

**TOWN OF TUFTONBORO**  
**Annual Town Meeting Minutes**

March 14, 2017 – Town Elections

March 15, 2017 – 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 fourteenth day of March 2017, 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 on Wednesday, March 15, 2017 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:**

<b>Selectman for Three Years</b>	<b>Votes</b>
Chip Albee	247
Susan H. Weeks	121
Write in	5

<b>Town Clerk for Three Years</b>	
Heather K. Cubeddu	368

<b>Tax Collector for Three Years</b>	
Jacquelyn H. Rollins	353
Write in	2

<b>Road Agent for Three Years</b>	
Jim Bean	312
Write in	39

<b>Budget Committee for Three Years</b>	
Gordon Hunt	307
Guy Pike	212
Write in	21

<b>Trustee of the Trust Funds for Three Years</b>	
Peter Sluski	328

<b>Cemetery Trustee for Three Years</b>	
Write in – Charlotte Allen	19

**Library Trustee for Three Years**

Paul Matlock  
Write in

322  
4

Listed below are the results of the town balloting for **Article 2, 3, 4, 5, 6 and 7 Tuftonboro Zoning Amendments.**

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

**Amend Section 1.1 DEFINITIONS as follows:**

Add ***Residence: The place in which a person lives or resides; dwelling place; a structure serving as a dwelling or home.*** (definition of Residence to become Section 1.1.43 and all following numbering to change accordingly)

**YES**

321

**NO**

42

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

**Amend Section 10.4 as follows:**

~~Residential tenting and recreational vehicles will be allowed provided that the following requirements are met.~~ ***In order to protect the health, safety, and general welfare of the community, occupancy of residential tents and recreational vehicles will be allowed provided that the following requirements are met. The Code Enforcement Officer is designated as the authority for enforcement of this ordinance.***

~~**10.4.1 Limitations:** Such occupancy of either tents or recreational vehicles at any residence shall not exceed a total of four contiguous weeks per year. No more than one such unit may be occupied in connection with any residence.~~ ***Such occupancy of either tents or recreational vehicles on any lot requires one of the following conditions to be met:***

- A. The lot has toilet facilities connected to an onsite operational subsurface septic waste system.***
- B. Temporary maintained toilet facilities are provided on the lot at all times there is occupancy in either a tent or recreational vehicle.***
- C. In case of an RV with a septic holding tank, proof of proper disposal of septic waste at a State licensed facility must be available on site at all times and presented to the Code Enforcement Officer upon request.***

**10.4.2 Location:** ~~Any tent or recreational vehicle temporarily placed upon a residential Lot shall be located as inconspicuously as possible so as to minimize to the greatest degree possible the unit's visibility from public roads or neighboring lands. Children's tents, used by the minor children of the occupants of the residence, are exempt from this paragraph.~~ ***Any tent or recreational vehicle temporarily located upon a lot shall be located as inconspicuously as possible so as to minimize to the greatest extent possible the unit's visibility from public roads or neighboring lands. Children's tents, used by the minor children of the occupants of a residence, are exempt from this paragraph.***

YES 273

NO 90

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

**Amend Sections 5.4.2 and 5.4.3 as follows:**

**5.4.2** Any Conversion of an existing Building or Structure shall require a permit from the Codes Enforcement officer. Before a Building permit may be issued, one of the following conditions must be met:

~~**A.** The application shall supply a certificate of inspection from a qualified professional (e.g. Registered Civil or Sanitary Engineer or licensed Septic System Designer) certifying that the existing septic system is adequate for the proposed use, or~~

**B. A.** The applicant must demonstrate that site conditions and land area are suitable and adequate for the installation of a septic system approved by Water Supply and Pollution Control Division (WSPCD) ***for the proposed use in accordance with Env-Wq 1004.18.***

**5.4.3** No building permit for Expansion of an existing Structure or construction of an accessory building on a lot one acre in size or less shall be granted without proof that the lot can accommodate a sewage disposal system built to current standards of NH Dept. of Environmental Services Water Supply & Pollution Control Division ***for the proposed use in accordance with Env-Wq 1004.18.***

YES 278

NO 61

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

**Amend Section 17.8.3 as follows:**

**17.8.3 Variances:** The Board of Adjustment shall hear and decide requests to vary the terms of this Ordinance. At the hearing on the application, the applicant shall present testimony and other evidence to establish that all five conditions for a Variance have been met. The decision of the Board shall be based on the evidence presented at the hearing, not on allegations contained in the application. Abutters and residents shall be entitled to present testimony and other evidence to establish that the applicant either has or has not met all five of the listed conditions below.

~~A. No Variance shall be granted unless all of the following conditions are met:~~

~~1. A hardship must exist which is inherent in the land in question and which is not shared in common with other parcels of land in the District.~~

~~2. The spirit and intent of the Ordinance will not be broken by granting the Variance.~~

~~3. The granting of the Variance will not adversely affect other property in the District.~~

~~4. Not to grant the Variance would result in injustice.~~

~~5. Granting the Variance would not be contrary to the public interest.~~

**A. No Variance shall be granted unless all of the following conditions are met:**

**1. Granting the Variance would not be contrary to the public interest.**

**2. If the Variance were granted, the spirit of the Ordinance would be observed.**

**3. Granting the Variance would do substantial justice.**

**4. If the Variance were granted, the values of the surrounding properties would not be diminished.**

**5. Unnecessary Hardship**

**A. Owing to special conditions of the property that distinguish it from other properties in the area, denial of the variance would result in unnecessary hardship.**

**1. There is not a fair and substantial relationship between the general public purpose of the ordinance provision and the specific application of that provision to the property.**

**2. The proposed use is a reasonable one.**

***B. If the criteria in subparagraph A has not been established, an unnecessary hardship will be deemed to exist if, and only if, owing to special conditions of the property that distinguish it from other properties in the area, the property cannot be reasonably used in strict conformance with the ordinance, and a Variance is therefore necessary to enable a reasonable use of it.***

YES

NO

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

**Amend Section 19.2 as follows:**

Any person, firm or corporation violating any of the provisions of this Ordinance shall for each violation, upon conviction thereof, ~~pay a fine of not more than One Hundred (\$100.00) dollars~~ ***pay a designated fine as stipulated in RSA 676:17 for each day such violation shall exist.***

YES

NO

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

**Amend Section XI as follows (all sections to be renumbered thereafter):**

## **SECTION XI: LOCAL REGULATION OF EXCAVATION**

### **11.1 AUTHORITY**

This Ordinance is enacted pursuant to the authority granted to the Town of Tuftonboro to regulate earth moving activities within its boundaries under the provisions of Chapter 155-E of the N. H. Revised Statutes Annotated.

### **11.2 PURPOSES**

The purpose of this Section ~~are to provide for the control of excavation of sand, clay, sed, loam, gravel or rock products and to provide an orderly procedure for such removal to take place while protecting the health, safety, and general welfare of the community.~~ ***is to provide for reasonable opportunities for excavation; is to provide for the regulation of excavation of earth or rock products, minimize safety hazards, which can be created by open excavations; ensure that the public health and***

**welfare will be safeguarded, protect natural resources and the environment. and maintain the aesthetic features of the Town.**

### **11.3 DEFINITIONS**

**For the purposes of this Section XI: Local Regulation of Excavation, the following definitions shall apply:**

- A. *ABUTTER* means (1) any person whose property is located in New Hampshire and adjoins or is directly across the street or stream from the land under consideration. (2) For the purposes of receiving testimony only, and not for purposes of notification, the term “abutter” shall include any person who is able to demonstrate that his land will be directly affected by the proposal under consideration. (3) In the case of an abutting property being under a condominium or other collective form of ownership, the term “abutter” means the officers of the collective form of ownership or association, as defined in RSA 356-B:3, XXIII.B. (4) For purposes of notification and receiving testimony, “abutter” means all affected towns and
- B. *the regional planning commission(s) in the case of a development having regional impact, as determined by the Board.*
- C. *AGRICULTURAL EXCAVATION* means excavation of earth by the owner of the land to be used on the owners land exclusively for agricultural use.
- D. *AGRICULTURAL USE* means land used for agriculture, farming, dairying, pasturage, apiculture, horticulture, floriculture, silviculture and animal and poultry husbandry.
- E. *APPLICANT* means the owner of the property to be excavated or the owner’s agent, so designated in writing as part of the excavation application.
- F. *BOARD* means the Planning Board of Town of Tuftonboro.
- G. *COMMERCIAL EXCAVATION* means excavation of earth intended for commerce, this may also include excavation that is strictly conducted for the purpose of alteration, renovation, improvement or construction to the property on which the excavation takes place. Any commercially useful earth material leaving the property for whatever reason is considered to be a commercial operation.
- H. *COMMERCIALLY USEFUL* means the amount of excavated earth deemed by the regulator to be commercially useful which has been determined to be 1,000 cubic yards or more.
- I. *CONTIGUOUS* means land whose perimeter can be circumscribed without interruption in common ownership except for roads or other easements, in a single town.
- J. *DIMENSION STONE* means rock that is cut, shaped or selected for use in blocks, slabs, sheets, or other construction units of specified shapes or sizes and is used for

*external or interior parts of buildings, foundations, curbing, paving, flagging, bridges, revetments, or for other architectural or engineering purposes. Dimension stone includes quarry blocks from which sections of dimension stone are to be produced. Dimension stone does not include earth as defined below.*

- K. *EARTH means sand, gravel, rock, top soil, loam or construction aggregate produced by quarrying, crushing or any other mining activity or such other naturally-occurring unconsolidated materials that normally mask the bedrock.*
- L. *EXCAVATING means extracting earth from a site that is in a natural state, or a site that is reclaimed or naturally reclaimed, by any method, such as dredging, blasting, digging out and removing, or forming a cavity or a hole in any land area. Excavating includes excavate.*
- M. *EXCAVATION means a land area which is used, or has been used, for the commercial taking of earth, including all slopes.*
- N. *EXCAVATION AREA means the area within an excavation site where excavation has occurred or is eligible to occur under the provisions of RSA 155-E. This is also known as the pit area.*
- O. *EXCAVATION SITE means any area of contiguous land in common ownership upon which excavation takes place.*
- P. *EXISTING EXCAVATION means any excavation, as described in RSA 155-E:2, I, which lawfully existed as of August 24, 1979, from which earth material of sufficient weight or volume to be commercially useful has been removed during the 2-year period before August 24, 1979 and had submitted the report as required by RSA 155-E:2, I, (d).*
- Q. *EXPANSION means excavation and disturbance of earth beyond the limits as shown on the plan as approved by the regulator.*
- R. *INCIDENTAL EXCAVATION means excavation of earth which has been granted an exception from an excavation permit by the regulator.*
- S. *MINOR TOPOGRAPHICAL ADJUSTMENT means a one time removal of earth from the site of less than 1,000 cubic yards that is exclusively necessary to change the physical configuration of the land for a specified use or situation.*
- T. *NORMAL LANDSCAPING means the on-site alteration and contouring of the land exclusively devoted to improving the functional utility and planting of the grounds.*
- U. *RECLAMATION means the restoration of an excavation site to an acceptable standard as determined and approved by the regulator.*
- V. *REGULATOR means the Planning Board of the Town of Tuftonboro.*

W. *STATIONARY MANUFACTURING AND/OR PROCESSING PLANTS means facilities which are placed on a site for the purposes of sorting, washing, screening, crushing, classifying, drying or processing excavated earth materials.*

#### **11.3 11.4 REGULATOR**

The Planning Board of the Town of Tuftonboro is designated the Regulator as provided in RSA 155-E.

#### **11.4 11.5 REGULATIONS**

Pursuant to its responsibility as the Regulator, and in accordance with the provisions of RSA 155-E, the Planning Board is hereby authorized to adopt and from time to time amend regulations governing earth moving activities within the Town of Tuftonboro to ensure that said activities are conducted in a safe manner in accordance with sound environmental practice, to protect against erosion, and to further provide proper assurances that suitable restoration of affected areas are obtained.

#### **11.6 PROJECTS REQUIRING A PERMIT**

Any excavation of earth unless specifically exempted by either RSA 155-E:2, ***RSA 155-E:2-a*** or specifically excepted in Section 11.7 of ***this Ordinance shall require a permit.***

#### **11.7 EXCEPTIONS FROM AN EXCAVATION PERMIT**

***A. The following projects are deemed to be an exception from a permit:***

- 1) Site development, construction activities, or other projects, that require excavation of earth and will not remove more than 1,000 cubic yards of earth from the site annually. In the event that the project will result in the removal from the site more than 1,000 cubic yards, the project will be considered incidental provided that all of the required state and local permits have been issued.***
- 2) Excavation of earth that is a result of agricultural use, normal landscaping or minor topographical adjustment as defined in Section ~~III~~ 11.3 of these regulations this Ordinance. In the event that the project will result in the removal of more than 1,000 cubic yards from the site annually, the regulator shall determine what is incidental.***



- 3) *Excavation from a granite quarry for the purpose of producing dimension stone, if such excavation requires a permit under RSA 12-E (Mining and Reclamation).*

## **11.5-11.8 ADMINISTRATION**

~~No person, firm or corporation shall within the Town of Tuftonboro undertake any clearing, grading, removal, excavation or other disturbance of land without first obtaining an Excavation permit and Site Plan Review approval from the Planning Board.~~  
***Except as provided in RSA 155-E:2, RSA 155-E:2-a and Section 11.7, no firm, person or corporation shall conduct earth excavation activities as defined in Section XI: Local Regulations of Excavation without first obtaining a Special Exception from the Zoning Board of Adjustment and Site Plan approval and an Excavation Permit from the Planning Board.***

**~~11.5.1~~ 11.8.1 Additional Regulations:** Said permit shall be granted pursuant to the provisions of RSA 155-E, as well as any additional regulations the Planning Board may have adopted for such purpose ***pursuant to RSA 155-E:11.***

**~~11.5.2~~ 11.8.2 Fees:** The Planning Board may adopt, and from time to time amend, a permit fee schedule so as to recover all reasonable costs of administration of this Section, as well as all inspections.

## **11.9 EXCAVATION EXPANSION**

When the scope of an approved permitted excavation is proposed to be altered as to affect either the size or location of the excavation, the rate of removal, or the plan for reclamation, the owner must submit a new application, plans, and other required submission items for a new excavation permit hearing process. If the approved excavation previously required a special exception or variance, the proposed changes must first be approved by the Zoning Board of Adjustment.

## **11.10 SITE RECLAMATION STANDARDS**

- A. For excavations requiring a permit, the standards contained in RSA 155-E:5 are considered to be the minimum standards and the regulator may require more stringent reclamation standards as deemed necessary by the nature and scope of the operation. The reclamation will be done in accordance with the approved plans and reclamation sequence.
- B. Any excavation permit applicant that requires a RSA 485-A:17 Alteration of Terrain Permit (AOT) from the NHDES shall incorporate the requirements of this Ordinance, to the extent that they are more restrictive, and not in conflict, with the AOT permit. Copies of all such AOT permits and update plans shall be filed with the regulator.

- C. Incidental excavations that have received an exception from the regulator to remove more than 1,000 cubic yards of earth shall reclaim the property in accordance with the specifications dictated by the regulator.

## **11.6 11.11 ENFORCEMENT**

The Planning Board may appoint an Enforcement Officer to enforce the provisions of any permit issued hereunder. Said Enforcement Officer shall have the powers and duties prescribed in RSA 155-E:10.

**11.6.4 11.11.1 Existing Operations:** Any owner *or operator* of an existing earth excavation operation area, ~~that has been issued an filed a State of New Hampshire Department of Revenue Administration Notice of Intent to Excavate in the prior two years from the effective date of this Zoning Ordinance, prior to March 14, 2017~~ lawfully in existence prior to the effective date of this Ordinance and which is subject to the provisions thereof may *continue* such existing operation with permit as previously granted by the Board of Selectmen provided such operation is not substantially altered or enlarged except **subject to Planning Board Site Plan Review approval and issuance of a Permit to Excavate. Any alteration or enlargement of an excavation area must be** in conformance with this Ordinance or any regulations adopted pursuant thereto and further provided that the owner shall suitably restore said area of operation within one year following the intended cessation of the excavation or any completed section thereof so as to secure the area against any unsafe or hazardous conditions which may endanger the health and safety of the general public.

### **11.11.2 Permits**

- A. Permits shall be issued only to the owner or his agent and shall not be transferable without the prior written consent of the Planning Board. A copy of the permit shall be prominently displayed at the site or the principal access to the site.
- B. A permit shall be **issued for five (5) years and renewable every five (5) years for a maximum of twenty-five (25) years from the date of the Planning Board Site Plan approval.** ~~valid for up to five years and the expiration date shall be specified. A permit is automatically withdrawn if no substantial work is done on the site for a period of two years from the date of the issuance of the permit.~~ **Planning Board Site Plan approval is valid for twenty-five (25) years.**
- C. Excavation of earth without a valid permit is a violation of RSA 155-E and this Ordinance. Violators may be issued a cease and desist order for non-compliance.

- D. The Planning Board may include in the permit any such reasonable conditions as are consistent with the purpose of this Ordinance.
- E. The Planning Board will establish a schedule by which all permitted sites are inspected on an annual basis. Incidental excavation exceptions that will remove more than 1,000 cubic yards will have an inspection schedule as determined by the Planning Board.

#### **11.11.3 Inspections**

The Planning Board or its designee may make periodic inspections of all excavation sites, or incidental excavations, to determine if the operations are in conformance with this Ordinance, the approved plans, or the exception criteria. A site inspection review letter will be sent to the owner citing any deficiencies and providing a timeline for correction of the deficiency.

#### **11.11.4 Suspensions and Revocations**

The Planning Board may suspend or revoke a permit if the regulator determines that any provision of the permit has been violated, a material misstatement made in the application upon which a permit was granted, or any unsafe or hazardous conditions are determined by a site inspection to exist, or failure to correct any deficiency after notice. The Planning Board may suspend or revoke the exception for incidental excavation if the Planning Board determines that any provision of the exception has been violated, a material misstatement made in the exception application upon which an exception was granted, or any unsafe or hazardous conditions are determined by a site inspection to exist, or failure to correct any deficiency after notice. Such suspension or revocation shall be subject to a motion for rehearing thereon and appeal in accordance with this Ordinance.

#### **11.11.5 Appeals**

Any person affected by the Planning Board's decision to approve or disapprove an application or any amendment thereto or any suspension or revocation of a permit, may appeal to the Zoning Board of Adjustment for a rehearing on such decision or any matter determined thereby. The motion for rehearing shall be filed within ten (10) days of such decision and shall fully specify every ground upon which it is alleged that the decision or order complained of is unlawful or unreasonable. The Zoning Board of Adjustment shall either grant or deny the request for rehearing within ten (10) days, and if the request is granted, a rehearing shall be scheduled within thirty (30) days. Any person affected by the Zoning Board of Adjustment's decision on a motion or rehearing may appeal in accordance with RSA 677:4-15.

#### **11.11.6 Penalties**

Fines, penalties and remedies for violations of this Ordinance shall be the same as for violations of RSA 676:15, ~~and RSA 676:17~~, ***RSA 676:17-a and RSA 676:17-b.***

YES

263

NO

74

### **March 15, 2017 – Tuftonboro Central School**

Moderator Daniel F. Barnard, Jr. called the second portion of the 2017 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 Mr. Bob Theve who informed those in attendance that the 13<sup>th</sup> Annual Tuftonboro Road Side clean-up is scheduled for Saturday, April 22<sup>nd</sup>, starting at 8:00 AM. Bags and vests will be supplied. Those interested in helping can sign up at the Town Office. Heather Cubeddu, Town Clerk was also recognized by the Moderator and informed everyone about the Tuftonboro Old Home Days events scheduled for August 25, 26 and 27<sup>th</sup>. Information will be posted around town and on the Town's website. Volunteers for this event are welcomed and encouraged.

Moderator Barnard announced the results of the election on March 14<sup>th</sup>. The officers elected stood to be recognized. The Moderator did not have school district voting results as the Town of New Durham postponed their elections until Thursday, March 16<sup>th</sup>. School district votes will be tallied after New Durham's election. The meeting then proceeded with the remaining articles of the Town warrant.

**Article 8: To see if the Town will vote to authorize the Cemetery Trustees to create an Expendable Cemetery Trust Fund under the provisions of RSA 31:19-a wherein the money received from the sale of Rights to Burial will be deposited. The funds received from the sale of such lots shall be deposited with the Trustees of the Trust Funds for the maintenance of cemeteries, which shall include cemeteries which have been abandoned and become municipal cemeteries for management purposes pursuant to RSA 289:20-21. Maintenance shall include repair of gravestones as well as maintenance of cemetery grounds.  
(Majority vote required)**

Selectman Lloyd Wood moved the article and Guy Pike seconded the motion. Cemetery Trustee, Peter Sluski addressed the article. Approval of this article will allow money from the sale of burial plots to be placed into an expendable fund which will allow the Cemetery Trustees the ability to spend monies on the maintenance of the cemeteries, headstone repair and also will allow individuals to donate to the cemetery fund for the upkeep of the cemetery. No discussion or questions. The Moderator asked for a show of hands on Article 8. **The article was passed.**

**Article 9: 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 (or advertised sealed bid) or in such manner as determined by the Selectmen as justice may require. The law allows this authority to extend indefinitely until rescinded by a vote of Town Meeting. This article recommended by the Selectmen.**

**(Majority vote required)**

Selectman Carolyn Sundquist moved the article. Paul Thornton seconded the motion. Selectman Sundquist addressed the article informing voters that the article will allow the Selectmen to sell Town properties and get them back on the tax rolls. Some expressed concern about this process. Max Ledoux made a motion to amend the article by removing the last sentence. The motion to amend the article was seconded by Guy Pike. Selectman Sundquist asked if there could be language included giving the time of 1 year or until the next Town Meeting. Max Ledoux informed that this is included in the law and the Moderator did not feel the language needed to be added. A few others asked questions. The Moderator read the amended article and asked for a vote on the amended article which reads ***"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 (or advertised sealed bid) or in such manner as determined by the Selectmen as justice may require."*** The amended article was declared passed with a vote of 67 Yes and 57 No.

Guy Pike and Steve Hunter expressed concern about using the Town's attorney as the auctioneer and felt the article should state that the sale will be by advertised public auction and/or sealed bid. Steve Snow made a motion to amend the amended article. Steve Brinser seconded the motion stating it would eliminate the money going to an auctioneer. The proposed amendment to the amended article is ***"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."*** Sue Weeks was still concerned about public input on properties which the Town would put up for sale. Barry Ennis felt the article needs to be voted down until it can be clearer. No further discussion. The Moderator asked for a show of hands to vote on the amendment to the amended article. **The amended article was declared passed.**

**Article 10: To see if the Town will vote to raise and appropriate the sum of Forty-Two Thousand Dollars (\$42,000.00) to be added to the previously established Fire/Rescue Department SCBA (Self Contained Breathing Apparatus) Equipment Capital Reserve Fund. The full amount (\$42,000.00) will come from the Unassigned Fund Balance and no amount to be raised from taxation.**

**(Recommended by the Board of Selectmen 3-0 and the Budget Committee 5-0)  
(Majority vote required)**

Selectman Bill Marcussen moved the article and Paul Thornton seconded the motion. The service life of the Fire/Rescue Department SCBA (Self Contained Breathing Apparatus) Equipment is 15 years. The end of life for the Town's current equipment will be in the year of 2022. The total cost to replace these units will be \$350,000.00. This

additional money will be added to the already established capital reserve fund. No questions or discussion. The Moderator asked for a show hands on the article. **The article passed.**

**Article 11: To see if the town will vote to raise and appropriate the sum of Seventy-Five Thousand Dollars (\$75,000.00) to be deposited to the previously established Library Capital Building Fund. The full amount (\$75,000.00) will come from the Unassigned Fund Balance and no amount to be raised from taxation.**

**(Recommended by the Board of Selectmen 3-0 and the Budget Committee 5-0)**

**(Majority vote required)**

The article was moved by Carolyn Sundquist and seconded by Paul Thornton. This article would add \$75,000.00 to the already established capital reserve account. The current balance is \$335,543.32 and by adding the \$75,000.00 the new total would be \$410,543.32. Currently the amount of unassigned fund balance is approximately one million dollars. Library Trustee Gordon Hunt indicated they are on the path to build a new library and they currently have a capital campaign with \$60,000.00 in donations pledged for the construction of a new library. Max Ledoux expressed concern about no plan for building a library and objected to putting money aside every year. He said he would like to see the money go to the police facility. Max Ledoux made a motion to amend the article to zero out the amount. Guy Pike seconded the motion. Library Trustee Paul Matlock urged a no vote on the amendment as the plan is to build a new library and renovate the old library for a police facility. The Moderator called for a vote on the proposed amendment which reads: ***"To see if the town will vote to raise and appropriate the sum of zero (\$0) to be deposited to the previously established Library Capital Building Fund. The full amount (\$0) will come from the Unassigned Fund Balance and no amount to be raised from taxation."*** The amendment was defeated.

The Moderator asked for any further discussion on the original article. No further questions or discussion. The Moderator asked for a show of hands on the original article as read. **The article was passed.**

**Article 12: To see if the town will vote to raise and appropriate the sum of Seventy-Five Thousand Dollars (\$75,000.00) to be deposited to the previously established Police Department Capital Reserve Fund. The full amount (\$75,000.00) will come from the Unassigned Fund Balance and no amount to be raised from taxation.**

**(Recommended by the Board of Selectmen 3-0 and the Budget Committee 4-1)**

**(Majority vote required)**

Gordon Hunt moved the article and it was seconded. As of December 31, 2016 the Police Department Capital Reserve Fund had a balance of \$390,895.90. The additional monies would bring the new balance to \$465,895.90. Max Ledoux inquired as to how much the police facility would cost. Bob Theve, a member of the Police Facility Study Committee addressed the question, indicating the renovations would be approximately \$800,000.00. Guy Pike expressed concern about waiting until a new library is built. He

feels the Police Facility is a priority and should be built new. A motion was made by Max Ledoux to increase the \$75,000.00 to \$150,000.00. Bob McWhirter seconded the motion. Dick Cary, a member of the Police Facility Study Committee expressed concern about the amendment as the Committee very carefully considered building the Police Facility first and it would be considerable more expensive. The Moderator asked for a vote on the amended article which reads **"To see if the town will vote to raise and appropriate the sum of One hundred fifty Thousand Dollars (\$150,000.00) to be deposited to the previously established Police Department Capital Reserve Fund. The full amount (\$150,000.00) will come from the Unassigned Fund Balance and no amount to be raised from taxation."** The amendment to the article was **defeated**.

The Moderator asked for any further discussion on the original article. No further questions or discussion. The Moderator asked for a show of hands on the original article as read. **The article was passed.**

**Article 13: To see if the Town will vote to raise and appropriate the sum of Two Hundred Thirty-Five Thousand Dollars (\$235,000.00) for the preparation and paving of Town Roads.**

**(Recommended by the Board of Selectmen 3-0 and the Budget Committee 4-1)**  
**(Majority vote required)**

Selectman Bill Marcussen moved the article and Steve Brinser seconded the motion. The roads scheduled for paving in 2017 are grinding pavement and the base layer on Durgin Road and top final coat on Union Wharf Road. No discussion or questions. The Moderator asked for a show of hands on the article as read. **The article was passed.**

**Article 14: To see if the Town will vote to raise and appropriate the sum of Twenty-Five Thousand Dollars (\$25,000.00) to replace the Lake Road boat ramp.**

**(Recommended by the Board of Selectmen 3-0 and the Budget Committee 5-0)**  
**(Majority vote required)**

A motion was made by Selectman Lloyd Wood and seconded by Paul Thornton. The current boat ramp is dangerous. The ramp is very short, steep and has caused many problems for people trying to launch their boats at the ramp. No discussion or questions. The Moderator asked for a show of hands on the article as read. **The article was passed.**

**Article 15: To see if the town will vote to raise and appropriate the sum of Nine Thousand Two Hundred Six Dollars (\$9,206.00) for the Mirror Lake Boat Launch and Improvements.**

**(Recommended by the Board of Selectmen 3-0 and the Budget Committee 4-1)**  
**(Majority vote required)**

Selectman Lloyd Wood moved the article and Paul Thornton seconded the motion. The Mirror Lake Watershed Committee recommends this boat launch be replaced, citing safety issues and water quality. Local contractor Jeff Moody has generously offered to

donate his time and equipment to keep the costs down. Mr. Moody was thanked by those in attendance. No discussion or questions. The Moderator asked for a show of hands on the article as read. **The article was passed.**

**Article 16: To see if the Town will vote to raise and appropriate the sum of Forty-One Thousand Two-Hundred Sixty Eight Dollars (\$41,268.00) to purchase and install new mobile radios for the Fire/Rescue Department.**

**(Recommended by the Board of Selectmen 3-0 and the Budget Committee 5-0)  
(Majority vote required)**

The article was moved by Bill Stockman and seconded by Gordon Hunt. This article would install new radios in the Town's current fire apparatus. The Town's current radios are obsolete and having maintenance issues. No discussion or questions. The Moderator asked for a show of hands on the article as read. **The article was passed.**

**Article 17: To see if the Town will vote to raise and appropriate the sum of Fifteen Thousand Dollars (\$15,000.00) for a watershed plan to be administered by the Lake Winnepesaukee Association. This will be a non-lapsing appropriation per RSA 32:7, VI and will not lapse until the Watershed Plan is completed or by December 31, 2019, whichever comes first.**

**(Recommended by the Board of Selectmen 3-0 and the Budget Committee 5-0)  
(Majority vote required)**

Selectman Carolyn Sundquist moved the article and Larry Gil seconded the motion. Steve Wingate addressed the article indicating how important clean water is to our community and how 80% of our tax revenue comes from properties on the water. Other towns such as Center Harbor, Meredith and Laconia have had Watershed Plans done and they are very helpful identifying problems with water quality. A grant has been applied for and awarded but a match to the grant is required. No discussion or questions. The Moderator asked for a show of hands on the article as read. **The article was passed.**

**Article 18: To see if the town will vote to raise and appropriate the sum of Fifty Five Thousand Dollars (\$55,000.00) for the purchase of a new police vehicle.**

**(Recommended by the Board of Selectmen 3-0 and the Budget Committee 5-0)  
(Majority vote required)**

A motion was made by Selectman Lloyd Wood and seconded by Larry Gil. Selectman Wood stated the Town is on a three year cycle to replace our police vehicles and 2017 is the year to replace the Town's oldest police vehicle. No discussion or questions. The Moderator asked for a show of hands on the article as read. **The article was passed.**



**Article 19: To see if the Town will vote to raise and appropriate the sum of Thirteen Thousand Dollars (\$13,000.00) to purchase and install a new air filtration system in the Town Garage.**

**(Recommended by the Board of Selectmen 3-0 and the Budget Committee 5-0)  
(Majority vote required)**

Selectman Bill Marcussen moved the article and Steve Brinser seconded the motion. The air filtration system will eliminate harmful exhaust fumes so workers can work on the trucks in the garage and not out in the weather. No discussion or questions. The Moderator asked for a show of hands on the article as read. **The article was passed.**

**Article 20: To see if the town will vote to raise and appropriate the sum of Five Hundred Dollars (\$500.00) to support Mount Washington Valley Supports Recovery.**

**(Recommended by the Board of Selectmen 3-0 and the Budget Committee 4-1)  
(Majority vote required)**

Selectmen Lloyd Wood moved the article and Mary Ann Murray seconded the motion. Several residents spoke passionately about the opioid crisis and the need for treatment programs and support services. Max Ledoux expressed concern and felt individuals should make personal donations not have the money raised by taxation. A motion was made by Bob McWhirter to increase the amount from \$500.00 to \$2,500.00. The motion was seconded. No questions or discussion on the amended article. The Moderator asked for a show of hands to vote on the amended article which now reads: ***“To see if the town will vote to raise and appropriate the sum of Two Thousand Five Hundred Dollars (\$2,500.00) to support Mount Washington Valley Supports Recovery.”*** The amended article was passed.

**Article 21: To see if the town will vote to raise and appropriate the sum of Ten Thousand Dollars (\$10,000.00) for the Pier 19 Crosswalk Project. Nine Thousand Dollars (\$9,000.00) to come from outside fundraising and One Thousand Dollars (\$1,000.00) to come from taxation. This project will be null and void should the fundraising portion of Nine Thousand Dollars (\$9,000.00) not be reached.**

**(Recommended by the Board of Selectmen 3-0 and the Budget Committee 3-2)  
(Majority vote required)**

Selectman Lloyd Wood moved the article and Larry LaPointe seconded the motion. A private citizen asked the Town to consider installing a cross walk at Pier 19 for safety reasons. Several residents questioned liability, the design of the crosswalk and signage and how it would be paid for. After much discussion, the Moderator asked for a show of hands to vote on the article. **The article was declared defeated with a vote of 51-Yes votes and 53- No votes.**

**Article 22: 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 and no amount to be raised from taxation. Any appropriation left in the fund at year end will lapse into the general fund.**

**(Recommended by the Board of Selectmen 3-0 and the Budget Committee 4-1)  
(Majority vote required)**

A motion was made by Steve Wingate and seconded. This contingency fund allows for the Town to pay for unanticipated expenses. In the past, the Town has had to use this money for unexpected boiler repairs and Fire Department expenses. No discussion or questions. The Moderator asked for a show of hands on the article as read. **The article was passed.**

**Article 23: To see if the Town will vote to adopt the “all veterans’ property tax credit” under RSA 72:28-b. If adopted, the credit will be available to any resident, or the spouse or surviving spouse of any resident, who (1) served not less than 90 days on active service in the armed forces of the United States and was honorably discharged or was an officer honorably separated from service, and (2) is not eligible for and not receiving the credit for veterans who served in a qualifying war or armed conflict or for veterans with a service-connected disability. If adopted, the credit will be in the amount of \$500.00, which is the same amount as the credit for a veteran who served in a qualifying war or armed conflict. If the credit is adopted, any person desiring to claim the credit will be required to file an application with the selectmen or the assessors by April 15 of the tax year.**

The article was moved by Bill Marcussen and seconded by Paul Thornton. Currently the Veteran’s credit is only available to those who have served during a qualified armed conflict. Passage of this article would allow all Veteran’s to receive the credit. Larry Gil questioned how many in Town would be eligible for this benefit and Selectman Marcussen said he did not feel it would have a measurable effect. No further questions or discussion. The Moderator asked for a show of hands on the article as read. **The article was passed.**

**Article 24: To see if the Town will vote to raise and appropriate the Budget Committee recommended sum of Three Million Six Hundred Fifty Two Thousand Seven Hundred and Fifty-Five Dollars (\$3,652,755) for general Town Operations. The Selectmen recommended Three Million Six Hundred Fifty Seven Thousand Seven Hundred and Fifty-Five Dollars (\$3,657,755). This article does not include any special or individual warrant articles addressed separately.**

**(Recommended by the Budget Committee 5-2)  
(Majority vote required)**

Carla Lootens moved the article and Gordon Hunt seconded the motion. Budget Committee Chairman Carla Lootens gave an overview of this year’s budget citing

increases in several areas such as the disposal fees for construction & demolition debris at the transfer station, fire department costs, increases in salary and compensation for employees as well as a reduction in state contributions. The current budget is a 6% increase from last year. A few residents expressed concern about the increase in the budget and how it would affect the Town's tax rate. A motion was made by Bob McWhirter to reduce the amount appropriated to \$3,291,274.00 the amount the Town spent in 2016. The motion to amend the article was seconded by Max Ledoux. Other questions were addressed. The Moderator asked for a show of hands on the amended article **"To see if the Town will vote to raise and appropriate the sum of Three Million Two Hundred Ninety-One Thousand Two Hundred and Seventy-Four Dollars (\$3,291,274) for general Town Operations. The Selectmen recommended Three Million Six Hundred Fifty Seven Thousand Seven Hundred and Fifty-Five Dollars (\$3,657,755). This article does not include any special or individual warrant articles addressed separately."** The amendment to the article was **defeated**.

No further discussion or questions about the original article. The Moderator asked for a show of hands on the original article as read. **The article was passed.**

**Article 25 (by Petition): To see if the Town will vote to require the board of selectmen to hold all meetings of the board of selectmen, both regular and work session, at 6:30 PM to allow as many residents of the town to attend meetings as possible. The selectmen currently hold most meetings at either 9AM or 4PM, when the vast majority of residents are unable to attend. Holding meetings after normal work hours would be in keeping with the spirit of the Right to Know law (RSA 91:A), which states: "Openness of the conduct of public business is essential to a democratic society."**

Mary Powell moved the article and Steve Brinser seconded the motion. Max Ledoux addressed the article. Mr. Ledoux indicated passage of this article would allow greater accessibility for residents to attend meetings and he realizes this is a non-binding article. Joe Kowalski, who has been recording the Selectmen's meetings for a number of years, would be happy if the number of people who signed the petition came to any of the meetings. His recordings are available at the library, can be seen on TV and minutes are available on the website. Terry Smith felt the wording of the article appears to be binding. A motion was made by Max Ledoux to amend the article changing the word "require" to "suggest that". Mary Powell seconded the motion. No questions or discussion on the proposed amended article which reads: **"To see if the Town will vote to suggest that the board of selectmen to hold all meetings of the board of selectmen, both regular and work session, at 6:30 PM to allow as many residents of the town to attend meetings as possible. The selectmen currently hold most meetings at either 9AM or 4PM, when the vast majority of residents are unable to attend. Holding meetings after normal work hours would be in keeping with the spirit of the Right to Know law (RSA 91:A), which states: "Openness of the conduct of public business is essential to a democratic society."** The Moderator asked for a show hands to vote on the amended article. **The amended article was**

**defeated.** No further discussion or questions. The Moderator reread the original article and asked for a vote. **The article was declared defeated.**

A motion was made by Mary Ann Murray and seconded by Max Ledoux to reconsider Article 21. Mary Ann Murray felt the Town should reconsider their vote. No further questions or discussion. The Moderator asked for a show of hands on the reconsideration of Article 21. **The request for reconsideration was defeated.**

Moderator Dan Barnard thanked Tyler Phillips and Steve Brinser for their service on the Budget Committee and Carolyn Sundquist for her 9 years of service as a Selectman.

A motion was made by Paul Thornton and seconded by Betsy Thornton to adjourn the meeting at 10:03 PM. There were approximately 121 people in attendance.

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

Heather K. Cubeddu  
Tuftonboro Town Clerk  
March 31, 2017