

EPSOM DELIBERATIVE SESSION
OFFICIAL MINUTES
FEBRUARY 4, 2017

The annual deliberative session was called to order at 9:00 AM on Saturday, February 4, 2017 by Assistant Moderator, Donald Keeler.

Donald Keeler read Article 1.

ARTICLE 1: Shall the Town of Epsom raise and appropriate as an operating budget, not including appropriations by special warrant articles and other appropriations voted separately, the amounts set forth on the budget posted with the warrant or as amended by vote of the first session, for the purposes set forth therein, totaling \$3,348,254? Should this article be defeated, the operating budget shall be \$3,312,186, which is the same as last year, with certain adjustments required by previous action of the Town or by law, or the governing body may hold one special meeting in accordance with RSA 40:13, X and XVI, to take up the issue of a revised operating budget only.

The operating budget is estimated to be a \$.55 decrease from the 2016 tax rate.
The default budget is estimated to be a \$.64 decrease from the 2016 tax rate.

Recommended by the Selectmen 2 – 0

Recommended by the Budget Committee 12 - 0

Eric Yeaton asked why it was 2 to 0 and not 3 to 0. Hugh Curley stated the Selectmen discussed the articles for two or three months. There were only two selectmen available on the date the actual recommendations were made.

There being no further discussion, Article 1 shall appear on the ballot as written.

Donald Keeler read Article 2.

ARTICLE 2: Shall the Town vote to establish a contingency fund for the 2017 year for unanticipated expenses that may arise and further raise and appropriate the sum of ten thousand dollars (\$10,000.00) from the Unassigned Fund Balance to go into the fund? No amount to be raised from taxation. Any appropriation left in the fund at the end of the year will lapse to the general fund. Majority vote required. This Article and its appropriation are in addition to the operating budget.

No tax impact

Recommended by the Selectmen 2 – 0

Recommended by the Budget Committee 11 - 1

Tom Langlais asked if the money raised for unanticipated expenses would go into an account to offset taxes. Hugh Curley stated that this money is currently in our reserve and could be applied to offset taxes. If this article passes it would allow the Selectmen to have the ability to tap this reserve for any unanticipated expense that is not major. If the money is not spent, it would go into the general fund to offset taxes.

Keith Cota asked what the percentage is of the balance we now have. Hugh Curley stated the Selectmen have several items they are looking at to use the unassigned fund balance. The percentage range recommended by the State is a minimum of 5% and maximum of 17%. Hugh stated Epsom has a healthy balance at 16.5%.

There being no further discussion, Article 2 shall appear on the ballot as written.

Donald Keeler read Article 3.

ARTICLE 3: Shall the Town raise and appropriate the sum of one thousand six hundred dollars (\$1,600.00) to be added to the previously established Cemetery Maintenance Expendable Trust Fund with said funds to come from the Unassigned Fund Balance as of December 31, 2016, which is equivalent to the total amount of cemetery plot sales for 2016? No amount to be raised from taxation. Majority vote required. This is a Special Warrant Article and its appropriation is in addition to the operating budget.

No tax impact.

Recommended by the Selectmen 2 – 0

Recommended by the Budget Committee 12 – 0

Keith Cota asked what is the balance now and what has it been used for. Marylou Lafleur-Keane replied that as of December 31 the balance of the Cemetery Maintenance Expendable Trust Fund was \$12,465. She stated that nothing has been expended from that fund for years. Gary Kitson stated the money is there if needed and is used for repairs, etc.

There being no further discussion, Article 3 shall appear on the ballot as written.

Donald Keeler read Article 4.

ARTICLE 4: Shall the Town raise and appropriate the sum of one hundred fifty thousand dollars (\$150,000.00) to be added to the Capital Reserve Fund previously established for the purpose of reconstruction and improvements to town roads? Majority vote required. This is a Special Warrant Article and its appropriation is in addition to the operating budget.

Estimated tax impact is \$.35

Recommended by the Selectmen 2 – 0

Recommended by the Budget Committee 12 – 0

Keith Cota asked what is the balance now and what has it been used for. Marylou Lafleur-Keane answered the balance as of December 31 was \$29,814. Gordon Ellis replied that last year the money was used for North Road. Before that it was used for New Orchard Road, Goboro Road and Mt Delight. The fund allows to Town to do a complete project instead of just piecemeal. Gordon stated \$150,000 is the same amount that has been added since before he was Road Agent.

David Goulet asked what was planned for roads this year. Gordon replied that he was not anticipating taking any money from the account this year; he was going to let it build up.

There being no further discussion, Article 4 shall appear on the ballot as written.

Donald Keeler read Article 5.

ARTICLE 5: Shall the Town raise and appropriate the sum of ten thousand dollars (\$10,000.00) to be added to the Capital Reserve Fund previously established for the purpose of purchasing motorized vehicles and equipment for the Highway Department? Majority vote required. This is a Special Warrant Article and its appropriation is in addition to the operating budget.

Estimated tax impact is \$.02

Recommended by the Selectmen 2 - 0

Recommended by the Budget Committee 12 – 0

Marylou Lafleur-Keane stated the balance as of December 31 was \$41,539.

Keith Cota asked the age of the vehicles. Gordon Ellis replied that the truck that he drives is a 2001 and has 289,000 miles on it. The backhoe is a 2007 that should be replaced in three to four years. However, he does not feel he will have enough money in the account at that time. The F550 is a 2014. Gordon believes

that to be efficient the Highway Department really needs a 6 wheeler. He does not anticipate ever seeing a new one. Gordon stated that in the future we need to replace the 2001 and buy a used 6 wheeler.

There being no further discussion, Article 5 shall appear on the ballot as written.

Donald Keeler read Article 6.

ARTICLE 6: Shall the Town raise and appropriate the sum of fifteen thousand dollars (\$15,000.00) to be added to the Capital Reserve Fund previously established for the purpose of bridge replacement and repair? Majority vote required. This is a Special Warrant Article and its appropriation is in addition to the operating budget.

Recommended by the Selectmen 2 – 0
Estimated tax impact is \$.03
Recommended by the Budget Committee 12 – 0

Marylou Lafleur-Keane stated the balance in the account is \$135,761.

There being no further discussion, Article 6 shall appear on the ballot as written.

Donald Keeler read Article 7.

ARTICLE 7: Shall the Town raise and appropriate the sum of four thousand dollars (\$4,000.00) to be used by the Northwood Lake Watershed Association to control Milfoil in Northwood Lake? Majority vote required. This appropriation is in addition to the operating budget.

Recommended by the Selectmen 2 – 0
Estimated tax impact is \$.01
Recommended by the Budget Committee 12 - 0

Keith Cota asked if we could use Northwood Beach for swimming lessons. Chris Bowes answered yes, the issue has been resolved and we can use it.

There being no further discussion, Article 7 shall appear on the ballot as written.

Donald Keeler read Article 8.

ARTICLE 8: Shall the Town raise and appropriate the sum of fifteen thousand five hundred dollars (\$15,500.00) for the purpose of replacing the boiler at the Fire Station, and authorize the withdrawal of eleven thousand dollars (\$11,000.00) from the accumulated interest in the Lillian Morrison Trust Fund – Fire for that purpose, the balance of four thousand five hundred (\$4,500.00) to be raised from taxation? Majority vote required. This is a Special Warrant Article and its appropriation is in addition to the operating budget.

Recommended by the Selectmen 2 – 0
Estimated tax impact is \$.01
Recommended by the Budget Committee 12 - 0

Chief Yeaton stated the balance of the interest is \$11,000. He stated the current fuel source is #2 heating oil and they will be switching over to propane. Bids were obtained last October. The Chief stated the current furnace is 30 years old. He could not see spending money to replace the oil tank, made more sense to replace the furnace.

There being no further discussion, Article 8 shall appear on the ballot as written.

Donald Keeler read Article 9.

ARTICLE 9: Shall the Town establish a Capital Reserve Fund for the purpose of all expenses associated with acquiring and outfitting a future Town Office, and raise and appropriate the sum of fifty thousand dollars (\$50,000.00) to be deposited into that fund, this amount to come from the Unassigned Fund Balance, and

further appoint the Selectmen as agents to expend? No amount to be raised from taxation. Majority vote required. This is a Special Warrant Article and its appropriation is in addition to the operating budget.

No tax impact.

Recommended by the Selectmen 2 – 0

Recommended by the Budget Committee 11 - 1

There being no discussion, Article 9 shall appear on the ballot as written.

Donald Keeler read Article 10.

ARTICLE 10: Shall the Town establish an Expendable Trust Fund for the purpose of maintenance, repair and rehabilitation of Town owned land and buildings, and raise and appropriate the sum of one hundred fifty thousand dollars (\$150,000.00) to be deposited into that fund, one hundred thousand dollars (\$100,000.00) to come from the Unassigned Fund Balance and fifty thousand dollars (\$50,000.00) to be raised from taxation, and further name the Selectmen as agents to expend? Majority vote required. This is a Special Warrant Article and its appropriation is in addition to the operating budget.

Estimated tax impact is \$.12

Recommended by the Selectmen 2 – 0

Recommended by the Budget Committee 10 – 2

Gordon Ellis stated the every department has a line for maintenance for their own buildings. He wondered what this money is designated for. Hugh Curley stated this would be for major projects for all Town buildings. Hugh is looking at spending some of it at the meetinghouse to get something moving there. There have had proposals to use it as a Town office building and none of them have passed. Hugh wants to get something started at the meetinghouse, get some focus of attention there and get people looking at more creative ideas on how to use it. Right now the Selectmen are under negotiation to get water onto the property. Some preliminary estimates are that electrical could cost \$15,000 to \$20,000, another \$10,000 for heating, framing materials and concrete flooring would be \$50,000. Hugh stated the money could also be used for major roof repairs on other buildings or major repairs at the park. He stated that a lot of trees came down last year and now some replanting has to be done. There is \$5,000 in the operating budget now for the replanting, but there may be an opportunity later to do something else.

Gordon Ellis asked if this article passes would Article 8 be used. Hugh answered yes.

Eric Yeaton asked if Article 8 fails and Article 10 passes would it be possible to use that money to replace the furnace.

Nancy Wheeler stated that if Article 8 is voted down, no means no and once the voters say no to replace the furnace no money could be spent to replace the furnace this year.

Keith Cota stated Article 10 states existing buildings. He also stated the way Article 10 is written would not allow us to use the money to build a new Town office or add onto an existing building for a new Town office.

Tom Langlais asked if we had an actual number in that unassigned balance fund. Hugh Curley stated the actual figure \$1,993,017.

Betsy Bosiak asked what is the actual cash value in the fund not including land and buildings that the town owns. Nancy Wheeler stated the cash value is a moving target. She stated that approximately half of the total amount is cash.

Keith Cota stated there could be a dilemma if the boiler blows up and Article 8 does not pass and Article 10 does. The Selectmen would not be able to use the money in Article 10 to replace the furnace.

Nancy Wheeler stated that the Town could appeal to the Department of Revenue and explain that the article was voted down and that the furnace has now blown up and we can't use it. Chief Yeaton stated that if the furnace blew up, he does have the funds to repair it.

Ralph Weeks stated that we own the meetinghouse and have to maintain it. We need to get some heat and paint the building before it starts to rot.

There being no further discussion, Article 10 shall appear on the ballot as written.

Donald Keeler read Article 11.

ARTICLE 11: There currently exists a Police Detail Revolving Fund established under RSA 31:95-h into which fees for Police Details are deposited and from which payroll related and administrative costs of details are paid. Are you in favor of expanding the uses for which these funds can be used to include fuel, maintenance and repairs, and purchase of police vehicles? Majority vote required.

Recommended by the Selectmen 2 – 0

Keith Cota asked what are the police detail requirements? Hugh Curley stated the money that comes in includes a modest fee for the vehicles used. The Town is not able to expend that money for purchase or partial purchase of new vehicle only for payroll related items. This article would give approval to use that money for fuel, maintenance, repair and purchase of a new vehicle.

There being no further discussion, Article 11 shall appear on the ballot as written.

Donald Keeler read Article 12.

ARTICLE 12: Shall the Town vote to allow the Board of Selectmen to dispose of tax deeded property by listing it with a real estate agent, in addition to its existing authority to sell tax deeded property at auction, by sealed bids, or as justice may require, and to remain in effect until rescinded by a vote of the Town?

Recommended by the Selectmen 2 – 0

Chris Bowes stated the Selectmen do work with one particular agent right now. She comes to us to give us a ballpark figure of the value of a property and goes out and markets it for us. Right now the Selectmen are selling deeded property by sealed bids. They are trying to put some of the tax deeded properties back on the tax rolls to generate some revenue for the Town.

Hugh Curley stated these all tax deeded properties and not property that has been given to the Town. The Selectmen think they already have the authority to use a real estate agent, but are clarifying the issue on the advice of their attorney.

There being no further discussion, Article 12 shall appear on the ballot as written.

OTHER BUSINESS: ZONING AMENDMENTS

Betsy Bosiak spoke on the Zoning Amendments. She stated that Amendments 1 and 2 are due to legislative changes by the State. Amendment 4, the Sign Ordinance, has to be changed because of a Supreme Court ruling. Amendment 3 is being done to update part of our Growth Ordinance.

Keith Cota asked if the Town would be in violation if we do not approve Amendment 1. Glenn Horner replied that yes if we don't pass this, we will be in violation of the law.

Don Bartlett asked what is the change in the Sign Ordinance. Betsy Bosiak replied the change has to do with temporary signs. The Town originally limited temporary signs to 30 days and then a permit would be required for an additional 30 days. Hugh Curley stated the major point of the Supreme Court ruling was about the content. Towns can't allow certain signs and not others, everyone has to be treated the same, cannot discriminate on the basis of content.

There being no further discussion, the meeting was adjourned at 10:31 AM.

Respectfully submitted,

Dawn Blackwell

EPSOM TOWN MEETING
EPSOM SCHOOL DISTRICT MEETING MODERATORS'
RULES OF PROCEDURE

Unless changed by the voters at the Meetings, the Town and School Moderator(s) will use the following Rules of Procedure to conduct the respective Meetings:

1. The Moderator will not follow Robert's Rules. The Moderator will use the following general rules of procedure, whose main purpose is to keep the meeting moving, and not get bogged down in procedural quagmires.
2. By majority vote, the voters can overrule any decision that the Moderator makes and any rule that the Moderator establishes. A voter can raise such a request by Point of Order.
3. The Moderator will take Articles in the order that they appear on Warrant unless the Moderator announces the intent to take Articles out of order.
4. The Moderator will consider each Article, as follows:
 - a. The Moderator will announce the Article number and read the text of the Article or otherwise explain the intent of the Article.
 - b. Unless there is a motion to amend an Article, which is voted in the affirmative then the Article will appear as written.
5. Anyone who speaks must use a microphone so that they can be heard. If a voter is unable to reach one of the stand-up microphones, the voter should raise his/her hand and a hand-held microphone will be provided.
6. No one may speak unless he or she has the floor.
 - a. No one may have the floor unless recognized by the Moderator.
 - b. Except for Points of Order, the Moderator will not recognize speakers unless they are standing at or holding one of the microphones.
 - c. Each speaker must state their name prior to speaking on the issue at hand and may ask one question, if they have a follow-up question they may ask the moderator for permission.
 - d. Even if a voter does not have the floor, a voter may speak to raise a Point of Order or to challenge a Moderator's ruling.
 - e. The Moderator will allow only one motion on the floor at a time.
7. All questions and comments should be addressed to the Moderator. The Moderator will chose who responds to the questions.
8. Each speaker may only speak once until everyone who wishes too has spoken.

EPSOM TOWN MEETING
EPSOM SCHOOL DISTRICT MEETING MODERATORS'
RULES OF PROCEDURE

9. All speakers must be courteous and must speak to the issues, not to individuals. Please treat others as you yourself would want to be treated.

10. The Moderator will not accept negative motions, which are motions that require a “no” vote to vote in the affirmative such as “I move that we not adopt the budget.” Additionally, no-one is allowed to eliminate all matter/words in an Article after the words “Shall the”.

11. If someone asks that the “question by called”, the Moderator will allow all those standing at a microphone or holding a microphone, and anyone seated at the head table who has previously told the Moderator that he/she wishes to speak on the Motion to speak. In addition, the Moderator shall have the right to refuse to recognize a Motion to Call the Question, if, in the Moderator’s opinion, the voters have not yet had an adequate opportunity to discuss an issue, or the speaker has just ended their turn to make their point without allowing others to speak.

12.. Non-voters may not speak at the Meeting without the permission of the voters except the Moderator may allow non-resident Town officials and consultants or experts who are at the Meeting to provide information about an Article to speak.

13 If any person behaves in a disorderly manner, and after notice from the Moderator, persists in such behavior, or shall in any way disturb the meeting, or willfully violate any rule of proceeding, the Moderator may have a police officer, or any legal voter of the town, remove such person from the meeting (RSA 40:8)

14. Motions to reconsider an Article may only be made immediately after a vote on an affirmative amendment to an Article, and only be made by a voter who voted on the prevailing side of the vote to be considered.

15. Any five (5) voters may require that the vote on any Article or question be by secret ballot. To do so:

a. All five (5) voters must be present and identified, and

b. The request must be presented in writing to the Moderator prior to the end of debate on the Article or question.

16. The Moderator may vote on all Articles. However, the Moderator plans to vote only in two (2) instances:

a. To break a tie.

b. To make a vote a tie vote if a motion the Moderator opposes would otherwise carry by one (1) vote.

Jeffrey G. Keeler, Epsom Town and School District Moderator