

TOWN OF TUFTONBORO
Annual Town Meeting Minutes

March 13, 2018 – Town Elections

March 14, 2018 – Town Meeting

At a legal meeting of the inhabitants of the Town of Tuftonboro, County of Carroll, and State of New Hampshire on Tuesday, the thirteenth day of March 2018, at eight o'clock in the forenoon at the Tuftonboro Town House, the meeting was called to order by Moderator Daniel F. Barnard, Jr. The polls were declared open for voting and to remain open until 7:00 PM or until all present that wish to vote have voted.

Ballots were cast for school officers and for articles on the school warrant, as provided for under the SB2 plan. The school district ballots were taken to Wolfeboro to be counted.

Listed below are the results of the town balloting for **Article 1: to choose all necessary Town Officers for the year ensuing**:

Selectman for Three Years	Votes
Robert "Bob" McWhirter	248
Lloyd P. Wood	295
Write in	7

Budget Committee for Three Years	
Barry Ennis	196
Helen Hartshorn	278
Chris Sawyer	233
Thomas J. Young	289
Write in	5

Moderator for Two Years	
Daniel F. Barnard, Jr.	498
Write in	16

Trustee of the Trust Funds for Three Years	
David M. Braun	466
Write in	9

Cemetery Trustee for Three Years	
Susan H. Weeks	412
Write in	17

Library Trustee for Three Years	
Gordon L. Hunt	461
Write in	41

Supervisor of the Checklist for Six Years

William “Bill” Rollins

495

Write in

8

Listed below are the results of the town balloting for **Article 2, Tuftonboro Zoning Amendments**.

Are you in favor of the following amendment to the Zoning Ordinance as recommended by the Planning Board?

Amend Section 12.5.3 as follows:

12.5.3 Special Provisions:

- A. No septic tank or leach field may be constructed or enlarged closer than seventy-five (75) feet laterally to any Very Poorly Drained Soils or surface water, nor any closer than fifty (50) feet laterally to any Poorly Drained Soils, *unless the individual disposal system is in failure and the replacement is in the same location*. Poorly Drained Soils and Very Poorly Drained Soils are as defined by New Hampshire Department of Environmental Services.
- B. No part of a wetland may be considered as part of the minimum size requirement of any Lot, nor may any wetland or part of a wetland divide a Lot in such a manner that its minimum Lot size is not Contiguous unless the Lot can be proved to support on-site water supply and sewage disposal without a Variance or waiver from Town or State regulations.
- C. All land included in the Wetlands Conservation District shall be appraised for tax purposes at its full and true value in money, based on its market value as undevelopable land required to remain in Open Space.
- D. No person shall disturb areas occupied by wetlands, swamps, streams, ponds or lakes except as provided by New Hampshire Statutes.

YES

410

NO

133

March 14, 2018 – Tuftonboro Central School

Moderator Daniel F. Barnard, Jr. called the second portion of the 2018 Annual Meeting to order at 7:30 PM. The meeting was opened with a salute to the flag.

The Moderator explained the voting card each voter received when they checked in at the meeting. Non-registered voters were identified by a show of hands. Housekeeping reminders were announced.

Mr. Barnard recognized Susan Wingate who informed those in attendance that the 14th Annual Tuftonboro Road Side clean-up is scheduled for Saturday, April 21st, starting at 8:00 AM. Bags and vests will be supplied. Those interested in helping can sign up at the Town Office.

Moderator Barnard announced the results of the election on March 13th. The officers elected stood to be recognized. The Moderator asked Jack Widmer to give the school district voting results. Mr. Widmer reported all the articles on the school district ballot passed. He thanked Tuftonboro for their support. The meeting then proceeded with the remaining articles of the Town warrant.

A request for a procedural change to address Article 4 before Article 3 which is the way it should have appeared on the warrant. A motion was made by Selectman Lloyd Wood and seconded by Gordon Hunt. All in favor.

Article 04: To see if the Town will vote to raise and appropriate the sum of One Million, Nine Hundred Twenty Thousand Dollars (\$1,920,000.00) to renovate and expand the current Library and to authorize the issuance of not more than One Million Ninety Four Thousand Dollars (\$1,094,000.00) of bonds or notes in accordance with the provisions of the Municipal Finance Act (RSA Chapter 33); to authorize the selectmen to issue and negotiate such bonds and notes and to determine the rate of interest thereon and the maturity and other terms thereof. Furthermore, to authorize the withdrawal of Four Hundred Sixteen Thousand Dollars (\$416,000.00) from the existing Library Capital Reserve Fund and Four Hundred Ten Thousand Dollars (\$410,000.00) from the Library Capital Donations Fund. The first payment on the bond or note will not be made until year 2019.

(Two-Thirds (2/3) ballot vote required per RSA 33:8-a)

(Recommended by the Board of Selectmen 2-0-1 and the Budget Committee 6-1)

Selectman Lloyd Wood moved the article and Paul Thornton seconded the motion. Selectman Wood requested the article be tabled. Selectman Chip Albee apologized on behalf of the Selectman, stating the board failed to hold the required public hearing on the financing. To move ahead with a vote would require another meeting. The Selectman and Library Trustees did not feel it was the best use of our time. This issue will be brought forward in 2019. The Moderator asked for a show of hands on the motion to table the article. The motion to table the article passed.

Article 03: To see if the Town will vote to extend the purposes of the previously established Library Capital Reserve Fund to include expansion and renovation of the existing library building. This Capital Reserve Fund was established by vote at Town Meeting in March, 2010 as Article 12 on the Town Warrant “for the purpose of building a new library.” Furthermore to name the Board of Selectmen as agents to expend from the fund.

(Two-Thirds (2/3) vote required)

(Recommended by the Board of Selectmen 3-0)

The article was moved by Gordon Hunt and seconded by Carla Lootens. The proposed article requests a change in the language to include expansion and renovation of the current library. A great deal of work has been done by Skip Hurt and the Library Trustees developing a proposal to renovate and expand the current library, a lower cost option. Susan Weeks made a motion to amend the article by deleting “*Furthermore to name the Board of Selectmen as agents to expend from the fund*”. Guy Pike seconded the motion to amend the article. Lengthy discussion on the proposed amendment. Motion was made and seconded to move the amended article. The Moderator asked for a show of hands on the amended article. The amended article failed (Yes: 108 – No: 128).

The Moderator re-read Article #3 and asked for any further discussion. Max Ledoux made a motion to amend the article to read: “*To see if the Town will vote to change the purpose of the previously established Library Capital Reserve Fund to renovations and additions of the existing library building. This Capital Reserve Fund was established by vote at Town Meeting in March, 2010 as Article 12 on the Town Warrant “for the purpose of building a new library.” Furthermore to name the Board of Selectmen as agents to expend from the fund.*” The motion to amend was seconded by Guy Pike. Further discussion on the proposed amendment. Max Ledoux asked to call the question. Paul Thornton seconded calling the question. The Moderator asked for a show of hands on the amended article. The amended article failed. No further discussion. The Moderator read the article and asked for a show of hands to vote. The article was declared passed.

Article 05: To see if the Town will vote to raise and appropriate the sum of Thirty Thousand Dollars (\$30,000.00) to replace the septic system at the Tuftonboro Free Library. This article is contingent on Article 04 not passing. If article 04 passes, this article will be null and void.

(Majority vote required)

(Recommended by the Board of Selectmen 3-0 and the Budget Committee 7-0)

The article was moved by Jack Widmer and seconded by Gordon Hunt. Selectman Bill Marcussen addressed the article stating the septic field at the Library has failed. A State approved design has been done that includes plans for an expansion to the library. The Town received four bids and the Town will go with the lowest bid. Selectman Marcussen requested to amend the article *changing the amount to raise and appropriate to \$17,000.00 rather than \$30,000.00*. The motion to amend was seconded by Joe Ewing. Selectman Marcussen stated the lowest bid was \$13,982.00 and the extra will be used for other issues that may arise. The Moderator asked for a show of hands on the amended article. The amended article was declared passed. The Moderator asked for a vote on the amended article which now reads: “*To see if the*

Town will vote to raise and appropriate the sum of Seventeen Thousand Dollars (\$17,000.00) to replace the septic system at the Tuftonboro Free Library. This article is contingent on Article 04 not passing. If article 04 passes, this article will be null and void". The amended article was declared passed.

Article 06: To see if the Town will vote to raise and appropriate the sum of \$123,142.00 and authorize the Selectmen to enter into a five year lease/purchase agreement in the amount of \$580,000.00 for the purpose of purchasing and equipping a new fire truck for the Fire Department to replace Fire Engine 2. \$123,142.00 reflects the first year's payment. The lease agreement contains an escape clause.

(Majority vote required)

(Recommended by the Board of Selectmen 3-0 and the Budget Committee 6-1)

The article was moved by Selectman Bill Marcussen and seconded by Dan Duffy. The new fire truck replaces the existing Engine 2, which is 20 years old. The existing truck will need extensive repairs for frame issues. Guy Pike made a motion to amend the article by removing *"The lease agreement contains an escape clause"*. Max Ledoux seconded the motion. Legal counsel advised that removal of the escape clause language would require a bond hearing on the entire amount. No further discussion. The Moderator asked for a show of hands on the amended article. The amendment failed. Fire Chief Thompson made an amendment to change the amount of the first year's payment to \$124,115.00 due changes in the financing percentages. Joe Ewing seconded the motion to amend the article. No further questions. The Moderator asked for a vote on the amended article. The article was declared passed. The Moderator re-read the amended article *"To see if the Town will vote to raise and appropriate the sum of \$124,115.00 and authorize the Selectmen to enter into a five year lease/purchase agreement in the amount of \$580,000.00 for the purpose of purchasing and equipping a new fire truck for the Fire Department to replace Fire Engine 2. \$124,115.00 reflects the first year's payment. The lease agreement contains an escape clause"* and asked for a show of hands to vote on the amended article as read. The article as amended was passed.

Article 07: To see if the Town will vote pursuant to RSA 80:80 to authorize the Selectmen to convey real property acquired by the Town by Tax Collector's Deed by Public Auction and sealed bid or in such manner as determined by the Selectmen as justice may require.

(Majority vote required)

(Recommended by the Board of Selectmen 3-0)

The article was moved by Selectman Albee and seconded by Lloyd Wood. Selectman Albee indicated this authorization to convey tax deeded property will be brought to voters annually. Several people expressed disappointment with the wording of the article and that nothing was sold last year. Max Ledoux made a motion to amend the article to read what was approved at the 2017 Town Meeting: *"To see if the Town will vote pursuant to RSA 80:80 to authorize the Selectmen to convey real property acquired by the Town by Tax Collector's Deed by advertised sealed bid"*. The motion was seconded. No discussion. The Moderator asked for a show of hands on the amended article. The article as amended failed. Tim Christian made a motion to amend the article to include *"some or all properties to be sold within 2018"*. Skip Hurt seconded the motion. Discussion on the amendment. The Moderator asked for a show of hands

to vote on the amended article. The amended article was passed. The Moderator re-read the amended article to include the amended language. ***“To see if the Town will vote pursuant to RSA 80:80 to authorize the Selectmen to convey real property acquired by the Town by Tax Collector’s Deed by Public Auction and sealed bid or in such manner as determined by the Selectmen as justice may require and some or all properties to be sold within 2018”.*** A vote on the article as amended was taken. The amended article was declared passed.

Article 08: To see if the Town will vote to raise and appropriate the sum of Forty-Three Thousand Dollars (\$43,000.00) to be added to the previously established Fire/Rescue Department SCBA (Self Contained Breathing Apparatus) Equipment Capital Reserve Fund. The full amount (\$43,000.00) will come from the Unassigned Fund Balance.

(Majority vote required)

(Recommended by the Board of Selectmen 3-0 and the Budget Committee 7-0)

Selectman Bill Marcussen moved the article. Paul Thornton seconded the motion. The Town currently has \$135,000.00 in this capital reserve fund to replace approximately 25 SCBA units. Replacement will need to be done in 2022. The final total cost of the replacement is approximately \$350,000.00. A few questions were asked of Fire Chief Adam Thompson. The Moderator asked for a show of hands to vote on the article. The article was declared passed.

Article 09: To see if the Town will vote to raise and appropriate the sum of Thirty Thousand Dollars (\$30,000.00) for a study and design of a new or updated Police Facility.

(Majority vote required)

(Recommended by the Board of Selectmen 3-0 and the Budget Committee 7-0)

Selectman Lloyd Wood moved the article. Bob Theve seconded the motion. A new Police Department is needed and this will get the ball rolling for this process. Concerns were expressed about the master plan not being completed yet and the need to get an overall plan of the Town’s facility needs. No further discussion. The Moderator asked for a vote on the Article 09. The article was declared passed.

Article 10: To see if the Town will vote to raise and appropriate the sum of Two Hundred Sixty Thousand Dollars (\$260,000.00) for the preparation and paving of Town Roads.

(Majority vote required)

(Recommended by the Board of Selectmen 3-0 and the Budget Committee 7-0)

Selectman Bill Marcussen moved the article. Jack Widmer seconded the motion. This year’s request is an increase of \$25,000.00 over last year. The Town will use \$200,000.00 for pavement, \$50,000.00 for road improvements and \$10,000.00 for Lakes Region Planning Commission to conduct a road condition study about the Towns roads, offering a more objective analysis. Max Ledoux made a motion to increase the amount to be raised to \$350,000.00. Skip Hurt seconded the motion. Harry Liedtke felt we should wait to see the results of the study before spending more money. Max Ledoux withdrew his motion to amend the article. No further questions. The Moderator re-read the original article and asked for a vote on the article. The article was declared passed.

Article 11: To see if the town will vote to raise and appropriate the sum of Two Thousand Five Hundred Dollars (\$2,500.00) to support White Horse Addiction Center.

(Majority vote required)

(Recommended by the Board of Selectmen 3-0 and the Budget Committee 6-1)

Selectman Chip Albee moved the article and Jack Widmer seconded the motion. This is a new charitable request this year so the Selectmen felt it should be reviewed by the Town. Gary Chehames made a motion to increase the amount to \$5,000.00. Carolyn Sundquist seconded the motion. Police Chief Andrew Shagoury spoke favorably about the center. No further discussion. The Moderator asked for a show of hands to vote on the amended article. The amended article was declared passed. The Moderator read the amended article which now reads: ***“To see if the town will vote to raise and appropriate the sum of Five Thousand Dollars (\$5,000.00) to support White Horse Addiction Center.”*** The Moderator asked for a vote on the amended article. The amended article was declared passed.

Article 12: To see if the town will vote to establish a contingency fund for the current year for unanticipated expenses that may arise and further to raise and appropriate Five Thousand Dollars (\$5,000.00) for said purpose. Said sum to come from the Unassigned Fund Balance. Any appropriation left in the fund at year end will lapse into the general fund.

(Majority vote required)

(Recommended by the Board of Selectmen 3-0 and the Budget Committee 7-0)

The article was moved by Selectman Lloyd Wood and seconded by Selectman Chip Albee. This is an article which is presented to the Town every year. This contingency fund helps pay for unexpected problems that may arise. This past year, unbudgeted furnace issues and the pumping of the septic at the library after the septic failed were paid by this fund. No discussion. The Moderator asked for a show of hands to vote on the article. The article was declared passed.

Article 13: To see if the town will vote to raise and appropriate the sum of Twenty-Nine Thousand Dollars (\$29,000.00) to purchase and equip a new vehicle for the Code Enforcement Officer.

(Majority vote required)

(Recommended by the Board of Selectmen 3-0 and the Budget Committee 6-1)

Selectman Bill Marcussen moved the article. Jack Parsons seconded the motion. The Code Officer's current vehicle, a 2008 Chevy Colorado, needs increasing repairs. The new vehicle will be similar. A few questions and comments were made. The Moderator asked for a vote on the article. The article was declared passed.

Article 14: To see if the Town will vote to raise and appropriate the sum of Twenty Thousand Dollars (\$20,000.00) to replace the main entrance doors in the Town Office Building.

(Majority vote required)

(Recommended by the Board of Selectmen 3-0 and the Budget Committee 6-1)

Selectman Chip Albee moved the article and Bob Theve seconded the motion. The Town received a quote to replace both the east and west doors of the Town Office entrance. The doors will be clad and also handicap accessible. The quote was for the complete installation. Further discussion. The Moderator asked for a show of hands to vote on the article. The article was declared passed.

Article 15: To see if the Town will vote to raise and appropriate the sum of Eighty-Eight Thousand Five Hundred Dollars (\$88,500.00) to repair the Sodom Road Bridge to restore to full load carrying capacity.

(Majority vote required)

(Recommended by the Board of Selectmen 3-0 and the Budget Committee 7-0)

The article was moved by Selectman Bill Marcussen and seconded by Gordon Hunt. The bridge was inspected this past summer and a 15 ton load limit was placed on the bridge due to the need to repair the support structure. HEB Engineers prepared a bid package and the project was sent out to bid. Selectman Bill Marcussen made a motion to reduce the amount by amending the amount to \$75,000.00. The motion to amend was seconded by Selectman Lloyd Wood. No discussion. The Moderator asked a show of hands on the amended article. The amended article was passed. The Moderator read the amended article which now reads: ***“To see if the Town will vote to raise and appropriate the sum of Seventy-five Thousand Dollars (\$75,000.00) to repair the Sodom Road Bridge to restore to full load carrying capacity”*** and asked for a vote on the amended article. The amended article as read was passed.

Article 16: Shall the Town vote to authorize until rescinded the acceptance of privately donated gifts, legacies and devises which shall be invested and accounted for separately from and not commingled with, amounts appropriated for expendable trust funds created under RSA 31:19-a, paragraph 1 and shall be subject to the custody and investment provisions applicable to trust funds accepted under RSA 31:19.

(Majority vote required)

(Recommended by the Board of Selectmen 3-0)

Selectman Lloyd Wood moved the article. Jack Widmer seconded the motion. The Cemetery Trustees received an anonymous donation of \$50,000.00 this past year and held a public hearing. This article allows the trustees to accept donations and place them into a special account which would not be co-mingled with other funds. Max Ledoux made a motion to add four commas to the article to address grammatical errors. The motion was seconded. The amended article would read: ***“Shall the Town vote to authorize until rescinded the acceptance of privately donated gifts, legacies, and devises, which shall be invested and accounted for separately from, and not commingled with, amounts appropriated for expendable trust funds created under RSA 31:19-a, paragraph 1, and shall be subject to the custody and investment provisions applicable to***

trust funds accepted under RSA 31:19". No discussion. The Moderator asked for a show of hands on the amended article. The amended article passed (Yes: 62 and No: 56). The Moderator re-read the amended article and asked for a vote. The amended article was passed.

Article 17: To see if the Town will vote to raise and appropriate the sum of Eighty-Nine Thousand Three Hundred Eighteen Dollars (\$89,318.00) to pay a third installment toward the ambulance vehicle and rescue truck acquired by a Town Meeting vote in March of 2016. The principal amount is \$82,843.00 and the interest is \$6,475.00. This lease agreement contains an escape clause.

(Majority vote required)

(Recommended by the Board of Selectmen 3-0 and the Budget Committee 6-1)

The article was moved by Selectman Bill Marcussen and seconded by Paul Thornton. This is the 3rd lease payment on a 5 year lease. The ambulance lease was approved in 2016. The Department of Revenue Administration has advised removing lease payments from the operating budget and listing them separately. The Moderator asked for a vote on Article 17. The article was declared passed.

Article 18: To see if the Town will vote to raise and appropriate the Budget Committee recommended sum of Three Million Seven Hundred Forty Two Thousand Fifty Five Dollars and Twenty Four Cents (\$3,742,055.24) for general Town Operations. The Selectmen recommended Three Million Seven Hundred Forty Two Thousand Three Hundred Five Dollars and Twenty Four Cents (\$3,742,305.24). This article does not include any special or individual warrant articles addressed separately.

(Majority vote required)

(Recommended by the Budget Committee 5-1-1)

The article was moved by Carla Lootens and seconded by Gordon Hunt. The budget increase this year is 2%, with rising insurance costs continuing to be a problem. Future concerns are with our highway & streets line item, which will need to be increased. Selectman Albee made a motion to amend the article to raise and appropriate the sum of \$3,742,305.24, the Selectmen's recommended amount. Selectmen Wood seconded the motion. The difference between the Budget Committee's recommended amount and the Selectmen's recommend amount is \$250.00. The \$250.00 is for the Gifts and Donations line item. The Selectmen feel it is important that the Town acknowledge and send condolences from the Town. No further discussion. The Moderator asked for a show of hands to vote on the amended article. The amended article was declared passed. The Moderator read the article as amended *"To see if the Town will vote to raise and appropriate the Budget Committee recommended sum of Three Million Seven Hundred Forty Two Thousand Three Hundred Five Dollars and Twenty Four Cents (\$3,742,305.24) for general Town Operations. The Selectmen recommended Three Million Seven Hundred Forty Two Thousand Three Hundred Five Dollars and Twenty Four Cents (\$3,742,305.24). This article does not include any special or individual warrant articles addressed separately"* and asked for a vote on the amended article. The amended article was declared passed.

Article 19 (by Petition): To see if the Town Meeting will vote to establish a Capital Reserve Fund for the purpose of purchasing or leasing vehicles and equipment for use in the Fire Department, Police Department, Code Enforcement Department, Transfer Station Department, and Highway Department, and further to appropriate the sum of \$50,000 to be deposited into said fund. The full amount (\$50,000) will come from the previously raised unused funds in the Unassigned Fund Balance and not from additional taxation in 2018. No purchase or lease utilizing these funds will be made without express approval by Warrant Article submitted by the Select Board or by Petition.

(Majority vote required)

(Not Recommended by the Board of Selectmen 0-3 and the Budget Committee 0-7)

The petitioned warrant article was moved and seconded. Max Ledoux indicated the purpose of the petition warrant article is to put money away for future purchases. A motion was made by Carla Lootens to amend the article to read: *“To see if the Town will vote to establish a Capital Reserve Fund for the purpose of obtaining and equipping vehicles or rescue water craft valued at or over \$70,000.00 for use in the Fire, Police, Code Enforcement, Transfer Station or Highway Departments, and to further appropriate the sum of \$50,000 to be deposited into said fund. No purchase using these funds will be made without express approval by Warrant Article submitted by the Select Board or by Petition”*. Max Ledoux seconded the motion. Lengthy discussion and questions asked. Several thought we should wait until next year to do it properly. Carla Lootens withdrew her amendment. No further discussion. Gary Chehames made a motion to table the article. Paul Thornton seconded the motion. The Moderator asked for a vote on tabling the article. The petitioned warrant article was declared tabled.

Jill Cromwell thanked Carla Lootens for her service on the Budget Committee. Max Ledoux asked for the general feeling from those present whether they would be in favor of SB2. Those in attendance were not supportive.

A motion was made by Paul Thornton and seconded by Betsy Thornton to adjourn the meeting at 10:36 PM. There were approximately 254 people in attendance.

I hereby attest to the minutes' authenticity and accuracy.
Respectfully submitted,

Heather K. Cubeddu
Tuftonboro Town Clerk
March 28, 2018