TAMWORTH 2016 TOWN WARRANT
The State of New Hampshire

To the inhabitants of the Town of Tamworth, County of Carroll in said State qualified to vote in Town Affairs:

You are hereby notified to meet for the First Session of the Annual Town Meeting at the Tamworth Town House, 27 Cleveland Hill Road, in said Town of Tamworth on **Tuesday, the 8th of March, 2016**, to choose town officers and to vote on other matters required to be on the official ballot, polls to be open for voting on **ARTICLES #01 & 02** at eight o'clock in the forenoon, and to close not earlier than seven o'clock in the evening, and you are hereby notified to meet for the Second Session of the Annual Town Meeting at the Kenneth A. Brett School, 881 Tamworth Road, in said Town of Tamworth on **Wednesday, the 9th of March, 2016**, at seven o'clock in the evening for the transaction of all other Town business as specified in the remaining articles of this warrant.

The moderator opened the meeting at 7:00pm. Amy Berrier gave the Invocation with recognition of the 250th Town Celebration. Some Members of the Silver Lake Singers, a Choir for Hospice & Healing, included Ellen Farnum, John Gotjen, and Peggy Johnson singing "When there is light in the Soul." The moderator made some community announcements, referenced fundraising efforts for the 250th Commemorative License Plates and Ornaments, as well as referencing Tamworth's 250th Mosaic Project. Veterans were asked to lead in the pledge of allegiance. The moderator then addressed Article #01 and Article #02 by reading the election results.

ARTICLE #01 To elect all necessary **Town Officers**, which appear on the official Town ballot for the ensuing year.

Office	Name	Term	Votes
Selectmen		**3 years**	
	Steve Gray		**250**
Moderator		**2 years**	
	Chris Canfield (Write-In)		**142**
Treasurer		**1 year**	
	Priscilla Remick		**232**
Supervisor of the Checklist		**6 years**	
	Sharon Nothnagle		**250**

Trustee of the Trust Funds	**3 years**	
	Robert Seston	**232**
Cemetery Trustee	**3 years**	
	John Roberts	**182**
Library Trustees	**3 years**	
	Sheryl Power	**238**
	Robin Gordon (Write-In)	**107**
	Linda Bittner (Write-In)	**71**
Planning Board Members	**3 years**	
	Rebecca Boyden	**211**
	Sheldon Perry	**241**
Fireward – North	**3 years**	
	David Bowles	**257**
Fireward – South	**3 years**	
	Shawn Bross	**235**

Total Ballots Cast – 291

ARTICLE #02 Are you in favor of the adoption of Warrant Article #2 proposed by the Board of Selectmen, as follows: **Amend the Tamworth Floodplain Ordinance** as necessary to reflect repeal of the Tamworth Wetlands Ordinance, and other typographical corrections. (Majority Vote Required)

The Planning Board recommends this article.

Yes 165 No 48 Article Passed

The moderator introduced the head table. Recognition was given to Town Administrator Cassandra Pearce for 12 yrs of service & Dana Littlefield for 6 yrs of service as patrolman. Town Constable Penny Colby presented Dan Poirier with a plaque and recognition from the

Town of Tamworth for his 16 yrs of service. A standing ovation was noted. The moderator finished his ground rules for voting and the meeting procedures. He explained the procedures for speaking, voting (Voice and Hand), and secret ballot voting of which none had been requested at this time. The moderator then moved on to Article #03.

ARTICLE #03

To see if the Town will vote to raise and appropriate the sum of **$77,563** for **salary and benefits** for the current year for the position of **Town Clerk/Tax Collector**. ***NOTE:*** The amount requested under this article shall be used for an annual salary of $49,578, FICA and Medicare in the amount of $3,795, a health and dental insurance premium (93% of the premium for the Town's health insurance plan currently with an 80/20% split for a two person policy and 100% of the employee dental insurance) of $18,650, and contributions to the NH State Retirement System at the effective contribution rate (remaining at 11.17% throughout the calendar year) of $5,540. (These funds shall only be disbursed as long as the eligibility requirements are met in accordance with the NH Retirement System). Also, if a midterm appointment of a new Town Clerk/Tax Collector should be made a salary and benefit package will be determined by the Board of Selectmen at the time of the appointment. (Majority Vote Required)

The Board of Selectmen **recommends** this article (Vote 3-0).

Moved/Seconded

No Discussion — Article Passed

ARTICLE #04

To see if the Town will vote to raise and appropriate the sum of **$757,526** for **General Government Operations:** (Majority Vote Required)

Board of Selectmen	$ 14,239
Town Administration	$194,561
Town Clerk/Tax Collector	$ 49,780
Election & Registration	$ 9,546
Treasurer's Expense	$ 5,886
Data Processing	$ 30,800
Revaluation of Property	$ 13,900
Legal Expenses	$ 40,000
Personnel Administration	$ 4,500
Planning	$ 9,135

Zoning	$ 1,990
Office Building	$ 72,700
Town House	$ 19,968
Cemeteries	$ 34,487
Property Liability Insurance	$ 30,000
Advertising & Regional Assoc.	$ 7,753
Emergency Repair Response	$150,000
Debt Service Principal & Interest	$ 68,281

The Board of Selectmen **recommends** this article (Vote 3-0).

Moved/Seconded Discussion

William Farnum amended article #4 to reduce the sum to $687,794 which is a reduction of $69,732. The amendment was moved and seconded. Discussion to the Amended Article pursued. Mr. Farnum thanked the Board for their preparation of the Warrant and how it is not easy to do. He is prepared to discuss this amendment in detail and wishes to speak on the reduction of five Warrant articles over the course of the evening. Mr. Farnum explained that at our current evaluation of our town for every $100,000 spent it will cost the taxpayer about 30 cents on the tax rate. There are a lot of computations that go into the tax rate but if you keep in mind that for every vote for $100,000, thirty cents goes into the tax rate. William Farnum spoke of the reductions being in four line items for this article: Board of Selectmen reduction $750, the Town Administration line remove $22,318, Data processing line $4,200, and the Office Building line reduced $42,500. These reductions would run pretty close to what was appropriated last year. Mr. Farnum would be willing to go line for line if the people so choose. A question was asked of confirmation of that amended number. The moderator asked the Board of Selectmen if they would like to speak on this matter after the amended number is confirmed. The amended number would need to be corrected. David Little withdrew his second to the initial motion. William Farnum made a new motion and read the new amended number to be $687,768. This was then moved and seconded.

Chairman Steve Gray explained that the numbers are what they are and addressed the Town Administration line with the health insurance being tough to cut, amongst some others. There is the same number of employees contracted under that line and the retirement as well. Also $1700 for the Town Report printing is required. Mr. Gray understood the purpose of the amendment to supply a leaner budget but some would be difficult to cut. William Farnum explained that by turning to Page 11 he could go line for line to start explaining how he came up with his numbers. Mr. Farnum proceeded, and after he went

through several lines asked if the voters understood what he was doing and that he could continue or he could use the total numbers for each budget line under the warrant article without itemizing. The moderator explained that there is a larger line above the sub-lines and asked if the voters would go the larger line item numbers now that the process has been explained. Mr. Farnum then referenced the larger line totals in each budget under Article #4. The moderator asked if there was further discussion. Chairman Steve Gray spoke in reference to the $12,000 part time line that is to be contracted with an experienced practicing financial municipal employee from another town or city to catch up on the back log that occurred when we had temporary help who did their best but the scope and nature of the work was beyond the capability of that part time staff that came in to cover some leave time. Most of the work has been completed with this money and would be advantageous to the town to keep this so that the work would be completed for the upcoming audit in May/June. The other large reduction is for the $31,300 for the reorganization in the Town Office Building. This was discussed last year and the voters were not in favor of it. The problem had been addressed by previous Board of Selectmen going back to when the Treasurer was asked to have all town records kept in the town office building. Mr. Gray proceeded to speak of this being a favorable plan for not only the Treasurer but for the various Boards and Commissions who would have record retention options, and a meeting place in the Town Office Building. Steve Gray asked if he could make a motion for an amendment for the Building renovations. Both the moderator and town council explained that we would have to vote on the amendment on the floor currently presented and additional amendments could be presented thereafter. William Farnum presented numbers that the Board of Selectmen last year had appropriated and not spent and that the Board has a total number to work within the Article which allows them to expend in the manner they so choose. The Moderator reiterated we are voting on the big number and not the line items individually when amendments to articles may pass. Bob Streeter respectfully spoke of the Town Office remodeling being not favorable at this time, and that the vote last year was 134 Yes and 8 No. Bob also spoke of not being aware if there had been any attempt to a less costly solution, such as temporary petitions, for the disruptions to the staff in the current office situation, as the new plan has them still sharing the new office space. Bob spoke of the most compelling reason to reduce the renovations amount this year is the proposed new meeting room is smaller in size, and he would not want to see the meeting space for the purest democracy process decrease. Bob encouraged voters to support the reductions. Brian Cutter made a point of clarification to address the question if the town doesn't spend the total money in the proposed budget it gets returned to the town? Yes.

He also spoke of the Board of Selectmen being elected officials who come up with a budget and if the money appropriated is not spent the townspeople have put our faith in the Board of Selectmen to return this money to the town, and he was not in favor of the nickel and diming of the whole budget over the next few hours.

A voice vote was taken on the amended article in the amount of $687,768. Amendment Passed

The moderator asked for further discussion. Chairman Steve Gray made an amendment to the article to read $731,068. Moved/Seconded. Mr. Gray addressed the amendment to add back the amounts for both the part time help of $12,000 and the amount of $31,300 for the long time standing need for the renovations to the town office building. Wiliam Farnum encouraged voters to vote no on the renovations but maybe consider the $12,000. John Roberts asked Mr. Farnum why he was not in favor of the Town Office Building renovations. Mr. Farnum explained that proposals were brought forward to the selectmen of items to try so as to eliminate the need for the office renovations. He named dividers, computer being placed in the hallway, information being put on line for more accessibility to the public and less disruptions to the office staff, and none of those things were tried. John Roberts asked Mr. Farnum if he felt the work load in the Selectmen's office was heavier in there since he last served four years ago. Mr. Roberts referenced during Mr. Farnum's tenure that he supported trying to move an employee from the selectmen's office into the meeting room. Mr. Farnum agreed that this was the case but it did not work. John Robert's spoke of not getting anything more done for the town of Tamworth when serving with 14 different board members than when he did in the time he served with Mr. Farnum. Michael Malenfant spoke of the $42,000 not being necessary to cut in this budget and that there are other areas you can take the $42,000 from. John Wheeler felt that this should be cut because the public had not had the opportunity to have input into this project and spoke of a committee to be involved to decide what works best, and therefore is in favor of the amendment. He questioned what the sum was that was added back in, and it was confirmed to be $43,300.

Voice Vote taken on amendment of $731,068 Not Passed

The moderator explained that we were back to the first amendment to the article totaling $687,768 and asked if there was any further discussion. Dana Littlefield, resident taxpayer, asked about the reasoning why there would be $4,200 for Data Processing for PD computer upgrades. Dana clarified that of the three computers in the Police Dept the oldest is 3-4 years old which is not that old, and that

the three computers are already networked to their own stand alone server located in the PD building. Mr. Littlefield then asked what is the $35,000 increase in the legal expense line? Steve Gray responded as Chairman of the Board that there were legal fees already paid this calendar year and that there were ongoing issues and settlements to be reached which may or may not require legal fees, and there are still some outstanding legal fees that the selectmen have contracted for. Mr. Littlefield asked for clarification if the fees paid were for our own town attorney or was it used for other attorneys that the town used in lieu of town counsel. Mr. Gray stated that we had not paid any other attorney's fees, but that the money was put in the budget to make sure the money was there to expend if needed.

Gail Troseth asked to amend the amended article to $699,768 adding the $12,000 for part time help back in. Moved/Seconded. The moderator asked for discussion to this amendment. William Farnum spoke that this amended amount maybe should be considered for use for the part time help that may be needed in lieu of the change in personnel that will happen, but not used for building renovations.

Voice vote taken — Amendment Not Passed

Motion to Move the Question — Moderator honored that

The moderator announced we would be voting on the amended article amount of $687,768.

A Voice Vote was taken — Amended Article Passed

ARTICLE #05 — To see if the Town will vote to raise and appropriate the sum of **$755,164** for **Public Safety**: (Majority Vote Required)

Police Department	$344,640
Ambulance Contracted Services	$136,665
Fire Department	$202,645
Rescue Squad	$ 53,444
Forest Fires	$ 7,183
Emergency Management	$ 4,933
Animal Control	$ 5,654

The Board of Selectmen **recommends** this article (Vote 3-0)

Moved/Seconded

William Farnum made an amendment for the total article amount to read $690,616 reducing the PD budget to $280,092. William Farnum

went over line items for reductions. Steve Gray spoke of the current advertisement in adding a certified patrolman to the force, and search for possible Part Time employees. With the part time employees the benefit to the town would be the experience but the coverage may not cover 40 hrs ongoing and the Town cannot rely on State Police or Sheriff's Dept to always cover. Mr. Gray went on to speak of the need for a third car. With part timers coming in one of the two full time employees would not have a cruiser to come to work when they sign in at home and are coming into work. The third car would also serve as a backup car and would be available for use with the part timers. Mr. Gray spoke of making an amendment to put the third car back in. William Farnum spoke of knowing of police departments that have four full time employees with two cruisers and make it work.

A Voice Vote was taken Amendment Passed

Given the vote Steve Gray withheld his amendment for the third car money to be added back in.

Dana Littlefield proposed an amendment to the article to read $684,416 reducing the amended article by $6,200. In light of his previous discussion with Mr. Gray in Article #4 he would be reducing the upgrades of $4,200 for the Computers, and also $2,000 for Uniforms. Mr. Gray spoke that the IT person recommends the use of the antivirus ESET and that the backup of data be reconfigured. Mr. Gray spoke of the vests having a shelf life and needing to replace them. Chief Colby spoke that the vests do have a shelf life and of her vest being expired at this point. William Farnum spoke of his knowledge of the Dept of Justice having a grant program for vests. Chief Colby commented that that specific program only covers 50% of the cost of the vests and that she was currently working on that.

Voice Vote Taken Amendment Passed

No Further Discussion on article as amended. A vote was taken on the amended article amount of $684,416.

Amended Article Passed

ARTICLE #06 To see if the Town will vote to raise and appropriate the sum of **$1,305,536 for Public Works**: (Majority Vote Required)

Highway Department	*$609,642*
Equipment Purchase	*$140,000*
Road Reconstruction/Paving	*$320,000*

Total Highway		$ 1,069,642
Street Lights		$ 16,000
Well Monitoring & Testing		$ 6,000
Transfer Station Operations	*$194,783*	
Transfer Station Containers	*$ 19,111*	
Total Transfer Station		$ 213,894

The Board of Selectmen **recommends** this article (Vote 3-0).

Moved/Seconded

No Discussion Article Passed

ARTICLE #07 To see if the Town will vote to raise and appropriate the sum of **$24,483** for **Health and Welfare**: (Majority Vote Required)

Health Officer	$ 600
General Assistance	$ 23,883

The Board of Selectmen **recommends** this article (Vote 3-0).

Moved/Seconded Discussion

William Farnum amended the article to $19,100 a reduction of $5,383 representing the Salary & FICA/Medicare for the Welfare officer.

Moved/Seconded Discussion

William Farnum spoke of the assignment of the Welfare Officer to the Executive Assistant position who is already a full time employee with the Town of Tamworth. Steve Gray spoke of the resignation of the previous Welfare Officer and that work is being done outside the contractual hours. Additionally, there are situations if the deputy has to take charge of the operations then that salary needs to be there.
Mr. Gray spoke of in future assignment of that position, whether it would still fall under the duty of the Executive Assistant, and in the past when a Selectman did do this job there was a salary attached to that position for that purpose.

No Further Discussion. A Voice Vote was taken on the Amendment. The amendment passed.

No further discussion Amended Article Passed

ARTICLE #08 To see if the Town will vote to raise and appropriate the sum of **$256,343** for **Culture & Recreation:** (Majority Vote Required)

Parks & Recreation	$ 89,463	
Tennis Courts	$ 12,000	
Total Recreation		$101,463
Swim Program		$ 6,000
Cook Memorial Library		$140,880
Patriotic Purposes/Family Day		$ 8,000

The Board of Selectmen **recommends** this article (Vote 3-0).

Moved/Seconded Discussion

Anne Chant, Chairman of the Cook Memorial Library Board of Trustees made a motion to increase this article by $1,226 to a total article amount of $257, 569. Moved/Seconded. Anne Chant explained that this is for the salary increase of two Library employees to bring them up to the median wage of comparable positions in similar towns. The two positions are the Circulation Assistant and the Cataloging Librarian. Steve Gray spoke of why the Board of Selectmen voted against the increases during budget time. Mr. Gray spoke of town employees not receiving a COLA increase this year and that last year some of the Town employees were adjusted and brought up to the median range. The Librarians were not included in the Pay & Wage Survey and other part time town employees were not included in being brought up to the median wage. Anne Chant commented that one of these two positions was in the survey but an increase was not offered to the Library employee. David Little spoke of being one of the four volunteers involved in putting together the Wage & Pay Survey and it did include four Library positions that did fall below the 50%. Mr. Little was not aware that the Library employees were not included in the median wage increase last year and believes that they should have been on the basis of treating everybody fairly. Skip Nason, also a Library trustee, spoke of the employees being passed over and that they are college educated and if you looked at their Salaries there wouldn't be much argument that they are underpaid.

Voice Vote Taken on the Amendment Amendment Passed

No Further Discussion Amended Article Passed

ARTICLE #09 To see if the Town will vote to raise and appropriate the sum of **$7,179** for **Tamworth Conservation Commission** expenses. (Majority Vote Required)

The Board of Selectmen **recommends** this article (Vote 3-0).

Moved/Seconded No Discussion

Article Passed

ARTICLE #10 To see if the Town of Tamworth will vote to establish a capital reserve fund under the provisions of RSA 35:1 for the purpose of **planning for**, **purchasing of, land for and the construction of a multipurpose public safety building** and to raise and appropriate the sum of **$200,000** to be deposited in said fund. Furthermore, to name the Board of Selectmen as agents to expend said fund. (Majority Vote Required)

The Board of Selectmen **recommends** this article (Vote 3-0).

Moved/Seconded Discussion

William Farnum respectfully requested that the voters turn the article down. He then sited his points: Lack of Town Planning, No Cost estimate for total cost of this project, there is nothing put in Capital Improvement Plan for this major expense, and Capital Reserve's lose money over time. Mr. Farnum asked two questions: Were the Fire Ward's ever asked to have help in determining where the building should be located? Is there a piece of land that has been offered to the town for such a purpose?

Jim Bowles spoke of the planning being done back in 2006. In reality it will probably become a Public Safety Building and this article is not to build a fire station, but for the purpose of purchasing the land. The notion that the Central Fire Station needs to be replaced is not new. A Capital reserve was established in 2003 to set money aside to a least have money available for the purpose of purchasing land when the need arose. In 2010 when the Capital Improvement plan was established the town switched gears and dissolved the capital reserve funds. The CIP committee meets with the department heads to help plan out the larger expenditures of each department. Jim spoke of having money available if a predetermined sale does not work out. Ron Remick Jr when he had heard this article was being presented had recently offered to look at different pieces of land and it was

found that the options are extremely limited here in town. Logistically the central station area works for the town. Jim Bowles spoke of how the central station does need to go where it is because of insurance reasons and logistically that is where it works best in regards to the other station locations and response times. The reason it is being presented this year is because there is a lead on a piece of land which does involve two parcels that the owner wants to sell together. One of the parcels has a building on it that is why the amount is higher. Jim Bowles also noted that the fire truck purchase for this year was put off by the CIP committee for this purchase, and to put this article off would mess up the long term plans for the CIP and other departments.

Jack Waldron spoke as the CIP Chairman in regards to what was presented to the committee in June. The fire ward's presented to buy land in 5 yrs and to build the central station in 10 yrs. The CIP had moved a lot around so the fire dept could buy the $384,000 fire truck, with money this year and some more next year, prior to the discussions of the purchase of land. Jack Waldron discussed the recommendations and meetings between fire wards, the board of selectmen, and Steve Whitman for planning of a future project because of the size of the project, and that it had turned into more than just the purchasing of land without a plan in place with the CIP committee. A project of this size would involve a bond, and a lot of money, and he would like to see the community brought in as early as possible in this process. David Bowles, with Jack Waldron from a CIP perspective, met with the Selectmen and wanted to see some money put in the budget this year in an amount of $20,000 to $25,000 for planning of a future public safety building. Mr. Waldron suggested that with proper planning in place, and if an opportunity to purchase this piece of land came up, the emergency line in the operating budget of $150,000 could be used to purchase the land this year. But this is not what came out in the final budget. His concern of having a house involved with the purchase that would have to be held onto too, was not in anybody's capital budget. He still has a lot of questions on what we are doing with $200,000.

Steve Gray spoke of being involved with the CIP for some time, and had voted to disband the capital reserve funds for reasons of the return on investments and the limited investment opportunities. However, he is in favor of a capital reserve fund in this case. The reason being that a lot of adjustments have been made and an increase to services of the highway dept schedule has been bumped up, and that the fire truck purchases had been pushed out in a prior year to allow other services to be scheduled earlier. Mr. Gray believes this money should be approved so that it is there for the purpose of purchasing land, and the money will be there when needed. When the

school bond and the landfill closure bonds are paid it will free up some money for future projects. The cost of the ambulance contract in five years will need to be addressed as well, and may preclude raising funds. William Farnum had heard that the land is not on the market and that if it was it will be more money than what is being asked for here. Mr. Farnum spoke of the use of the emergency fund being set up for such a purpose. If we take this money put it in the bank and raise our tax rate by approving this article we are putting ourselves in not a favorable position with the sales of our homes in Tamworth and the potential increase of our tax rate. Skip Nason asked if there is a want, or a need? Do we need a 10 acre parcel for a municipal building? Jim Bowles mentioned the range of land being 5–10 acres when considering the size of the potential building, parking, and possibly a training facility. The current property being sought is not on the market but in the right location and he does not want to miss out on this opportunity.

Motion made by George Cleveland to Move the question.
Moderator agreed

Voice Vote taken twice Moderator was asked to hand count

Yes 51 No 99 Article Not Passed

ARTICLE #11 (By Petition): To see if the Town of Tamworth will vote to raise and appropriate the sum of **$25,500** for the **250th Town Anniversary Committee**. (Majority Vote Required)

The Board of Selectmen **does not recommend** this article (Vote 3-0).

Moved/Seconded Discussion

Bruno Siniscalchi asked for each Selectman independently to respond as to why they didn't recommend this article. Steve Gray has seen the ruling from the DRA (Dept of Revenue Admin) that the account that it is in is secure, existent, and up to date and is available to the committee for the celebration year. Jim Hidden said that the board has been told repeatedly that the money is sitting safe and sound in its own special account. John Roberts would agree also. This money was raised last year, could be carried over into this year, and if we raise another $25,500 that means we are adding to the $25,500 raised last year, and we've been informed that we can carry the money ahead from last year. Mr. Siniscalchi asked what the balance in the account was as of December 31, 2015 with the $25,500 and the fundraising

involved during the 2015 year. Steve Gray responded that the balance as of Dec. 31st, 2015 is $33,085.27. Mr. Siniscalchi stated that the committee was not looking for any more money but wanted to make sure the money from last year was there. David Little spoke in regards to the information the 250th committee received from DRA in reference to RSA 32:7 that they don't think the money is there. Mr. Little explained that RSA 32:7 had six exceptions, and went on to read what DRA had forwarded to the committee in reference to their question. Mr. Little's question was that given that the board of selectmen did not encumber these funds for the 250th under RSA 32:7 at a selectmen's meeting, as is not reflected in any meeting minutes, is there another RSA that this would fall under? Mr. Little asked if this could be confirmed with town council. Attorney Sager didn't know if there was an additional RSA that would cover those funds as this was just brought forward. He was then given an email that was from DRA to the Board of Selectmen dated Feb. 8th, 2016 and in the town's adoption of RSA 31:95(b) accept unanticipated revenue which involves the fundraising funds, and not the encumbered funds. Atty Sager was then a little bit suspicious as this was the only document he has seen. Further documentation would be forthcoming.

A brief break was taken. Article #12 was brought forward to be discussed while waiting for the documentation for Article #11.

The Moderator returned back to Article #11 from Article #27 to continue discussion.

Emails from DRA and the Auditor to the Town Administrator speaking to the 250th celebration are treating it as a special warrant article which will not lapse until the end of 2016. A copy of the report from the town's accounting firm through Feb 2016 shows an account for the 250th celebration totaling $33,134.27. The Atty feels very confident that DRA is not going to come back on this later. David Little asked for clarity on this special warrant article, or an RSA reference. Attorney Sager referenced RSA 32:3 and gave an example of a special warrant article referenced in the DRA's suggested warrant article examples in regards to resurfacing a playground and if the playground isn't completed that the funds are good until the playground is built. John Wheeler did agree with what town council had presented in regards to the special warrant article and if its wording is correct asked that we vote down or pass over this warrant article but would hope that the Select Board would take this as a learning opportunity to make sure that in the future the proper language is instituted on any special warrant article, and on what date it ends.

Mr. Siniscalchi asked to amend the article to read:

(By Petition): To see if the Town of Tamworth will vote to raise and appropriate the sum of **$1** for the **250th Town Anniversary Committee**. (Majority Vote Required)

Moved/Seconded

Voice Vote taken Amendment Passed

Margaret Rieser asked if it was found later that we don't have the encumbered money would this amendment allow the board of selectmen to expend money in the 2016 tax year. John Roberts spoke to say that DRA and the Town's Auditor had advised the board all along that this could be done.

Voice Vote Taken Amended Article passed

The Moderator then proceeded to address Articles #13- #26.

ARTICLE #12

(By Petition). I respectfully request that the Town vote to have the Town Selectmen raise and appropriate the sum of **$15,201** for the **reimbursement of the funds that the Homeyer Family** incurred due to the illegal actions of the 2012 Tamworth Planning Board.

I respectfully propose that they divide the funds into two items to help the Town with the expense by giving half in Tax Credits and the remainder in cash replacement for loans borrowed to fight for the Homeyer's legal rights. (Majority Vote Required)

The Board of Selectmen **does not recommend** this article (Vote 2-1).

Moved/Seconded Discussion

Rose Bente spoke on behalf of the Homeyer Family in regards to the legality of the interactions between her mother and the planning board. She read that she wanted to make the planning board responsible for the injustices caused to her mother and family because of the refusal of the planning board to allow her mother or family by vote of the planning board to speak. The family hired council to take the planning board and the town to court to give her mother back her rights to her land. The court judged in her favor to give back the rights to her property. Rose's mother wanted to make sure that the planning board could not do this to anyone else. Rose asked the voters to vote yes on Article #12.

David Bowles spoke in the Homeyer's favor of this Article in their expenses incurred because of the town's actions, and the judge's findings.

Atty Sager spoke of defending the planning board in 2012 and commented that the Judge or Court did not decide anything as it did not go that far. The planning board had changed their decision to further the application process, and the suit was dropped at that time.

Rose Bente spoke of a meeting that the planning board approved the application with everything they had asked for but at the last minute changed the approval with restrictions. The restriction was that the Homeyer's could only put one house on 15 acres.

Skip Nason was a planning board member at the time of that meeting and couldn't agree more with the plaintiff, and that due process was not done and recommends we vote yes for this article.

William Farnum spoke that the planning board is a volunteer group that does not receive compensation for their hours of work, and humans make mistakes. This particular application had 7 different plans with 23 different waivers to the regulations of our town that were granted. The Homeyers had an opportunity to come back to the planning board to ask for reconsideration but chose to go directly to the court, which was their option, and did not put in the document to the court to have their legal fees paid for by the town. The case was remanded from the court back to the planning board, and the planning board readdressed it and took off the restrictions that they had added. The Homeyer's were made whole at this point. Mr. Farnum stated that the rights as humans to be treated fairly is important, but he does not believe the Town of Tamworth, maybe even under state constitution, can give money to a private individual. Therefore he would recommend that the town not pass this article.

The moderator asked if the selectmen could address this. John Roberts was one of the no votes and voted that way because he had nothing to show of the actual costs incurred. Jim Hidden was sitting on the planning board during his first year of his first term as the selectmen's representative and didn't feel the restriction could be done and therefore was being consistent with his voting. As far as the amount of money involved he does not know but does feel there was a misstep by the planning board. Steve Gray spoke, as a then member of the planning board, in regards to a letter and an agent in regards to the accounting of the money.

Atty Sager spoke of the motion made to settle. He read the consented motion for voluntary non suit presented by Rose's mother's attorney that says "The planning board voted to remove the restriction at issue and reapprove the boundary line adjustment without restriction as such the above appeal is mute and maybe non-suited." This is what Atty Sager agreed to do on behalf of the town. If Mrs. Homeyer wanted her attorney's fees in 2012 that would have been the time to do that, but not four years later.

Rose Bente spoke of the accounting in regards to $9,700 in legal fees, several thousand dollars having a representative meet with the town and go to the court and attend the hearings of which $1,500 is all that is being asked for, the rest is what it cost our family to have me attend the planning board meeting and two town meetings. She would be willing to be paid in tax credits. Her understanding from separate legal counsel is that this would not set a precedent.

Paul King spoke as the surveyor involved in this case and contradicted William Farnum in regards to RSA 677:15 that the process to go back to the planning board is only for zoning and does not work with the planning board subdivisions or boundary line adjustments. Mr. King stated that this was not done in good faith as the attorney had commented earlier in taking away Mrs. Homeyer's basic private property rights to the Homeyer's back land with a quick motion in denying Mr. King the right to speak. Steve Gray being a planning board member at the time, and Jim Hidden as a selectmen representative at the time both voted against that motion.

Dom Bergen chairman at the time admitted that the planning board made a mistake and commented they had fixed the mistake. The Homeyers had ways they could have come back to us to get it fixed but they didn't go that way. The first thing Mr. King does is put in the paper that I should personally be sued because of this mistake. The family was before the board six times with complicated revisions and changes and at the last minute we did in fact put an addendum on it. In the past the board had had an experience of granting an addendum that had not been thought out. Mr. Bergen admitted to his misstep on not reopening the hearing and allowing Mr. King to speak again. Mr. Bergen thought $15,000 was a little excessive for this mistake.

Motion made to move the question. Moderator agreed.

Voice Vote Taken Article Not Passed

The moderator moved to forward to Article #27 before going back to Article #11.

The moderator returned to Address Articles #13 - #26.

The moderator discussed the grouping of Articles #13-26 that are by petition. The total of those articles is $155,265. The moderator explained that traditionally we have voted on these petitioned articles as a group. The moderator will read through each article, and those that would like an article to be discussed say so, and the moderator will pull that article from the group, and it will be voted on separately, subtracting that article's amount from the grand total. We will then vote on the group first, and then we will vote on the individual pulled articles. A voice vote was taken to agreement of the moderator's proposed grouping of the articles. The Selectmen have voted to recommend all the articles 3-0 except for Article #25 which will be pointed out to the floor when the moderator reads that article.

Before the moderator moved to read Articles #13-26 Chairman, Steve Gray made a motion to not reconsider any articles already voted on.

Moved/Seconded Voice Vote Taken Motion Passed

The moderator then proceeded to read Article #13 - #26.

Article #25 was pulled.

A motion was made to vote on a total amount of $152,265 as a group for Articles #13 - #24 and Article #26 being articles not pulled.

Moved/Seconded No Discussion Articles Passed

The Moderator then proceeded to address Article #25.

ARTICLE #13 (By Petition). To see if the Town will vote to raise and appropriate the sum of **$2,000** to the **Tamworth Outing Club** for the support of the Cal Ripkin and Babe Ruth baseball programs. (Majority Vote Required)

The Board of Selectmen **recommends** this article (Vote 3-0).

ARTICLE #14 (By Petition). To raise and appropriate the sum of **$6,000** for **Tri-County Community Action** for the purpose of continuing services of the Fuel Assistance Program for the residents of Tamworth. (Majority Vote Required)

The Board of Selectmen **recommends** this article (Vote 3-0).

ARTICLE #15 (By Petition). To see if the Town of Tamworth will raise and appropriate the sum of **$129** or transfer same from available funds, for support of the **Medication Bridge Assistance Program**. (Majority Vote Required)

The Board of Selectmen **recommends** this article (Vote 3-0).

ARTICLE #16 (By Petition). To respectfully request that the town vote to raise and appropriate the sum of **$1,919** in support of **Starting Point** providing advocacy and support to victims of domestic and sexual violence and their children. (Majority Vote Required)

The Board of Selectmen **recommends** this article (Vote 3-0).

ARTICLE #17 (By Petition). To see if the Town of Tamworth will vote to raise and appropriate the sum of Five Thousand (**$5,000)** for the **Tamworth Scholarship Committee, Inc.** (Majority Vote Required)

The Board of Selectmen **recommends** this article (Vote 3-0).

ARTICLE #18 (By Petition). Warrant Article for the Town of Tamworth to appropriate the same sum as last year of **$5,000** to assist the **Community Food Center –** the food pantry serving Tamworth people. (Majority Vote Required)

The Board of Selectmen **recommends** this article (Vote 3-0).

ARTICLE #19 (By Petition). To see if the Town of Tamworth will vote to raise and appropriate the sum of **$3,400** for the Early Supports & Services Program (birth to 3 years) of **Children Unlimited, Inc.** (Majority Vote Required)

The Board of Selectmen **recommends** this article (Vote 3-0).

ARTICLE #20 (By Petition). We the undersigned registered voters of the Town of Tamworth do hereby petition the 2016 Annual Town Meeting to raise and appropriate the sum of **$80,000** for **Tamworth Community Nurse Association** for the purpose of continuing services to the residents of Tamworth. (Majority Vote Required)

The Board of Selectmen **recommends** this article (Vote 3-0).

ARTICLE #21 (By Petition). We the undersigned registered voters of the Town of Tamworth do hereby petition the 2016 Annual Town Meeting to raise and appropriate the sum of **$20,000** for **Meals on Wheels** for the purpose of continuing services to the residents of Tamworth. (Majority Vote Required)

The Board of Selectmen **recommends** this article (Vote 3-0).

ARTICLE #22 (By Petition). To see if the Town of Tamworth will raise and appropriate the sum of **$2,500** for the annual support of services provided to the citizens of this community by the **Central New Hampshire VNA & Hospice.** The VNA-Hospice Agency has been serving the Town residents for many years, and the Town has consistently supported the VNA & Hospice. (Majority Vote Required)

The Board of Selectmen **recommends** this article (Vote 3-0).

ARTICLE #23 (By Petition). To see if the Town will vote to raise and appropriate the sum of **$17,000** for support of the Tamworth children, ages 5 – 12, using the Out-of-School hours, School-Aged childcare services at **Bearcamp Valley School and Children's Center** (Tamworth Preschool Inc.), a non-profit organization. These services include before and after school, vacation weeks and summer programs for Tamworth Children ages 5-12. This request does not include any preschool programming. (Majority Vote Required)

The Board of Selectmen **recommends** this article (Vote 3-0).

ARTICLE #24 (By Petition). To see if the Town will raise and appropriate the sum of **$3,750** to assist the **Mental Health Center.** (Majority Vote Required)

The Board of Selectmen **recommends** this article (Vote 3-0).

ARTICLE #25 (By Petition). To see if the Town of Tamworth will vote to raise and appropriate the sum of **$3,000** (Three thousand dollars) in support of **Carroll County Transit Blue Loon Public Bus Service**. (Majority Vote Required)

The Board of Selectmen **does not recommend** this article (Vote 3-0).

Moved/Seconded Discussion

A representative of Blue Loon asked to speak on the matter. In 2015 in the Town of Tamworth the total units of service was 918 and the total individual's served was 146. There were 801 trips, 369 medical, 1 visiting, 12 legal, 1287 employment visits, and 29 shopping. The majority of riders are low income, elderly, and handicapped. We need to support them. Nancy Coville spoke in regards to some people who get to work on this vehicle who can't drive and believes this is very important.

Bob Streeter asked if the Selectmen could speak to why they don't recommend this.

Selectmen spoke to the figures that were presented at budget time for 2014, and the blue loon representative not having the 2015 figures at that time. Several buses are not used and with the Tamworth caregivers in town may be an unnecessary service for Tamworth. The perception is that the service is duplicated. Jim Hidden agreed with Steve and felt that we could pass on this. John Roberts felt that we are paying twice because they go to the county and we pay the county tax.

Mike Coughlin CEO from Tri County Cap explained Extra buses are available in case of breakdowns and Tamworth Caregivers provide a great service but don't serve everybody. The Blue loon serves hundreds and hundreds of people. We go to 12 different funding sources and ask for a little from each and all of that money together provides a portion of what is actually needed. There is not a duplication of service or extra money to go around and the feedback from people who use this service say it is essential.

Mary Breasted Smyth asked for the charge of the services. The Blue Loon representatives explained that low income is not charged. Fees range from $2-5, there are certain restrictions and there are donations. There are some fee restrictions for age as well. Joanne Rainville spoke of a resident who needed to visit her sister in Wolfeboro who was in hospice and the blue loon took her. Her fee was nothing as a senior citizen. Nancy Coville commented that the person she knows who gets to work who uses this service pays $3.00.

No Further Discussion Voice Vote Taken Article Passed

The moderator then moved to Article #27.

ARTICLE #26 (By Petition). To see if the Town of Tamworth will vote to raise and appropriate the sum of **$5,567** for the support of **White Mountain Community Health Center** to help meet the healthcare needs of the uninsured and underinsured residents of the Town of Tamworth. (Majority Vote Required)

The Board of Selectmen **recommends** this article (Vote 3-0).

ARTICLE #27 To transact any other business that may legally come before the meeting.

Ned Beecher asked as follow up to Article #10 that there be a report available for next year or within the next year for the need of a safety complex as to why the current facilities are not adequate and the need for what's needed.

The moderator returned back to Article #11 for further discussion.

The moderator then came back to Article #27 from Article #25.

Joanne Rainville speaking on behalf of Nurse Carol and herself wished to convey a message for the record: First we would like to wish Chief Colby success with her new role. Secondly, we want to say that nursing is a confidential business so many folks do not know what we deal with. Tamworth is not Brigadoon. Twice we have been called into homes where we dealt with rape victims. Women tend to be more comfortable dealing with women. When we encouraged these victims to let us call law enforcement Dan did not just arrive with his police skills, he came with his heart. On another occasion, one of us entered a home with an Alzheimer's victim and were confronted with him brandishing a gun. A call to Dan was placed and he cajoled the gun away from the gentleman. Lastly, I went to a home at the request of a local hospital. The man was under the influence of numerous substances. He threatened my safety. While he was distracted I called Dan. He was able to gain entry to the home, an ambulance was called, and the gentleman was taken to a mental health facility. Both Carol and I want to express our gratefulness to Chief Poirier for always having our backs. Once again, we wish Chief Colby all the best and will count on her to watch our backs while keeping herself safe.

Motion to adjourn Meeting adjourned at 10:35pm

Respectfully Submitted,
Kim Trammell
NH Certified Town Clerk