate the sum of \$42,600 to be placed in previously established Records Management Expendable Trust Funds established on March 23, 1999, Article #23 with said funds to come from taxation.

##### **Majority Vote Required**

Estimated 2023 Tax Rate Impact: \$ 0.07 per \$1,000 assessed valuation. The Board of Selectmen recommends this article by a 3 to 0 vote.

The Budget Committee does not recommend this article by a 0 to 7 vote.

Mr. DeCoff spoke to the article stating this \$42,600 would aid in long-term and secure and fire proof storage for short and long-term Town records. Current storage resources are not flood-proof or fireproof and many records could be moved to a paperless system for easier access by the Town's residents.

Jeff Allard asked if this is redundant with the \$50,000 we just put into software? Mr. DeCoff said they need the money to perform the paperless transition. Nicole Zoltko stated this is not just for scanning records into digital databases, because unfortunately some records are permanent records and the original hardcopies have to be kept forever. Those records are not protected. There are currently some funds for office supplies, but the larger expenditures of floodproof and fireproof file cabinets could cost from \$4,000 to \$10,000. There could be other future options, but for now this is just another aspect of an



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extensive current records management problem. This is not speaking to the personnel, but rather to the structure of what we need. Mr. Allard raised his second issue, which was to ask why the Budget Committee did not recommend this article by a unanimous vote. Terry Jarvis stated when they originally discussed all the Capital Reserves and Trust funds back in December, they had unanimously recommended a sum of \$20,000. The committee did request some additional information, but when it came time for the hearing to vote on the warrant, we had not received any of that additional information. We did not agree with the sum the Board of Selectmen was requesting.

Mr. McFadden questioned if there were any penalties that may be charged if any vital documents are lost? Are state regulations at play here, and would we be accountable as a Town, be it an insurance issue or someone coming up with money for penalties and fines for losing documents that may be non-virtual? Pat Grant, Supervisor of the Checklist, stated they had records which have to be kept safe forever. Voting stuff is different, but all registrations we have, have to be kept on our records, and they are up in that scary attic. It is really important to have that protection

Mark DeCoff made a Motion to Restrict from Reconsideration, which was seconded by Cathy Orłowicz. Motion passed with a majority of voter's cards

## Article 32 Appropriate to ETF

To see if the Town will vote to raise and appropriate the sum of \$20,000 to be placed in previously established Expendable Trust Funds as follows with said funds to come from taxation:

Account	Established	2023
Town Buildings & Improvements	March 15, 2000, Article #15	\$20,000
		Total \$20,000

Majority Vote Required

Estimated 2023 Tax Rate Impact: \$ 0.03 per \$1,000 assessed valuation. The Board of Selectmen recommends this article by a 3 to 0 vote.

The Budget Committee does not recommend this article by a 0 to 7 vote.

Mark DeCoff spoke to the article stating they are to maintain town buildings and improvements. They did keep the amount low due to this year's tax rate, but they have already spent \$15,000 this year to upgrade the town's water system because the toilets and everything were shut down, which is not good for the town employees.

Mr. Drummy asked why the Budget Committee did not recommend the article. Chair Jarvis said this was a very much discussed article in December. There were multiple motions discussed, but there is currently \$118,000-plus in the account and according to CIP Report, over the next 10 years they are only going to spend \$142,000, so shortfalls could be made up next year. Unfortunately, Ms. Jarvis said she has been getting the real figures on painting, like at the library, which are significantly higher than those estimated. Nicole Zoltko, Town Administrator, provided some figures such as "two bids for the roof of the library, which came in between \$34,000 and \$36,000 for this year. The water was unanticipated and shut down the Town Hall, if anyone was unfortunately inconvenienced by that and was approximately \$15,000 for this year. They are still planning for painting of the both the Library and Town Hall for every 5-7 years, and some of the clapboards for the Town Hall will need to be replaced. The figures they were utilizing for the cost of painting are somewhere between \$50,000 and \$72,000." Ms. Jarvis added to her comments that she voted no because she wanted more money. Others wanted less money. This is one of those cases that some of us just don't agree with what the request is. Ms. Jarvis, speaking as a resident, stated that in light of the information she is hearing about the bids, the amount is definitely needed, if not more so. The Moderator recognized Ellen Phillips next, as it was probable there would be more background



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information available to Mr. Drummy. Ms. Phillips said she would vote for this now, but she wants all the voters, Budget Committee, Select Board, and CIP to see that this fund says Town Buildings, but it only takes in the Library and the Town Hall. There are other buildings in town that should be part of this fund. Mr. Drummy wanted to know what was the CIP number in this account and Chair Jarvis stated, \$118,803. The recommended increase for this year was \$20,000, and the amount to spend from 2023 to 2032 was \$142,300. Ms. Jarvis added that if you think about it, the Highway Department is a Town building, but it's not covered. Should it be? There was some discussion as to what are and are not considered town buildings and some of these seemed to be included in prior votes, to include the Highway building needing two new bays, etc. Ms. Jarvis did not believe that when that Trust Fund was established, it restricted itself to only two buildings; she believed it was for all buildings. And because the Fire Department and the Police Department had their own public safety facilities, this was supposed to be for everybody else. Ms. Jarvis said she would have to dig back through the Town warrant articles, but she believes it was for all Town buildings. Mr. Bickford believed "they do have some facilities that they use for things down in that area, the Capital Reserve Fund as well, but we have to draw the line someplace. The school budget is planning on raising New Durham's school taxes going up \$2.05 per \$1,000, which is the highest of all the towns. When the tax bills come out, I know who they blame. They're going to blame the selectmen in this town more than anyone, and then the Budget Committee. Then there will be a knee-jerk reaction. There needs to be balance so everyone doesn't get everything they want, but maybe get most of what they want." Mr. Bickford thinks there is a pretty good sum of money in the account, so they could probably get along with it. Ms. Phillips stated that as the Chair of the Meetinghouse Committee, it is a town building and it is not included in that fund. The CIP went over the documents and it specifically states Town Hall and Library, just to be clear. Kelly Bisson then commented that to clarify that in the warrant it says it was established in 2023. Town Clerk Alicia Housel clarified that they will be in a chart form which will clear up what the numbers are.

Mark DeCoff made a Motion to Restrict from Reconsideration, which was seconded by Janis Anthes. Motion passed with a majority of voter's cards

#### **Article 33     Appropriate to ETF**

To see if the Town will vote to raise and appropriate the sum of \$5,000 to be placed in previously established Dam Maintenance Expendable Trust Funds with said funds to come from taxation. The Board of Selectmen recommends this Warrant Article.

Majority Vote Required

Estimated 2023 Tax Rate Impact: \$.01 cents per \$1,000 assessed valuation. The Board of Selectmen recommends this article by a 3 to 0 vote.

The Budget Committee does not recommend this article by a 0 to 7 vote.

Mark DeCoff motions to amend the amount to zero. Chair Jarvis seconded. Mr. DeCoff explained the Dam ETF fund has enough money to match today. The Dam ETF fund currently has \$60,674. According to the Capital Reserve Fund, the total expenditures over the next 10 years is \$50,000, which is why the Budget Committee said no.

All those in favor of Amendment #1 to Article #33 "To see if the town will vote to raise and appropriate the sum of \$0 to be placed in previously established Dam Maintenance Expendable Trust Funds with said funds to come from taxation." The Amendment passed with the majority of voter cards.

Ken Fanjoy makes a Motion to Restrict from Reconsideration, which was seconded by Mark DeCoff. Motion passed with a majority of voter's cards



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#### Article 34

##### **Establish Revolving Fund per RSA 31:95 .**

To see if the town will vote to establish a revolving fund pursuant to RSA 31:95-h for the purpose of purchasing and outfitting cruisers and employee contract buyouts (purchases) and payoffs (revenue). All revenues received from details and employee contract payoffs will be deposited into the fund, and money from the fund shall be allowed to accumulate from year to year and shall not be considered part of the town's general fund balance. The town treasurer shall have custody of all moneys in the fund and shall pay out the same only upon order of the selectmen and no further approval is required by the legislative body to expend. Such funds may be expended only for the purpose for which the fund was created

Mark DeCoff made a motion to amend wording in the Article with recommendations from Legal “(To see if the town will vote) to establish a revolving fund pursuant to RSA 31:95-H for the purpose of purchasing and outfitting police cruisers and police employee contract buyouts (purchases) and payoffs (revenue). All revenues received from details and employee contract payoffs will be deposited into the fund and will be allowed to accumulate from year to year and shall not be considered part of the town’ general fund balance. The town treasurer shall have custody of all moneys in the fund and shall pay out the same only upon order of the selectmen and no further approval is required by the legislative body to expend. Such funds may be expended only for the purpose for which the fund was created.” Terry Jarvis seconded, and the Moderator clarified this Amendment merely inserted the word police before “cruisers” and before “employee contract buyouts” in the original Article. Mr. Bickford stated the amendment is probably better than the original article because it is more restrictive. He has always been opposed to revolving accounts such as this, because it restricts your money and you cannot use it for other purposes, which he doesn’t consider smart unless it is a Capital Reserve Fund. This is dependent upon detail work, which we should not be encouraging due to the shortage of policemen. It doesn’t look good for them to be out doing private work. It cannot be used in the General Fund anymore. Ellen Phillips commented that she looked into this pretty closely and most towns around us do have revolving funds for their police departments, so that the money they do get on details because they are requested, does go into that revolving fund which helps pay for cruisers and other expenses that are like that.

The Amendment to Article #34 passed with a majority of voter cards.

Kelley Bisson made a Motion to Restrict from Reconsideration, which was seconded by Scott Drummey. Motion passed with a majority of voter’s cards

#### Article 35

##### **Optional Veterans**

Shall the Town of New Durham READOPT the OPTIONAL VETERANS' TAX CREDIT in accordance with RSA 72:28, II, for an annual tax credit on residential property of \$750? (Majority vote required)

Town Administrator, Nicole Zoltko, stated that it was approved by the Budget Committee but it was recommended to go to DRA and had been changed and approved by DRA. The Moderator withdraws her comments regarding the Budget Committee, because the text she had been working off of was from the article at the Budget Committee meeting and not the one approved by DRA. Mark DeCoff states that we do currently have that \$750 credit now, and according to DRA it must be readopted just this year (not every year as had been thought.)



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Mark DeCoff made a Motion to Restrict from Reconsideration, which was seconded by Pat Grant. Motion passed with a majority of voter's cards

#### **Article 36 All Veterans Credit**

Shall the Town of New Durham READOPT the ALL VETERANS' TAX CREDIT in accordance with RSA 72:28-b, for an annual tax credit on residential property which shall be equal the same amount as the standard or optional veterans' tax credit voted by the Town of New Durham under RSA 72:28? (Majority vote required)

Mark DeCoff stated they have to readopt this tax credit according to this RSA. The Moderator asked if he could clarify the difference between this tax credit and the previous article's tax credit. Town Clerk, Alicia Housel, stated that one tax credit only applies to veterans who served during certain wars and conflicts, and the other tax credit applies to all veterans who have served a minimum of amount of active duty. Both credits are \$750, but you cannot get both and last year it had been voted to increase it to \$750.

Scott Drummy asked if these can be amended to make more sense, because it is really confusing to a voter. Legal states that this is DRA wording, but the differences between the two can be stipulated in the Voter Guide and state that you cannot get both of them. The comment was made that most people don't read the Voter Guide.

Cathy Orlowicz says they have restricted Article 35, however, she is not sure the RSA reference 72:28-b should be there. Or should that be for Article 36? This is what DRA had sent to the town, but since it is just in the header, the 72:28-b reference should be deleted. This will not affect the Article itself.

Scott Drummy makes a Motion to Restrict from Reconsideration, which was seconded by Tom Baker. Motion passed with a majority of voter's cards.

#### **Article 37 Conduct Business**

To conduct any other business which may legally come before the Town.

The Moderator asks if there are any other matters to be brought up under Article 37, and there were none.

The Moderator had some comments for the voters before ending the Session.

"The upcoming Candidates' Night is scheduled for Wednesday evening, 22 February at 6:30PM at the Community Center and is on the Town website's Calendar. Also please take a look at open positions on the ballot. Many of our Committees and Boards are looking for "a few good people", and write-ins are encouraged on Election Day. We'd love to see some fresh faces supporting the town. I would encourage anyone to attend or watch the live streams of the various meetings to see if there is some town committee you would be interested in and contribute your unique knowledge and perspective.

In preparation for the upcoming Town Election on March 14<sup>th</sup>, the Town Clerk will have copies of the Voter Guide and sample ballots available at the Town Hall and Library. Please pick them up, understand the issues, come meet the candidates at Candidate's Night at 6:30PM on February 22<sup>nd</sup> in the Community Room, and make notes on your Sample Ballot to help you make an informed vote.

If there is nothing else, then I will close this evening's Deliberative Session, and I want to once again thank all of those present for their time and input. I hope this was helpful to those who were in attendance, either in person or who may view the recording via a link from the Town's website at a later



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date.

We look forward to seeing you all on Election Day, March 14<sup>th</sup>, here at the New Durham School from 8AM to 7PM. For anyone wishing to volunteer at the Polls, please contact the Town Clerk for information.

Mr. DeCoff and Ms. Jarvis, please go ahead with your recessed meetings, and thanks again to everyone for your attendance this evening.

Respectfully Submitted,  
Linda Callaway, Town Moderator & Alicia Housel Town Clerk