

# 2010 TOWN MEETING MINUTES

## STATE OF NEW HAMPSHIRE TOWN OF PITTSFIELD

**Moderator Cedric Dustin called the 2010 Town Meeting to order at 10:05 AM on Saturday, March 13, 2010 in the Pittsfield Elementary School Gymnasium.**

Two members of the Pittsfield Boy Scout Troop #84 led the Pledge of Allegiance.

Moderator Dustin pointed out the emergency exits of the gymnasium to those in attendance and asked all to quiet their cell phone ringers.

Moderator Dustin explained the ground rules for the meeting. There will be no debate until a Motion has been made and seconded. The debate is limited to the motion in question. Anyone wishing to speak will use the microphone and identify him/herself. All remarks and questions shall be addressed to the Moderator and not to members of the body present. Any amendment to a Motion must be made in writing and given to the Moderator. Only one amendment will be considered at a time. All votes will be by cards unless it is a secret ballot. The use of the secret ballot on any one Article is permitted if and whenever five voters present at the meeting make a written request to the Moderator prior to the card vote on that Article.

### **Moderator Dustin read the introduction to the posted 2010 Town Meeting Warrant:**

To the inhabitants of the Town of Pittsfield, Merrimack County and State of New Hampshire, qualified to vote in Town affairs:

You are hereby notified to meet at the Town Hall Meeting Room at 85 Main Street in said Town on the second **Tuesday** in March next, **March 9, 2010**, to act upon the subjects herein mentioned. You are hereby warned that on said date and at said place the polls will be opened at **7:00 AM** and will remain open until **7:00 PM** for the reception of your ballots under the Non-Partisan Ballot System. You are hereby warned that on **Saturday, March 13, 2010, at 10:00 AM** at the Pittsfield Elementary School Gymnasium, the matter of appropriations and such other business properly brought before said meeting will be taken up for your consideration and action.

### **Moderator Dustin read the results of the ballot votes of the 2010 Annual Town Election held on Tuesday, March 9, 2010:**

**Article 1:** To choose by ballot the following officers: two Selectmen for a three (3) year term; a Town Moderator for a two (2) year term; two Planning Board Members for a three (3) year term; a Trustee of the Trust Funds for a three (3) year term; one Supervisor of Check List for a six (6) year term; a Library Trustee for a three (3) year term; one Ethics Committee Member for a three (3) year term;

### **Annual Town Election Results:**

**Two Selectmen** for a three (3) year term –

**Donald Chase elected** – 200 votes, **Eric Nilsson elected** – 209 votes, Gerald Leduc – 171 votes, Fred Okrent (write in) – 197 votes

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**Town Moderator** for a two (2) year term –

**Cedric Dustin elected** – 471 votes

**Two Planning Board Members** for a three (3) year term

**John “Pat” Heffernan elected** – 312 votes, **Theodore “Ted” Mitchell elected** – 289 votes,  
James Pritchard – 207 votes

**Trustee of the Trust Funds** for a three (3) year term –

**Cara Marston elected** – 483 votes

**Supervisor of Checklist** for a six (6) year term –

**Faith Whittier elected** – 467 votes

**Library Trustee** for a three (3) year term –

**Sylvia Wallace elected** – 454 votes

**Ethics Committee Member** for a three (3) year term –

**Merrill Vaughan elected** – 421 votes

**Article 2:** Are you in favor of an elected planning board established as follows:

(a) The planning board shall consist of 5 members. (See RSA 673:2, II.)

(b) The procedure for electing planning board members shall be according to RSA 673:2, II, (b), (1), as follows: (1) The selectmen shall choose one selectman or administrative official of the town as an ex officio member. (2) The remaining planning board positions shall be filled at the next regular town election pursuant to RSA 669:17 except that initial and subsequent terms shall be as follows: The town shall initially elect 2 members for a one-year term, one member for a 2-year term, and one member for a 3-year term. Thereafter, the term of an elected planning board member shall be 3 years. (See RSA 673:5, II.) (c) Elected planning board members shall be elected by ballot. (See RSA 669:17, V, and RSA 669:14.) (Submitted by Petition)

**Article 2 passed** – Yes (290) – No (196)

**Article 3:** To see if the town will vote to rescind the action taken at the 2007 Town Meeting to elect planning board members, and instead to have the planning board members appointed by the board of selectmen, which shall designate one selectman or administrative official of the town as an ex officio member and appoint other persons who are residents of the town to serve on the planning board. (Recommended by the Board of Selectmen 4-1)

**Article 3 failed** – Yes (181) – No (305)

**Article 4:** Are you in favor of an amendment to Pittsfield Zoning Ordinance Article 2, Table 1, and Article 3 that (a) permits home occupations by right in all zoning districts and (b) replaces the current home occupations definition with one that defines “home occupation” as a commercial use that (1) a person conducts as an accessory use relative to the person’s residence and (2) must be inconspicuous to any abutting property. (Submitted by Petition) (Not Recommended by the Planning Board 5-2).

**Article 4 failed** – Yes (209) – No (265)

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**Article 5:** Are you in favor of an amendment to Pittsfield Zoning Ordinance Article 3 adding the following frontage definition: **FRONTAGE:** (a) "Frontage" of a lot means the Class V or better highway frontage of the lot except where the word "frontage" is qualified otherwise, for example, water frontage. (b) "Class V or better highway frontage" of a lot means the single, continuous line segment of the front street line of the lot across which segment there is the principal access route into the lot and in which segment each point is a boundary point of a Class V (RSA 229:5, VI) or better highway. (c) "Class V or better highway frontage" of a lot also means the length of the segment defined in subparagraph (b). (d) Whenever any lot is created by any means other than merging two or more lots, the lot shall have a Class V or better highway frontage. In this subparagraph, the creation of a lot means the most recent creation or movement of the boundary of the lot by official action. (Submitted by Petition) (Not Recommended by the Planning Board 5-2).

**Article 5 failed** – Yes (221) – No (253)

**Moderator Dustin then moved on to the warrant articles that were to be taken up at the 2010 Town Meeting, March 13, 2010:**

**Article 6:** To see if the Town will vote to create an Expendable Trust Fund under the provisions of RSA 31:19-a to be known as the Josiah Carpenter Library Building Maintenance Expendable Trust Fund, for the total of Fifteen Thousand Five Hundred Dollars (\$15,500.), for the purpose of weatherproofing the front door and installation of storm windows on all main floor windows, and to raise and appropriate the sum of Fifteen Thousand Five Hundred Dollars (\$15,500.) for this fund; and to further appoint the Board of Selectmen as agents to expend. (Estimated gross tax impact \$0.05) (Recommended by the Board of Selectmen 5-0) (Not Recommended by the Budget Committee 11-1)

Selectwoman Morin moved to accept Article 6 as read, Selectwoman Small seconded.

Mary Terese Schelble, Library Trustee, made a motion to amend Article 6 to remove the word 'storm' from the Article. The motion was seconded.

Library Trustee Schelble explained that by removing the word 'storm' would give the Library Trustees more flexibility in using the monies. She explained that a grant was applied for to help fund the purchase of the storm windows and if the library isn't awarded the grant funds, they would be able to use the monies on any of the library windows, not just for storm windows.

Louis Houle, Budget Committee Member, explained that the Budget Committee didn't recommend the article due to the specific wording of 'storm' windows.

**A card vote was then conducted on the amendment to remove the word 'storm' from Article 6, the amendment passed.**

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Cher Keuenhoff, Chair of the Budget Committee, noted that with this amendment to Article 6, the Budget Committee would recommend the article.

**Moderator Dustin read Article 6 as amended:**

To see if the Town will vote to create an Expendable Trust Fund under the provisions of RSA 31:19-a to be known as the Josiah Carpenter Library Building Maintenance Expendable Trust Fund, for the total of Fifteen Thousand Five Hundred Dollars (\$15,500.), for the purpose of weatherproofing the front door and installation of windows on all main floor windows, and to raise and appropriate the sum of Fifteen Thousand Five Hundred Dollars (\$15,500.) for this fund; and to further appoint the Board of Selectmen as agents to expend. (Estimated gross tax impact \$0.05) (Recommended by the Board of Selectmen 5-0) (Not Recommended by the Budget Committee 11-1)

**A card vote passed Article 6.**

Moderator Dustin asked the voting body if there was any objection to him not reading the Articles a second time before voting, if they are not amended. There was no objection to this request.

**Article 7:** To see if the Town will vote to raise and appropriate the sum of Thirty Thousand Dollars (\$30,000.) to purchase a new police cruiser and authorize the withdrawal of Fifteen Thousand Dollars (\$15,000.00) from the Police Cruiser Capital Reserve Fund created for that purpose. The balance of Fifteen Thousand Dollars (\$15,000.00) is to come from general taxation. (Reserve Fund balance is \$16,051.54 on 12-31-09) (Estimated gross tax impact \$0.05) (Recommended by the Board of Selectmen 5-0) (Recommended by the Budget Committee 11-0-1)

Selectwoman Morin moved to accept Article 7 as read, Selectwoman Small seconded.

Don Chase asked Chief Wharem to elaborate on the article. Chief Wharem explained that there are six cruisers in the front line that are on six year rotations according to the current capital improvements plan. The 2004 is the next vehicle that is in line to be replaced, the replacement need is not immediate, but this article will make the funds available if it needs to be replaced in this current year. The fleet is aging with the last purchase being in 2007, none of the vehicles are under extended warranty, and there is a concern about maintenance costs rising which is the reason to keep close to the capital improvements planning rotations.

**There being no further discussion, a card vote passed Article 7.**

**Article 8:** To see if the Town will vote to raise and appropriate the sum of Fifteen Thousand Sixty Two Dollars (\$15,062.) to purchase computer system equipment and authorize the withdrawal of Ten Thousand Dollars (\$10,000.) from the Computer System Renewal and Replacement Capital Reserve Fund previously created for that purpose. The balance of Five Thousand Sixty Two Dollars (\$5,062.00) is to come from general taxation. (Reserve Fund balance is \$16,051.54 on 12-31-09) (Estimated gross tax impact \$0.02) Recommend by the Board of Selectmen 4-0-1) (Recommended by the Budget Committee 12-0)

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Selectwoman Morin moved to accept Article 8 as read, Selectwoman Small seconded.

**There being no discussion, a card vote passed Article 8.**

**Article 9:** To see if the Town will vote to raise and appropriate the sum of One Hundred Twenty Six Thousand Nine Hundred Eighty Five Dollars (\$126,985.) for the purchase of a Small Highway Truck Replacement and authorize the withdrawal of Sixty Four Thousand Eight Hundred Thirteen Dollars (\$64,813.) from the Small Truck Capital Reserve Fund created for that purpose. The balance of Sixty Two Thousand One Hundred Seventy Two Dollars (\$62,172.) is to come from general taxation. (Reserve Fund balance is \$64,813.91 on 12-31-09) (Estimated gross tax impact \$0.20) (Recommended by the Board of Selectmen 4-0-1) (Not Recommended by the Budget Committee 9-3)

Selectwoman Morin moved to accept Article 9 as read, Selectwoman Small seconded.

George Bachelder, Superintendent of Public Works, explained that the department is looking to replace the 2003 Ford F550 that is always overloaded and over worked and has cost \$10,834 this past year in repairs with an International 4400 with a twenty-year stainless steel combination dump body/sander that can go onto the next truck.

Several residents; Peggy Weldon – 60-year resident living on a dirt road, Don Chase – local taxi driver putting over 40,000 miles per year on Pittsfield's roads, and Pauline Cortese – noting a time headed home in a storm was grateful to cross over the Pittsfield town line from Epsom – all residents stated great praise for Bachelder and his road crew.

**There being no further discussion, a card vote passed Article 9.**

**Article 10:** To see if the Town will vote to raise and appropriate the sum of Thirty Thousand Dollars (\$30,000.) to be added to the Fire and Rescue Apparatus Capital Reserve Fund previously established. (Reserve Fund balance is \$263,687.30 on 12-31-09) (Estimated gross tax impact \$.10) (Recommended by the Board of Selectmen 5-0) (Recommended by the Budget Committee 11-1)

Selectwoman Morin moved to accept Article 10 as read, Selectwoman Small seconded.

**There being no discussion, a card vote passed Article 10.**

**Article 11:** To see if the Town will vote to raise and appropriate the sum of Seventeen Thousand Dollars (\$17,000.) to be added to the Department of Public Works Dump Truck Capital Reserve Fund previously established. (Reserve Fund balance is \$118,397.99 on 12-31-09) (Estimated gross tax impact \$0.06) (Recommend by the Board of Selectmen 4-1) (Recommended by the Budget Committee 8-4)

Selectwoman Morin moved to accept Article 11 as read, Selectwoman Small seconded.

**There being no discussion, a card vote passed Article 11.**

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**Article 12:** To see if the Town will vote to raise and appropriate the sum of One Thousand Dollars (\$1,000.) to be added to the Department of Public Works Loader Capital Reserve Fund previously established. (Fund balance is \$114,234.92 on 12-31-09) (Estimated gross tax impact less than \$.01) (Recommended by the Board of Selectmen 4-1) (Recommended by the Budget Committee 10-2)

Selectwoman Morin moved to accept Article 12 as read, Selectwoman Small seconded.

**There being no discussion, a card vote passed Article 12.**

**Article 13:** To see if the Town will vote to raise and appropriate the sum of One Thousand Dollars (\$1,000.) to be added to the Department of Public Works Grader Capital Reserve Fund previously established. (Reserve Fund balance is \$6,835.45 on 12-31-09) (Estimated gross tax impact less than \$.01) (Recommended by the Board of Selectmen 4-1) (Recommended by the Budget Committee 10-2)

Selectwoman Morin moved to accept Article 13 as read, Selectwoman Small seconded.

Dan Schroth made the statement that he was afraid that the town was not saving enough for highway equipment and that the SelectBoard should consider not giving raises next year to save for the highway equipment instead.

**There being no further discussion, a card vote passed Article 13.**

**Article 14:** To see if the Town will vote to raise and appropriate the sum of One Thousand Dollars (\$1,000.) to be added to the Department of Public Works Backhoe Capital Reserve Fund previously established. (Reserve Fund balance is \$54,682.74 on 12-31-09) (Estimated gross tax impact less than \$.01) (Recommended by the Board of Selectmen 4-1) (Recommended by the Budget Committee 10-2)

Selectwoman Morin moved to accept Article 14 as read, Selectwoman Small seconded.

**There being no discussion, a card vote passed Article 14.**

**Article 15:** To see if the Town will vote to raise and appropriate the sum of One Thousand Dollars (\$1,000.) to be added to the Sidewalk Tractor Capital Reserve Fund previously established. (Reserve Fund balance is \$21,663.27 on 12-31-09) (Estimated gross tax impact less than \$.01) (Recommended by the Board of Selectmen 4-1) (Recommended by the Budget Committee 10-2)

Selectwoman Morin moved to accept Article 15 as read, Selectwoman Small seconded.

**There being no discussion, a card vote passed Article 15.**

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**Article 16:** To see if the Town will vote to raise and appropriate the sum of One Hundred Three Thousand One Hundred Fifty Five Dollars (\$103,155.) for the purpose of ambulance repair, to fund eight hours of the forty-eight hour work week and any ambulance overtime or on-call personnel budgeted line items, paramedic intercepts, and for the replacement and repair of ambulance equipment, and to authorize the withdrawal of that sum from the Ambulance Replacement and Equipment Special Revenue Fund previously created, with no amount to be raised by taxation. This article is designated as a special warrant article and the appropriation shall not lapse until adjournment of the 2011 Annual Town Meeting. (Fund balance on 12-31-09 is \$393,306.44) (Recommended by the Board of Selectmen 5-0) (Recommended by the Budget Committee 8-4)

Selectwoman Morin moved to accept Article 16 as read, Selectwoman Small seconded.

After a lengthy discussion took place regarding the ambulance department and how it is funded partially through the ambulance fund, Fred Okrent called the article to question.

**There being no further discussion, a card vote passed Article 16.**

**Article 17:** To see if the Town will vote to raise and appropriate the sum of Three Million Four Hundred Ninety Four Thousand Five Hundred Four Dollars (\$3,494,504.) to fund the Town Budget and Capital Outlay as recommended by the Budget Committee. Said sum does not include the sums contained in special or individual articles of this warrant. (Board of Selectmen by a Vote of 5-0 Recommended \$3,685,535.) (Recommended by the Budget Committee 9-0)

Selectwoman Morin moved amend Article 17 to read,

To see if the Town will vote to raise and appropriate the sum of Three Million Six Hundred Thirty Six Thousand Nine Hundred Eighty Nine Dollars (\$3,636,989.) to fund the Town Budget and Capital Outlay as recommended by the Budget Committee. Said sum does not include the sums contained in special or individual articles of this warrant article. (The Board of Selectmen by a Vote of 5-0 Recommended \$3,685,535.) (Recommended by the Budget Committee 9-0)

Selectwoman Small seconded the amendment.

Moderator Dustin explained that the reason why the number was changed was that there was a typo in the warrant, the number in the warrant was not the amount that the Budget Committee recommended. Moderator Dustin clarified that the number that the Budget Committee approved was \$3,636,989, which is the number on the floor for discussion.

Helen Schoppmeyer moved to amend the bottom line by Two Thousand Five Hundred and One Dollars (\$2,501) to bring the total to Three Million Six Hundred Thirty Nine Thousand Four Hundred Ninety Dollars (\$3,639,490).

The motion was seconded.

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Helen Schoppmeyer, resident (and Budget Committee member), explained that this amendment would be to give raises to the part timers and the one full timer who had not received raises due to the fact that they were not in the union, this \$2,501 would be for a two percent raise and the payroll-tax related costs. Schoppmeyer noted that the Budget Committee had voted in favor of this increase but had to rescind the amount from the recommended total due to a procedural error.

After a discussion took place regarding the amendment for the raises, David Menard moved the article to question.

Moderator Dustin clarified that what was being voted on was the amendment of \$2,501 to Article 17 with the intention of giving raises to those who did not get them in this budget.

**As the card vote was too close to readily determine, Moderator Dustin requested another card vote to be counted by the Supervisors of the Checklist. A card vote on the amendment to Article 17 passed with 66 Yes votes and 62 No votes.**

Moderator Dustin clarified that the amount of Article 17 is now at Three Million Six Hundred Thirty Nine Thousand Four Hundred Ninety Dollars (\$3,639,490).

Selectwoman Morin moved to amend the amount of Article 17 to Three Million Six Hundred Eighty Five Thousand Five Hundred Thirty Five Dollars (\$3,685,535) which represents the Board of Selectmen recommended Town Budget and Capital Outlay. This is an increase of Forty Eight Thousand Five Hundred Forty Six Dollars (\$48,546). Motion was seconded.

The motion and second was withdrawn.

Selectwoman Small moved to amend the amount of Article 17 to Three Million Six Hundred Eighty Eight Thousand Thirty Six Dollars (\$3,688,036) which represents the Board of Selectmen recommended Town Budget and Capital Outlay. Plus the Two Thousand Five Hundred and One Dollars. This is an increase of Forty Eight Thousand Five Hundred Forty Six Dollars (\$48,546) to the Budget Committee recommendation. What that entails is Fifteen Thousand to the Building Inspection department, One Thousand Eight Hundred Eighty Two Dollars to be put to the FICA and Medicare that attributes to that building department and Thirty One Thousand Six Hundred Sixty Four Dollars to restore the fulltime position at the Waste Water Treatment Plant. Motion was seconded.

Moderator Dustin clarified that the figure is now \$3,688,036. This does include the \$2,501.

A lengthy discussion ensued on the amount of the Selectmen's proposed budget.

After Moderator Dustin asked if the voters were ready to vote, he clarified that the vote was on adding the amount of \$48,546 to bring the total of Article 17 to \$3,688,036.

A card vote on the amendment failed. A member of the audience requested another card vote to be counted by the Supervisors of the Checklist. This card vote on the amendment failed with 68 No

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votes and 66 Yes votes. The Board of Selectmen then requested another card vote to be counted by the Supervisors of the Checklist. This card vote again failed with 70 No votes and 69 Yes votes. Moderator Dustin declared that the amendment to Article 17 failed.

Moderator Dustin then read Article 17:

To see if the Town will vote to raise and appropriate the sum of Three Million Six Hundred Thirty Nine Thousand Four Hundred Ninety Dollars (\$3,639,490.) to fund the Town Budget and Capital Outlay. Said sum does not include the sums contained in special or individual articles of this warrant.

**A card vote passed Article 17.**

**Article 18:** To see if the Town will vote to approve the following resolution to be forwarded to our State Representative(s), our State Senator, the Speaker of the House, and the Senate President. Resolved: The citizens of New Hampshire should be allowed to vote on an amendment to the New Hampshire Constitution that defines "marriage". (Submitted by Petition)

Don Chase moved to table this Article. The motion was seconded.

An immediate card vote was conducted. The card vote on the motion to table failed as it did not get the two thirds required. The article was not tabled.

Article 18 was then moved and seconded.

A request was made that the vote be conducted by secret ballot.

After a discussion took place on this article, a motion was made to move to the question. This motion was seconded. A card vote to move to the secret ballot vote was conducted, the card vote passed to continue to the secret ballot.

**After a secret ballot vote was conducted, the Article passed with 79 Yes votes and 36 No votes.**

**Article 19:** To transact any other business that may be legally brought before said meeting.

Selectwoman Morin thanked SelectBoard members Linda Small and Larry Konopka for their years of service.

Lea Adams, Blue Star Mother of NH, gave thanks to the SelectBoard and Town Staff for their support and dedication to the NH Blue Star Mother's in the 2009 Town Report. She then explained the symbolism of the Hero Tree that is on the town report cover.

Elizabeth Hast thanked Cher Keuenhoff for her twelve years of serving on the Budget Committee.

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Pauline Cortese requested that the Town be better neighbors to those on Dowboro Road who live next to the town gravel pit, and give better notice to abutters of the town activities that occur in the gravel pit area.

Helen Schoppmeyer gave thanks to Cher Keuenhoff for her service as a great Chairman of the Budget Committee.

Scot Palmer made a lovely statement as to how great our freedom in this country is.

Moderator Dustin adjourned the 2010 Town Meeting at 12:28 PM.

Minutes submitted by Cara M. Marston, Administrative Assistant, and approved by Elizabeth A. Hast, Town Clerk.