

# 2016 TOWN MEETING MINUTES

Town Moderator Arthur Morse called the 2016 Town Meeting to order at 10:05 a.m. on Saturday, March 12, 2016 in the Pittsfield Elementary School Gymnasium. The Pittsfield Girl Scout Troop 10540 led the *Pledge of Allegiance*.

Town Administrator Cara Marston introduced the people on the stage: Town Clerk/Tax Collector Erica Anthony, Select Board Chairman Eric Nilsson, Selectman Larry Konopka, Selectman Albert Douglas, Selectman Gerard LeDuc, Selectman Nicholas Hayes, Fire Chief Peter Pszonowsky, Superintendent Public Works George Bachelder, and Police Chief Jeffrey Cain.

Moderator Morse introduced himself and explained his job was to facilitate the meeting, and encouraged people to: "Remember we are all neighbors. It is okay to disagree, but not to be disagreeable". He reviewed the rules and voting instructions for the meeting. He also asked newly elected officials to please come to the front after the meeting to be sworn in.

Moderator Morse read the introduction to the posted 2016 Town Meeting Warrant:

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

You are hereby notified to meet at the Town Hall Meeting Room at 85 Main Street in said Pittsfield on March 8, 2016, at 7:00 a.m. to act on Articles 1 through 6 below. The voting on Articles 1 through 6 will be by official ballot, and the polls will open at 7:00 a.m. and will remain open until 7:00 p.m. for the receipt of your ballots.

You are hereby notified to meet at the Pittsfield Elementary School Gymnasium in said Pittsfield on Saturday, March 12, 2016, at 10:00 a.m. to act on the remaining Articles below.

## TO BE TAKEN UP TUESDAY, MARCH 8, 2016

### Article 1:

To choose by ballot the following officers:

- one Cemetery Trustee for a three (3) year term
- one Library Trustee for a three (3) year term
- one Moderator for a two (2) year term
- one Planning Board member for a three (3) year term
- two Selectmen for a three (3) year term
- one Selectman for a two (2) year term
- one Supervisor of the Checklist for a six (6) year term
- one Trustee of the Trust Funds for a three (3) year term
- one Zoning Board of Adjustment member for a three (3) year term

### Annual Town Election Results:

**One Cemetery Trustee** for a three (3) year term –  
**Norma Konopka (write in) elected** – 6 votes

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**One Library Trustee** for a three (3) year term –  
**Leslie Vogt elected** – 540 votes

**One Moderator** for a two (2) year term –  
**Frederick Okrent (write in) elected** – 35 votes

**One Planning Board Member** for a three (3) year term –  
**James A. Pritchard elected** – 434 votes

**Two Selectmen** for a three (3) year term –  
**Carl Anderson elected** – 354 votes  
Frederick T. Hast – 159 votes  
Eric R. Nilsson – 108 votes  
**Carole A. Richardson elected** – 330 votes  
Daniel L. Schroth – 145 votes  
Earle “Sandy” Wingate, III – 91 votes

**One Selectman** for a two (2) year term –  
**Lawrence J. Konopka elected** – 370 votes  
Adam Gauthier – 262 votes

**Supervisor of the Checklist** for a six (6) year term –  
**Faith Ann Whittier elected** – 563 votes

**One Trustee of Trust Funds** for a three (3) year term –  
**Cara M. Marston elected** – 581 votes

**One Zoning Board of Adjustment Member** for a three (3) year term –  
**James Hetu elected** – 400 votes  
Carole J. Dodge – 213 votes

## **Article 2:**

Are you in favor of the adoption of Amendment No. 1 as proposed by the planning board for the town zoning ordinance as follows: comprehensive revision of the zoning ordinance articles listed at the end of this amendment description to make them more clear, specific, and lawful under state law. The amendment avoids changes in what the regulations do except as necessary to conform to state law or to satisfy the apparent intent of the ordinance where the ordinance is vague. This amendment mostly affects zoning ordinance article 2, Zoning Districts, and article 3, Definitions, but the amendment also affects zoning ordinance article 1, General Provisions; article 4, Non-Conforming Structures; Lots and Uses; article 6, Special Exceptions; article 7, Variances; article 8, Cluster Developments; article 10, Manufactured Housing; article 14, Storage Containers; article 17, Pittsfield Floodplain Development Ordinance; and article 19, Shoreland Protection Ordinance. The purpose of this amendment is to make the affected parts of the zoning ordinance clear, specific, and lawful under state law.

(Recommended by the Planning Board 5-0)

**Article 2 passed** – Yes (428) – No (174)

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## **Article 3:**

Are you in favor of the adoption of Amendment No. 2 as proposed by the planning board for the town zoning ordinance as follows:

- (1) amend article 2, Zoning Districts, and article 3, Definitions, to replace the term “combined dwelling and business” with the term “dwelling above business” so as to require that apartments in buildings with a principal-use business must be on the second or higher story of the building, and
- (2) amend article 16, Parking Regulations, to eliminate parking requirements for apartments above businesses in the Commercial District.

The purpose of this amendment is to support businesses on Main Street and elsewhere by allowing apartments in business buildings but requiring the apartments to be on the second or higher story of the building.

(Recommended by the Planning Board 4-1)

**Article 3 passed** – Yes (381) – No (223)

## **Article 4:**

Are you in favor of the adoption of Amendment No. 3 as proposed by the planning board for the town zoning ordinance as follows:

- (1) amend article 3, Definitions, and article 19, Adult Business Establishments, to replace the term “adult business establishment” with the term “sexually oriented business”;
- (2) renumber and rename current article 19, Adult Business Establishments, as article 20, Sexually Oriented Businesses; and
- (3) remove current unlawful requirements for adult business establishments/sexually oriented businesses.

The purposes of this amendment are to state the current lawful restrictions on sexually oriented businesses clearly and to remove unlawful restrictions that could make the lawful restrictions void.

(Recommended by the Planning Board 5-0)

**Article 4 passed** – Yes (413) – No (208)

## **Article 5:**

Are you in favor of the adoption of Amendment No. 4 as proposed by the planning board for the town zoning ordinance as follows: amend article 9, Signs, to replace vague permitting conditions with objective numerical permitting conditions for the brightness and emission of noise from commercial signs, and to eliminate the zoning board of adjustment’s authority to decide whether a commercial sign is permitted. The purposes of this amendment are to eliminate vague permitting conditions for commercial signs and to eliminate the zoning board of adjustment’s authority to decide whether a commercial sign conforms to those vague conditions.

(Recommended by the Planning Board 5-0)

**Article 5 passed** – Yes (402) – No (213)

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## Article 6:

Do you favor adoption of the town manager plan as provided in chapter 37 of the Revised Statutes Annotated? (By citizen petition)

**Article 6 failed** – Yes (193) – No (386)

## TO BE TAKEN UP SATURDAY, MARCH 12, 2016

Moderator Morse explained Article 7 and Article 8 are housekeeping articles and would not affect the tax rate. He stated he would read each article separately and make a motion separately. If the body approved, he would open the floor for discussion on each of the articles, he would make a motion, and then call for the vote. The voters would then check in with the Supervisors of the Checklist once and receive two separate, different colored ballots. There are two separate ballot boxes. The polls will be open for one hour for voting.

No objections.

## Article 7:

To see if the town will vote to rescind the authorization to issue bonds or notes or revenue bonds or notes for the balance of the unissued debt in the amount of **five hundred seventy-one thousand, nine hundred dollars (\$571,900)** from the authorization granted by the 2001 Town Meeting Warrant Article 4, which was:

To see if the Town will vote to raise and appropriate the sum of One Million Two Hundred Thousand Dollars (\$1,200,000.00) for the construction and original equipping of improvements to and the cleaning of the wastewater lagoons at the Wastewater Treatment Facility, and to authorize the issuance of not more than One Million Two Hundred Thousand Dollars (\$1,200,000.00) of bonds or notes or revenue bonds or notes or any combination thereof in accordance with the provisions of the Municipal Finance Act (RSA 33) and the Municipal Revenue Bonds Act (RSA 33-B) and to authorize the Board of Selectmen and Treasurer to issue and negotiate such bonds or notes and to determine the rate of interest thereon; furthermore to authorize the Board of Selectmen and Treasurer to borrow in anticipation of the issuance of such bonds and notes and to apply for, receive and expend as a part of this authorization grants, aid and gifts to be applied to such project to decrease the sums to be bonded or borrowed and to authorize the Board of Selectmen and Treasurer to take any and all actions necessary to carry out and complete the project authorized by this article. The costs to repay any bonded amount shall be repaid 50% by the taxpayers as a general obligation of the Town and 50% by the sewer users as an obligation of those connected directly to the sewer system as users. (The ballot vote of this 2001 Warrant Article 4 was Yes: 237 No: 11.)

(2/3 ballot vote required)

(Recommended by the Board of Selectmen 5-0) (Recommended by the Budget Committee 13-0)

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Moderator Morse read the article.

Select Board Chairman Eric Nilsson made the motion to accept the article as read. Selectman Nick Hayes seconded the motion.

Moderator Morse opened the floor for discussion.

No discussion.

## **Article 7 passed Yes (127) - No (16) – secret ballot**

### **Article 8:**

To see if the town will vote to rescind the authorization to issue bonds or notes for the unissued debt in the amount of **four hundred twenty-eight thousand dollars (\$428,000)** from the authorization granted by the 2009 Special Town Meeting Warrant Article 1, which was:

To see if the Town will vote to raise and appropriate an additional sum of Four Hundred Twenty-Eight Thousand Dollars (\$428,000) for the purpose of financing the construction and original equipping of improvements to and the cleaning of wastewater lagoons at the Wastewater Treatment Facility (which together with the \$1,200,000 appropriated by Article 4 passed at the 2001 Town Meeting for the same purpose), will result in a total appropriation of \$1,628,000, and to authorize the issuance of an additional \$428,000 of bonds or notes under and in compliance with the Municipal Finance Act, RSA 33:1 et. seq., as amended; to authorize the Board of Selectmen to issue, negotiate, sell and deliver such bonds or notes and to determine the rate of interest thereon and the maturity and other terms thereof; to authorize the Board of Selectmen to take any other action or to pass any other vote relative thereto and see if the Town will vote to amend Article 4 passed at the 2001 Town Meeting in order to clarify the intent of the Article to authorize the issuance of general obligation bonds of not more than One Million Two Hundred Thousand Dollars (\$1,200,000) of bonds or notes under and in compliance with Municipal Finance Act of, RSA 33:1 et. seq., as amended. The total appropriation of \$1,628,000 shall be funded, in part with general obligation bonds in lieu of any revenue bonds issued under RSA 33-B and it is anticipated that \$945,900 of the total cost will be paid in the form of grants from the United States Department of Agriculture/Rural Development. Without limiting the general obligation nature of the bonds, it is the intent and expectation that fifty (50%) percent of the debt service payments will come from user fees.

(The ballot vote of this 2009 Warrant Article 1 was Yes: 37 No: 2.)

(2/3 ballot vote required)

(Recommended by the Board of Selectmen 5-0) (Recommended by the Budget Committee 13-0)

Moderator Morse read the article.

Select Board Chairman Eric Nilsson made the motion to accept the article as read. Selectman Nick Hayes seconded the motion.

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Moderator Morse opened the floor for discussion.

Moderator Morse explained a 2/3<sup>rd</sup> vote was required for each article. It would be a secret ballot. Polls would remain open for a total of one hour. Polls opened at 10:17 a.m. Moderator Morse stated he would announce when the polls are closed at 11:20 a.m.

## **Article 8 passed Yes (131) - No (14) secret ballot**

Moderator Morse explained that Town Administrator Cara Marston and Budget Committee member Louie Houle asked to speak prior to the monetary articles. He asked if the body was in agreement. Voters approved.

Budget Committee member Houle stated there was a hand out in the back of the room that explained the tax impact for each monetary article.

Town Administrator Marston gave an update of 2015. It was a turbulent financial year. The 2015 budget was not over expended. \$96,000.00 was returned to fund balance. \$296,000.00 more in revenue was collected than anticipated. However, after the reevaluation approximately \$4.2 million was lost in utility assessment value. This resulted in a sizeable, unexpected utility abatement that was more than the overlay booked when the tax rate was set. The town took nineteen tax deeded properties in 2015. Some of the taxes owed for these properties dated back to 2006. This resulted in over \$277,000.00 charged back to overlay. Realizing there would be no prudent way to take from fund balance to offset the 2016 tax rate, Town Administrator Marston and Budget Committee member Houle worked together at the last minute while keeping the department heads of the larger departments apprised to try to find another solution to avoid a large negative impact on the 2016 tax rate.

Budget Committee member Houle explained the line items listed on the hand out sheet corresponded with each warrant article and indicated any tax impact. Most of the warrant articles were approved by both the Select Board and Budget Committee resulting in a \$1.27 increase to the tax rate. However these decisions were made prior to the realization of the utility abatement impact. Once realized he contacted the Budget Committee and worked with Town Administrator Marston to work out a plan that would result in a \$1.86 increase if all the warrant articles passed. He felt a \$1.86 increase was too high. He stated the warrant articles total \$151,000.00 which equates to an approximately \$0.60 increase. He asked the voters to vote no on the monetary warrant articles and deduct the cost of a new \$46,000.00 cruiser from the general budget. If these items do not pass as requested, it would reduce the tax increase to \$1.12. He stated the Police Department and the Budget Committee were in agreement.

Moderator Morse stated Town Administrator Marston and Budget Committee member Houle were speaking in general terms and not to any particular article. Each article would still be heard and open to discussion.

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## **Article 9:**

To see if the town will vote to raise and appropriate the sum of **three hundred eighty-six thousand, five hundred forty-one dollars (\$386,541)** to construct sidewalks on Catamount Road, Tilton Hill Road, Berry Avenue, and Oneida Street and to put new signs on Catamount Road, Tilton Hill Road, Berry Avenue, and Oneida Street and to authorize the acceptance of the same amount from a Safe Routes to School Program grant set forth by the New Hampshire Department of Transportation. This appropriation will be nonlapsing per RSA 32:7, IV.

(Majority vote required)

(Recommended by the Board of Selectmen 5-0) (Recommended by the Budget Committee 13-0)

Moderator Morse read the article.

Select Board Chairman Eric Nilsson made the motion to move the article as read. Selectman Nick Hayes seconded the motion.

Moderator Morse opened the floor for discussion.

Budget Committee member Houle stated there was a \$0 tax impact with this article.

Moderator Morse called for the vote.

**Article 9 passed by card vote.**

## **Article 10:**

To see if the town will vote to raise and appropriate the sum of **three hundred twenty-five thousand dollars (\$325,000)** for the replacement of NHDOT Bridge #089/135, which carries Shaw Road over Kelly Brook, and to authorize the receipt of NH State Bridge Aid in the amount of \$260,000, and also to authorize the withdrawal of \$65,000 from the Shaw Road Bridge Capital Reserve Fund for this purpose. This appropriation will be nonlapsing per RSA 32:7, IV, and RSA 32:7, VI, and will not lapse until the earlier of project completion or December 31, 2020.

(Majority vote required)

(Recommended by the Board of Selectmen 5-0) (Recommended by the Budget Committee 13-0)

Moderator Morse read the article.

Select Board Chairman Eric Nilsson made the motion to accept the article as read. Selectman Nick Hayes seconded the motion.

Moderator Morse opened the floor for discussion.

No discussion.

Moderator Morse called for the vote.

**Article 10 passed by card vote.**

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## **Article 11:**

### **Article 11 is not to be addressed if the preceding Article 10 fails**

To see if the town will vote to discontinue the Shaw Road Bridge Capital Reserve Fund created at the 2007 Town Meeting Warrant Article 16. If the preceding Article 10 passes, authorizing the withdrawal of \$65,000 from the Shaw Road Bridge Capital Reserve Fund, the funds remaining would be \$2,240 as of December 31, 2015. This \$2,240, with accumulated interest to date of withdrawal, is to be transferred to the municipality's general fund.

(Majority vote required)

(Recommended by the Board of Selectmen 5-0) (Recommended by the Budget Committee 13-0)

Moderator Morse read the article.

Select Board Chairman Eric Nilsson made the motion to move the article as read. Selectman Nick Hayes seconded the motion.

Moderator Morse opened the floor for discussion.

Diane Vaughan thanked Town Administrator Cara Marston and Budget Committee member Louie Houle for providing the information and explanation.

Moderator Morse called for the vote.

### **Article 11 passed by card vote.**

## **Article 12:**

To see if the town will vote to raise and appropriate the sum of **ten thousand dollars (\$10,000)** for the purpose of building renovations at the Josiah Carpenter Memorial Library.

(Majority vote required)

(Recommended by the Board of Selectmen 4-1) (Recommended by the Budget Committee 13-0)

Moderator Morse read the article.

Select Board Chairman Eric Nilsson made the motion to move the article as read. Selectman Gerard LeDuc seconded the motion.

Moderator Morse opened the floor for discussion.

No discussion.

Moderator Morse called for the vote.

### **Article 12 passed by card vote.**

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## **Article 13:**

To see if the town will vote to raise and appropriate the sum of **twenty-six thousand, eight hundred dollars (\$26,800)** for the purpose of demolishing the town-owned building at 42 Chestnut Street and to authorize the acceptance of the same amount from a Hazard Mitigation Grant available through the New Hampshire Department of Safety, Homeland Security and Emergency Management, and the Federal Emergency Management Agency. This appropriation will be nonlapsing per RSA 32:7, IV.

(Majority vote required)

(Recommended by the Board of Selectmen 5-0) (Recommended by the Budget Committee 13-0)

Moderator Morse read the article.

Select Board Chairman Eric Nilsson made the motion to move the article as read. Selectman Nick Hayes seconded the motion.

Moderator Morse opened the floor for discussion.

Ted Mitchell believed this article should be delayed due to the budget concerns.

Town Administrator Marston responded there would be no tax impact. It would be fully funded by a FEMA grant already awarded.

Moderator Morse called for the vote.

**Article 13 passed by card vote.**

## **Article 14:**

To see if the town will vote to change the purpose of the existing Ambulance Replacement and Equipment Fund, an RSA 31:95-c special revenue fund, the change being to restrict **thirty thousand dollars (\$30,000)** in revenues from ambulance billings to expenditures for the purposes of ambulance replacement and the ambulance equipment necessary to be licensed by the State of New Hampshire. Such revenues and expenditures shall be accounted for in the existing Ambulance Replacement and Equipment Fund, which is separate from the General Fund. Any surplus in the Ambulance Replacement and Equipment Fund shall not be deemed to be a part of the General Fund accumulated surplus and shall be expended only after a vote by the legislative body to appropriate a specific amount from the Ambulance Replacement and Equipment Fund for a specific purpose related to the purpose of the fund or source of revenues.

(2/3 vote required)

(Recommended by the Board of Selectmen 5-0) (Recommended by the Budget Committee 13-0)

Moderator Morse read the article.

Select Board Chairman Eric Nilsson made the motion to move the article as read. Selectman Nick Hayes seconded the motion.

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Moderator Morse opened the floor for discussion.

Budget Committee member Houle explained the current fund noted in Article 15 was originally created to set aside the revenue generated by the ambulance service for the purpose of ambulance replacement. Over time the fund was used for various other approved ambulance costs leaving a shortfall for ambulance replacement. If this article passes the revenue generated from the ambulance service would go into the general fund and costs would be covered through the general fund. This article would create a fund just for ambulance replacement.

Moderator Morse called for the vote.

Moderator Morse asked the Supervisors of the Checklist to count the voter cards due to the 2/3 vote needed.

**Article 14 passed** – Yes (142) – No (6)

## **Article 15:**

### **To be considered if the preceding Article 14 fails**

To see if the town will vote to raise and appropriate the sum of **one hundred thirty thousand, nine hundred ninety dollars (\$130,990)** for the purpose of funding 1.) ambulance repair, 2.) eight hours of the forty-eight hour work week, 3.) ambulance overtime, 4.) on-call personnel, 5.) paramedic intercepts, and 6.) replacement of ambulance vehicles; and further to fund this appropriation by authorizing 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 2017 Annual Town Meeting.

(Majority vote required)

(Recommended by the Board of Selectmen 5-0) (Recommended by the Budget Committee 13-0)

Moderator Morse read the article.

Select Board Chairman Eric Nilsson made the motion to pass over article 15. Selectman Nick Hayes seconded the motion.

Moderator Morse explained the voters were voting to pass over article 15.

Moderator Morse opened the floor for discussion.

No discussion.

Moderator Morse called for the vote.

**Body voted in favor of passing over Article 15.**

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## **Article 16:**

To see if the town will vote to establish a Capital Reserve Fund under the provisions of RSA 35:1 for the purpose of Fire Department Small Equipment and to raise and appropriate the sum of **five thousand dollars (\$5,000)** to be placed in this fund.

(Majority vote required)

(Recommended by the Board of Selectmen 5-0) (Recommended by the Budget Committee 12-1)

Moderator Morse read the article.

Select Board Chairman Eric Nilsson made the motion to move the article as read. Selectman Nick Hayes seconded the motion.

Moderator Morse opened the floor for discussion.

Budget Committee member Jacob Kitson stated there was a tax impact with this article.

Town Administrator Marston explained the next four articles would establish capital reserve funds for the fire department. These funds would be similar to the capital reserve funds already in place for the public works department. She stated the reserves could be established with a zero amount.

Budget Committee member Louie Houle made a motion to amend article 16 to an appropriated sum of \$1.00. Budget Committee member Helen Schoppmeyer seconded the motion.

Moderator Morse opened the floor for discussion on the amendment.

Noreen Rollins asked if the body could vote against this article and establish something different next year.

Moderator Morse explained the body was now voting on the amendment.

Moderator Morse called for the vote.

**The amendment changing the appropriated sum to \$1.00 passed by card vote.**

Moderator Morse read Article 16 with the amended appropriated sum of \$1.00.

Moderator Morse opened the floor for discussion.

No discussion.

Moderator Morse called for the vote.

**Amended Article 16 passed by card vote.**

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## Article 17:

To see if the town will vote to establish a Capital Reserve Fund under the provisions of RSA 35:1 for the purpose of Fire Department Pumper and to raise and appropriate the sum of **fifty thousand dollars (\$50,000)** to be placed in this fund.

(Majority vote required)

(Recommended by the Board of Selectmen 5-0) (Recommended by the Budget Committee 13-0)

Moderator Morse read the article.

Select Board Chairman Eric Nilsson made the motion to move the article as read. Selectman Nick Hayes seconded the motion.

Moderator Morse opened the floor for discussion.

Budget Committee member Kitson stated there is a tax impact with this article unless amended.

Diane Vaughan asked if money had been set aside in another account to cover the equipment costs in the past.

Fire Chief Peter Pszonowsky stated the funds are currently all in one account. He wanted to separate items into separate capital reserve funds similar to the highway department. There is currently \$375,397.53 set aside for the replacement of Engine 2 in 2017. He stated the tanker is scheduled to be replaced in 2019.

Tanner Van Nest asked if all the funds would be transferred from the current account into the proposed capital reserve accounts.

Town Administrator Marston stated the reserved funds in the current account would be depleted if the new engine is purchased next year. These four capital reserve accounts would allow better tracking of the funds needed for each piece of equipment. If these capital reserve funds are established they would only have the appropriated sum voted on today.

Tanner Van Nest felt it was a waste of time to create accounts without money. He believed it made more sense to establish the funds next year when money could be appropriated.

Town Administrator Marston explained the intent was to establish the capital reserve funds with the appropriated sum indicated in each warrant article. However, in light of recent financial information that was realized after the Select Board and Budget Committee voted and after the warrant was posted it was deemed important to try to stabilize the tax rate.

Dan Schroth asked for the Fire Chief the cost of a new truck.

Fire Chief Pszonowsky stated the cost for a new truck was approximately \$400,000.00 – \$500,000.00. He would establish a committee to review the options and would request a number bids.

Dan Schroth believed the voters should think long term and support these capital reserve funds.

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Budget Committee member Houle stated the departments were on board with this decision to establish the funds without adding money this year. He will not recommend any more amendments.

Carl Anderson questioned planning on replacing equipment when it may last longer with proper maintenance. He felt it seemed excessive to set money aside every year for scheduled replacement.

Budget Committee member Helen Schoppmeyer favored the capital reserve funds. She stated just because the fund was established didn't mean it had to be used by a specific date. She felt it was prudent to set money aside each year instead of getting a big hit in one year. However, she agreed adding money to the funds could wait another year.

Christopher Hemmah asked for the condition of the current truck.

Fire Chief Pszonowsky stated the replacement schedule for engine 2 had been extended from 20 years to 25 years. It is coming up on its 25th year. Work had been done last year so it is still in good condition, but he would like to have some savings in case something did happen and it needed to be replaced.

Moderator Morse called for the vote.

**Article 17 failed by card vote.**

## **Article 18:**

To see if the town will vote to establish a Capital Reserve Fund under the provisions of RSA 35:1 for the purpose of Fire Department Tanker and to raise and appropriate the sum of **ten thousand dollars (\$10,000)** to be placed in this fund.

(Majority vote required)

(Recommended by the Board of Selectmen 5-0) (Recommended by the Budget Committee 13-0)

Moderator Morse read the article.

Select Board Chairman Eric Nilsson made the motion to move the article as read. Selectman Nick Hayes seconded the motion.

Moderator Morse opened the floor for discussion.

Budget Committee member Kitson stated there was a tax impact with this article.

Moderator Morse called for the vote.

**Article 18 failed by card vote.**

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## **Article 19:**

To see if the town will vote to establish a Capital Reserve Fund under the provisions of RSA 35:1 for the purpose of Fire Department Forestry Truck and to raise and appropriate the sum of **one thousand dollars (\$1,000)** to be placed in this fund.

(Majority vote required)

(Recommended by the Board of Selectmen 5-0) (Recommended by the Budget Committee 13-0)

Moderator Morse read the article.

Select Board Chairman Eric Nilsson made the motion to move the article as read. Selectman Nick Hayes seconded the motion.

Moderator Morse opened the floor for discussion.

No discussion.

Moderator Morse called for the vote.

## **Article 19 failed by card vote.**

Moderator Morse asked if anyone still wanted to vote on Articles 7 & 8.

Moderator Morse declared the polls closed on Articles 7 & 8 at 11:20 a.m.

## **Article 20:**

To see if the town will vote to raise and appropriate the sum of **fifteen thousand dollars (\$15,000)** to be added to the Small Highway Truck Capital Reserve Fund previously established.

(Majority vote required)

(Recommended by the Board of Selectmen 5-0) (Recommended by the Budget Committee 13-0)

Moderator Morse read the article.

Select Board Chairman Eric Nilsson made the motion to move the article as read. Selectman Nick Hayes seconded the motion.

Moderator Morse opened the floor for discussion.

Chris Hill asked to hear from Public Works Superintendent George Bachelder regarding the highway capital reserve funds.

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Public Works Superintendent Bachelder stated the next six articles pertained to the highway department. He supported Town Administrator Marston and Budget Committee member Houle's recommendations. The next piece of equipment that would need to be replaced is the loader. It is scheduled for replacement in 2017. The fund is short some money but that could be addressed next year.

Budget Committee member Houle stated he took a picture of the loader's engine spewing oil. He felt Public Works Superintendent Bachelder was being very considerate of the voters. He asked the voters to allow the Budget Committee to look at things again next year.

Moderator Morse called for the vote.

**Article 20 failed by card vote.**

## **Article 21:**

To see if the town will vote to raise and appropriate the sum of **thirty thousand dollars (\$30,000)** to be added to the Dump Truck Capital Reserve Fund previously established.

(Majority vote required)

(Recommended by the Board of Selectmen 5-0) (Recommended by the Budget Committee 13-0)

Moderator Morse read the article.

Select Board Chairman Eric Nilsson made the motion to move the article as read. Selectman Nick Hayes seconded the motion.

Moderator Morse opened the floor for discussion.

No discussion.

Moderator Morse called for the vote.

**Article 21 failed by card vote.**

## **Article 22:**

To see if the town will vote to raise and appropriate the sum of **ten thousand dollars (\$10,000)** to be added to the Loader Capital Reserve Fund previously established.

(Majority vote required)

(Recommended by the Board of Selectmen 5-0) (Recommended by the Budget Committee 13-0)

Moderator Morse read the article.

Select Board Chairman Eric Nilsson made the motion to move the article as read. Selectman Nick Hayes seconded the motion.

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Moderator Morse opened the floor for discussion.

Diane Vaughan reminded voters that a few years ago the highway department did without, and is willing to go without again. She encouraged the voters to support this article if it is so close to replacement.

Carol Dodge asked how much more money was needed to replace the loader.

Highway Superintendent Bachelder responded \$40,000.00.

Carol Dodge stated the voters should put some in the fund now so less would be needed next year.

Paul Nickerson stated the loader is needed. He encouraged people to vote yes.

Select Board Chairman Eric Nilsson stated the Select Board tried to set little away each year in these capital reserve funds so it wouldn't be one big expense.

Budget Committee member Kitson stated he understood putting away a little bit of money but we need to look at how our money is being spent.

Tanner Van Nest felt if we keep putting the capital reserves off it will be a harder hit. He stated that we need to plan ahead and put some money away.

Carl Anderson expressed thanks to Public Works Superintendent Bachelder. He stated everyone seems to assume that we will have the same expenditures next year. He felt certain places in the budget are inflated and believed we could move money from elsewhere in the budget.

Moderator Morse called for the vote.

Moderator Morse asked the Supervisors of the Checklist to count the card vote.

**Article 22 passed by card vote. Yes (81) – No (64)**

## **Article 23:**

To see if the town will vote to raise and appropriate the sum of **fifteen thousand dollars (\$15,000)** to be added to the Grader Capital Reserve Fund previously established.

(Majority vote required)

(Recommended by the Board of Selectmen 5-0) (Recommended by the Budget Committee 13-0)

Moderator Morse read the article.

Select Board Chairman Eric Nilsson made the motion to move the article as read. Selectman Nick Hayes seconded the motion.

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Moderator Morse opened the floor for discussion.

Budget Committee member Kitson reminded the voters there was a tax impact for this article.

Moderator Morse called for the vote.

**Article 23 failed by card vote.**

## **Article 24:**

To see if the town will vote to raise and appropriate the sum of **five thousand dollars (\$5,000)** to be added to the Backhoe Capital Reserve Fund previously established.

(Majority vote required)

(Recommended by the Board of Selectmen 5-0) (Recommended by the Budget Committee 13-0)

Moderator Morse read the article.

Select Board Chairman Eric Nilsson made the motion to accept the article as read. Selectman Nick Hayes seconded the motion.

Moderator Morse opened the floor for discussion.

No discussion.

Moderator Morse called for the vote.

**Article 24 failed by card vote.**

## **Article 25:**

To see if the town will vote to raise and appropriate the sum of **ten thousand dollars (\$10,000)** to be added to the Sidewalk Tractor Capital Reserve Fund previously established.

(Majority vote required)

(Recommended by the Board of Selectmen 5-0) (Recommended by the Budget Committee 13-0)

Moderator Morse read the article.

Select Board Chairman Eric Nilsson made the motion to accept the article as read. Selectman Nick Hayes seconded the motion.

Moderator Morse opened the floor for discussion.

No discussion.

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Moderator Morse called for the vote.

**Article 25 failed by card vote.**

**Article 26:**

To see if the town will vote to raise and appropriate the sum of **four million, five hundred fifty-eight thousand, nine hundred and four dollars (\$4,558,904)** to fund the general municipal operations as recommended by the Budget Committee. This sum does not include appropriations contained in special or individual articles addressed separately in this warrant.

(Majority vote required)

(Recommended by the Budget Committee 11-2)

(Not recommended by the Board of Selectmen 0-5)

Moderator Morse read the article.

Budget Committee Chairman Bob Schiferle made a motion to move the article as written. Budget Committee member Louie Houle seconded the motion.

Selectman Albert Douglas made a motion to amend Article 26 increasing the appropriated sum by \$15,702.00. Select Board Chairman Eric Nilsson seconded the motion.

Moderator Morse opened the floor for discussion on the amended amount of \$4,574,606.00.

Selectman Douglas stated the \$15,702.00 represented the amount cut from the Select Board's budget recommendation. The majority of that amount was for employee salaries and he wanted them to get back what they deserve.

Budget Committee Chairman Bob Schiferle stated the original budget presented to the Budget Committee started much higher and the Select Board, department heads and the Budget Committee worked hard to bring it down. During the discussion at the Select Board meeting when the Board met to vote on the Budget Committee's proposed budget, three of the five selectmen felt the Budget Committee's recommendation was too low and two of the Selectmen felt it was too high. Mr. Schiferle felt the Budget Committee's recommended sum was a compromise.

Donna Keeley asked for a more detailed explanation of the \$15,702.00 salary cut.

Selectman Douglas responded \$500.00 was cut from the Board Secretary's position, \$2,000.00 from the Town Clerk's position, \$2,000.00 from the Administrative Assistant position, \$2,000.00 from the Tax Collector's position, \$4,563.00 from the Building Inspector's position and \$2,000.00 from the Economic Development budget. The balance of the \$15,000.00 was for the FICA and other employee taxes. He stated that the \$15,702.00 was cut from the budget after the Select Board met with the Budget Committee.

Diane Vaughan asked for the approved budget amount for last year.

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Town Administrator Marston stated the total approved appropriations for last year was \$4,420,967.00.

Diane Vaughan felt the increase was reasonable.

Matthew St. George asked if this article was defeated would the tax rate stay the same as last year.

Moderator Morse responded it would not. The Budget Committee's recommended sum is greater than last year, even if the amendment is not approved.

Matthew St. George asked for the difference.

Town Administrator Marston responded \$137,937.00.

Tanner Van Nest stated the employees should be compensated for their hard work.

Noreen Rollins asked if employees were actually getting a pay cut.

Selectman Larry Konopka responded most of the salaries were not going to be reduced, but the increase would be less. The Building Inspector salary would stay the same as last year.

Town Administrator Marston stated the employees that are part of the collective bargaining agreement that was approved last year would receive the raises as agreed upon. The Building Inspector will receive the agreed upon raise, but his hours would be reduced to meet the Budget Committee's proposed reduction of that line item. The only position that is not collectively bargained for is the Town Clerk/Tax Collector. She will receive an increase, but not the full amount the Board of Selectmen recommended. She stated that no one was getting a pay decrease.

Cedric Dustin stated the difference between this year's proposed budget and last year's approved budget is a \$500,000.00 increase.

Budget Committee member Kitson stated the Economic Development Committee asked for \$2,000.00 more last year for an economic development profile update. The Budget Committee cut it back to \$4,000.00 this year. He stated other towns do not fund economic development. Those who do have a lower tax rate than Pittsfield.

Carl Anderson reiterated that people are not getting a pay cut. He believed they were already paid enough. Everyone deserves a fair living. Not everyone in the audience got their fair increase this year. He believed the increases needed to be kept in perspective.

Sandy Wingate stated that he understood that it is difficult for everyone to pay taxes. He believed that there is a significant amount of property that is underutilized that could generate income. It made no sense to him to reduce our investment in our economic development. We want business to pay our taxes. He was told when he was the interim Town Administrator that the Town Clerk was initially given an artificially low salary to see how she would do in the position. He believed she has proven herself

# 2016 TOWN MEETING MINUTES

and deserves the increase. He believed cutting the Building Inspector's hours will have a ripple effect on business in the town. He supported the \$15,702.00 increase.

Budget Committee member Kitson stated even with the cuts the raises are significant. He stated that we are a small town and are spending too much. He believed that we need to get the tax rate as low as possible and not be so frivolous next year.

Adam Cote asked when the new tax rate would take effect.

Moderator Morse stated that it would take effect in the fall when the tax rate is set by the state.

Clayton Wood stated there was an increase last year, another increase this year. We are near the top with our tax rate. He stated that we are doing something wrong and that people are being forced out. He stated that the new selectmen need to do something.

Economic Development Committee Chairman Ted Mitchell stated the committee received \$6,000.00 last year. The committee received \$4,000.00 this year. That is a decrease. He asked the new Selectmen to look at the priorities and to see where we can get the biggest bang for our buck.

Budget Committee member Houle stated the budget started over \$100,000.00 more than presented. The Budget Committee believed the only way to reduce the budget was to cut positions. He stated that got attention. He stated that everyone worked hard to cut. The role of the Budget Committee is to review the Select Board's budget. The budget presented here is the Budget Committee's budget. The Budget Committee held a public hearing to get public input. The Committee then votes. He stated that nothing was done secretly. A lot of ideas were put on the table including the position of Student Resource Officer, but that did not have enough votes to cut. He didn't want to make it personal, but felt there were expenditures last year that could have been used to pay for the Highway Department's loader. The Budget Committee was appointed to represent the voters. He stated that the Committee did not make any big cuts. He encouraged people to support the new Select Board. He asked the voters to let them review the budget and see where more cuts could be made. He stated that the bottom line is our tax rate is too high. He stated that people are going to Epsom and that our budget is the single biggest way to bring economic development.

Budget Committee member Kitson supported the cut to the Economic Development Committee's budget. He stated most towns our size don't fund their Economic Development Committee. He clarified the Budget Committee did not cut the Economic Development Committee line item. Last year the EDC asked for more and got it from town meeting. The Budget Committee voted to go back to the original amount. He stated that when the Budget Committee asked the other departments to make cuts he didn't feel a committee should get a raise.

Adam Cote spoke as a mortgage loan officer. He felt that the tax rate is the single biggest deterrent for people considering moving to Pittsfield. He believes in the town and wants to see it revitalized.

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Chris Hill commented there were fewer people at Thursday's School District Meeting. He applauded everyone for taking the time to come out today. He felt to bicker over \$15,000.00 was moot. We need to look at the school budget.

Budget Committee member Helen Schoppmeyer felt we need to review everything in town, including some of the contracts the Budget Committee felt were excessive. She believed dates of contracts should fall in line with the Budget Committee's schedule for their review. She stated the Budget Committee needed to start fresh and early.

Clayton Wood noted salaries are not a one-time cost and would continue each year. He stated that salaries need to be kept in perspective. He stated that the Select Board needs to come from a business sense.

Ammy Ramsey stated that if we spent half as much energy on looking for increased revenue opportunities as we are on cutting the budget the town would be in a better position. She stated that Pittsfield does not have the same demographic as other towns so it is difficult to compare.

Carmel Portillo was upset there was a lot of talk about cutting the budget but no one was talking about increasing revenue.

Budget Committee member Gail Nickerson agreed with Dan Schroth that we need to plan ahead. She believed we should consider ousting the unions. She felt that substantial cuts needed to be made.

Diane Vaughan stated that we need to be more welcoming to businesses.

Selectman Gerard LeDuc made motion to move the question. Noreen Rollins seconded the motion.

Card vote to move the question passed.

Moderator Morse reminded the voters they were only voting on the amended figure of \$4,574,606.00 resulting in a \$15,702.00 increase to the sum recommended by the Budget Committee.

Moderator Morse called for the vote.

**Amendment failed by card vote.**

Moderator Morse opened the floor for discussion on the original appropriated sum of \$4,558,904.00.

Cemetery Trustee Chairman Cedric Dustin made a motion to amend the appropriated sum of \$4,558,904.00 to \$4,572,104.00 which was an increase of \$13,200.00 for a cemetery mower. Dan Schroth seconded the motion.

Moderator Morse opened for floor for the discussion on the amendment.

# 2016 TOWN MEETING MINUTES

Cemetery Trustee Chairman Dustin stated the current mower is 24 years old and not in good working order. The Cemetery Trustees took responsibility of Floral Park Cemetery in December after the budget process had started. The request for the mower was brought forth to the Select Board but did not receive the majority vote in order move forward.

Noreen Rollins asked why a Highway Department mower could not be used.

Public Works Superintendent Bachelder stated there was too much mowing required between the cemetery's needs and the Highway's responsibilities to meet the need with the current equipment.

Bill Miskoe stated that the voters just cut funding for people, he didn't feel it made sense to approve funds for a cemetery.

Budget Committee member Kitson hoped the mower would last a few more years or suggested looking for a less expensive mower.

Moderator Morse reminded the voters they were only voting on the amended figure of \$4,572,104.00 resulting in a \$13,200.00 increase to the sum recommended by the Budget Committee.

Moderator Morse called for the vote.

## **Amendment failed by card vote.**

Selectman Albert Douglas made a motion to increase the appropriated sum by \$500.00 for the board secretary. Selectman Hayes seconded the motion.

Moderator Morse opened the floor for discussion on the amendment.

Noreen Rollins asked if this increase would result in a larger raise than appropriated in the originally recommended budget figure.

Town Administrator Marston stated it would depend on how much time the incoming Select Board asked of the position.

Budget Committee member Helen Schoppmeyer stated the board secretary no longer takes minutes for the Planning Board and therefore would not need the additional \$500.00.

Selectman Douglas clarified the \$500.00 would be a reduction from the current salary if the amendment did not pass.

Budget Committee member Houle stated the Budget Committee cut the \$500.00 because it hadn't been spent.

Moderator Morse reminded the voters they were only voting on the amended figure of \$4,559,404.00 resulting in a \$500.00 increase to the sum recommended by the Budget Committee.

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Moderator Morse called for the vote.

## **Amendment failed by card vote.**

Selectman Albert Douglas made a motion to increase the appropriated sum by \$2,000.00 for the administrative assistant position. Select Board Chairman Eric Nilsson seconded the motion.

Moderator Morse opened the floor for discussion.

Selectman Douglas stated the administrative assistant position is part of the collective bargaining agreement so would therefore still receive the raise. The \$2,000.00 would have to come from somewhere else in the budget.

Budget Committee member Houle stated the Budget Committee fully understood the position. The administrative assistant has done a great job, but she started at the same level as the previous employee. He didn't believe she had the same experience.

Donna Keeley extended her respect for the Budget Committee and was irritated that the body was now looking at the budget line by line. She felt it was disrespectful to the voting body.

Selectman Douglas clarified the current administrative assistant held the same position in another community for many years.

Moderator Morse reminded the voters they were only voting on the amended figure of \$4,560,904.00 resulting in a \$2,000.00 increase to the sum recommended by the Budget Committee.

Moderator Morse called for the vote on the amendment.

## **Amendment failed by card vote.**

Budget Committee member Louie Houle made a motion to reduce the Budget Committee recommended sum by \$46,000.00 to \$4,512,904.00. The reduction represents the cost of a police cruiser. Budget Committee member Helen Schoppmeyer seconded the motion.

Moderator Morse opened the floor for discussion.

No discussion.

Moderator Morse called for the vote on the amendment.

## **Amendment passed by card vote.**

Moderator Morse re-read Article 26 with the amended appropriated sum of \$4,512,904.00.

Moderator Morse opened the floor for discussion.

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No discussion.

Moderator Morse called for the vote.

**Article 26 passed by card vote with the amended appropriated sum of \$4,512,904.00.**

## **Article 27:**

Are you in favor of authorizing the planning board to approve or disapprove, in its discretion, plats and to approve or disapprove plans showing the extent to which and the manner in which streets within subdivisions shall be graded and improved and to which streets, water, sewer, and other utility mains, piping, connections, or facilities within subdivisions shall be installed? (See RSA 674:35, I.) If this article passes, then the town clerk shall have the duty to file with the register of deeds of Merrimack County a certificate of notice showing that the planning board has been so authorized and giving the date of such authorization. (RSA 674:35, II.) The purpose of this article is to revise the planning board's authority to regulate the subdivision of land according to current RSA 674:35, I. The planning board's current authority to regulate the subdivision of land is according to RSA chapter 31, sections 19-29, effective 1955, which the town meeting granted on March 10, 1964, under warrant article 13.

**Editorial Note: Article 27 incorrectly cites "RSA chapter 31". The correction is "RSA chapter 36."**

Moderator Morse read the article.

Select Board Chairman Eric Nilsson made the motion to accept the article as read. Selectman Nick Hayes seconded the motion.

Moderator Morse opened the floor for discussion.

Wayne Gallup voiced concern the use of the word "discretion" would change depending on the membership of the Planning Board. He didn't believe all the members are experts in this field and believed it could create problems. He was concerned it didn't just apply to new construction and could cause potential problems with current roads. He encouraged the voters to vote against this article.

Hank Fitzgerald did not feel the Planning Board members had the proper education and knowledge to make these decisions. He recommended not approving this article.

Planning Board Chairman Clayton Wood responded this article is a bookkeeping issue. It was an article on the 1975 warrant. During some research it was found the article was tabled instead of passed as originally thought. The Planning Board has been operating under this article for 40 years. He stated that the wording cited in this Article 27 is taken exactly from the existing RSA. Mr. Wood stated this is basically a housekeeping item to come in compliance with the current article. He stated the Planning Board has nothing to do with town roads and that they work with the Public Works Superintendent. He believed the Planning board's knowledge is irrelevant. They have the authority to request expertise from a third party.

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Bill Miskoe believed the article was worded badly. He felt it gave the Planning Board too much discretion and authority.

Matthew St. George agreed with Mr. Miskoe. He felt the wording allowed too much discretion.

Planning Board Chairman Wood stated it was clear people did not understand what the Planning Board does. He stated that the Planning Board does not review anything without a submitted application. There are only two ways projects can come before them; a subdivision or a site plan. He stated that what people are saying is not accurate. He did not see how the town will benefit by defeating the article.

Planning Board Secretary Jim Pritchard stated he had discovered this problem. The wording of the article is taken directly from RSA 674:35 I (Mr. Pritchard read the RSA). He stated the Planning Board has no discretion on how it is worded, it must match the statute. This legislative body can't change it. If it was changed it would potentially cause a host of problems. The Planning Board cannot perform these duties if the body does not approve it. The issue was found while the Planning Board was revising the subdivision regulations. The current subdivision regulations stated Article 12 passed in 1975 town meeting giving the Planning Board this authorization. Mr. Pritchard stated that when he reviewed the 1975 town meeting minutes for Article 12 he found it had not actually been voted upon. He believed the proper thing to do was to bring this to the Body and not ignore his findings. The purpose of this article is to correct a bookkeeping mistake made years ago. He stated that the Planning Board is not asking for new authority.

Wayne Gallup stated the Planning Board had apparently been working illegally for 40 years. Even if the state wrote the statute he still had an issue with the word "discretion".

Hank Fitzgerald made a motion to move the question. Bill Miskoe seconded the motion.

Moderator Morse called for the vote to move the article.

Motion to move the article passed.

Moderator Morse called for the card vote.

Moderator Morse asked the Supervisors of the Checklist to count the cards.

**Article 27 passed by card vote yes (75) – no (53)**

Moderator Morse announced the results of Articles 7 and 8.

Article 7 yes 127 no 16 - Article 7 passed

Article 8 yes 131 no 14 – Article 8 passed

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## Article 28:

To see if the town will vote to approve these changes to the Housing Standards Ordinance:

Chapter 1: Articles 101.4, 101.4.1, 102.3, 102.4, 103.1, 103.4.1, 103.4.2, 103.12, 103.13, 103.19

Note: ~~deleted words~~ (new wording)

101.4 ~~Administrator~~ (**Administrative assistant**): the board may appoint a housing standards ~~administrator~~ (**administrative assistant**) who shall not be a member of the Housing Standards Board.

101.4.1 Duties: The housing standards ~~administrator~~ (**administrative assistant**) shall have charge and maintain the records of the Board, issue all notices required by this Ordinance and code not otherwise required to be issued by others, schedule inspections, notify the moderator of vacancies due to term expirations prior to the annual town meeting, record the minutes of all meetings of the Board and perform such other duties as may be assigned by the Board from time to time.

102.3 Application of other codes: repairs, additions or alterations to a structure, or changes of occupancy, shall be done in accordance with the procedures and provisions of the most recent international building code, international plumbing code, international property maintenance code, international mechanical code, international fuel gas code, the ICC electrical code and NFPA #101 life safety code. Nothing in this code shall be construed to cancel, modify or set aside any provision of the state of New Hampshire's (**most recent**) adopted codes or the town of Pittsfield zoning ordinance.

102.4 Existing remedies: the provisions of this code shall not be construed to abolish or impair existing remedies of the town of Pittsfield or its officers or agencies relating to the removal or demolition of any structure that is dangerous (**and/or**) unsafe ~~unsanitary~~.

103.1 General: property maintenance inspection is hereby created and the housing standards ~~chief~~ inspector shall be known as the code official.

103.4.1 Restriction of employees: an official, (**board member**) or employee connected with the enforcement of this code shall not be engaged in, directly or indirectly connected with, the furnishing of labor, materials or appliances for the construction, alteration or maintenance of a building, or the preparation of construction documents thereof, unless that person is the owner of the building; nor shall such official, (**board member**) or employee engage in any work that conflicts with his official duties or with the interests of the town of Pittsfield.

103.4.2 Conflict of interest: an official, (**board member**) or employee connected with the enforcement of this code who is the owner of a building or property subject to inspection under this ordinance shall not perform those inspections of their properties; such inspection are to be performed by an appropriate substitute inspector.

103.12 Inspection of owner-occupied units: any owner-occupied dwelling unit, which is located within a building that has rental dwelling units, shall be subject to inspection on the same schedule frequency as the other rental units within the building and under the same code provisions. ~~But no inspection~~

# 2016 TOWN MEETING MINUTES

~~fee shall be charged therefore. If a reinspection of said owner occupied unit is required, such reinspection, after the first reinspection and will be charged for at the same rate as non owner occupied units.~~

103.13 Hotels, motels, bed and breakfast establishments (**and rooming houses**): The provisions of this ordinance and code shall apply to hotels, motel, bed and breakfast establishments (**and rooming houses**). Except to the extent that they may conflict with the laws of the state or with the lawful regulations of any state board or agency.

103.19 Citizen complaint: upon receipt of a signed and dated written complaint (**or an email with all pertinent information**) from any citizen alleging that a violation of this ordinance or code exists in a specific rental dwelling unit, the code official shall investigate to determine if the violation exists. The landlord shall be notified of the existence of the complaint and be given an opportunity to refute the validity of the complaint. The complainant's name shall remain confidential, if requested, unless disclosure is required by state law or a judge in a court of law. If such a determination of violation is made, the code official shall issue an order to remedy the violation. The same procedures as used for a biennial inspection shall be used in the case of citizen complaints.

Moderator Morse read the article.

Select Board Chairman Eric Nilsson made the motion to accept the article as read. Selectman Nick Hayes seconded the motion.

Moderator Morse opened the floor for discussion.

No discussion.

Moderator Morse called for the vote.

**Article 28 passed by card vote.**

## **Article 29:**

To see if the town will vote to approve these changes to the Housing Standards Ordinance:

Chapter 6: Articles **602.9** (new) and 603.5 of the Pittsfield Housing Standards Ordinance

Note: (**new wording**)

**(602.9 Anti-tip devices: a device to prevent any stove, old or new, from tipping is required on all kitchen stoves.)**

603.5 Portable cooking equipment: portable equipment such as hot plates, gas grills, hibachis, etc., is prohibited for primary cooking. Any portable cooking equipment employing a flame is prohibited from use on all porches or balconies on multi-story structures (**all portable cooking units shall be kept at least the minimum distance prescribed by the state fire marshal from any structure during use.**)

Moderator Morse read the article.

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Select Board Chairman Eric Nilsson made the motion to accept the article as read. Selectman Nick Hayes seconded the motion.

Moderator Morse opened the floor for discussion.

No discussion.

Moderator Morse called for the vote.

**Article 29 passed by card vote.**

## **Article 30:**

To see if the town will vote to adopt the provisions of RSA 32:5, V-b, that the annual budget and all special warrant articles having a tax impact, as determined by the governing body, shall contain a notation stating the estimated tax impact of the article.

Moderator Morse read the article.

Select Board Chairman Eric Nilsson made the motion to accept the article as read. Selectman Nick Hayes seconded the motion.

Moderator Morse opened the floor for discussion.

No discussion.

Moderator Morse called for the vote.

**Article 30 passed by card vote.**

## **Article 31:**

To see if the town will vote to adopt the provisions of RSA 72:62, for the property tax exemption on real property equipped with solar energy systems, which exemption shall be in the amount equal to one hundred percent (100%) of the assessed value of the solar energy systems.

Moderator Morse read the article.

Select Board Chairman Eric Nilsson made the motion to accept the article as read. Selectman Nick Hayes seconded the motion.

Moderator Morse opened the floor for discussion.

Budget Committee member Louie Houle asked if this article pertained only to private homeowners, or if it would include large companies.

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Town Administrator Marston responded this exemption would include all property owners.

Donna Keeley stated her concern that other property owners could end up subsidizing all properties with solar energy systems.

Conservation Committee Chairman Chris Hill stated the Conservation Committee presented this article to the Board of Selectmen as an assessing housekeeping item. He stated that other area towns have adopted this exemption. The Committee believed it would be an incentive to bring people into town. This article is just for tax assessment purposes. The article originally included wind and wood heat energy systems. He stated that the Select Board chose to just include solar.

Selectman Larry Konopka made a motion to amend the article to state “for residential purposes only”. Helen Schoppmeyer seconded the motion.

Moderator Morse opened the floor for discussion on the amendment.

Wayne Gallup asked for wording of RSA 72:62.

Moderator Morse read a statement from the NH State Office of Energy and Planning website provided to him: “ Renewable Energy Property Tax Exemption: [RSA 72:61-72](#) permits cities and towns to offer exemptions from local property taxes for certain renewable energy installations. These include solar systems (thermal and photovoltaic), wind turbines, and central wood-fired heating systems. Woodstoves and fireplaces are not included. The goal of the exemption is to create a tax neutral policy within a municipality that neither increases an individual's property tax, nor decreases the municipality's property tax revenues. By implementing it as a tax neutral policy, homeowners do not have a disincentive of higher property taxes for installing a renewable energy system, and since there is no net reduction in municipal tax revenues, other taxpayers in a municipality are not affected.” Moderator Morse stated that this was not the law itself, but if this statement was a true reference to the law it only references homeowners.

Sandy Wingate read the RSA 72:62: “**72:62 Exemption for Solar Energy Systems.** – Each city and town may adopt under RSA 72:27-a an exemption from the assessed value, for property tax purposes, for persons owning real property which is equipped with a solar energy system as defined in RSA 72:61.” Mr. Wingate noted the statute does not distinguish between residential and commercial.

Adam Gauthier asked if the exemption referred only to the solar heating system or the entire property.

Moderator Morse responded the amendment would only add “for residential purposes only” to the originally written warrant article.

Christopher Cheney stated that he in general favors renewable energy, but was concerned about the potential tax rate impact. It would take tax dollars to subsidize the incentive. He felt that from an economic standpoint we should be encouraging more commercial development instead of residential development. He stated commercial development requires less additional services than residential development.

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Helen Schoppmeyer stated this article would not necessarily generate revenue. Her understanding is that this article would prevent an increase in taxable property value due to the addition of a solar heating system.

Teresa Emerson stated there was an issue in Londonderry where a resident added a solar heating system to save energy costs and in turn was assessed at a higher rate. This article would prevent that from happening.

Bill Miskoe stated the amendment should be amended to reference the addition of the solar heating system as an accessory to an existing structure, avoiding the possibility of a solar "farm", but not excluding business that may want to come to town.

Ted Mitchell compared solar panels to a piece of equipment, not a building.

Budget Committee member Jacob Kitson supported the article. He felt people should be given a break for improving their property, but there should be some clarification and perhaps a cap. Mr. Kitson suggested tabling the article until next year.

Diana Levesque stated that the RSA defines the solar energy system, so an amendment was not unnecessary. She read: "**72:61 Definition of Solar Energy Systems.** – In this subdivision 'solar energy system' means a system which utilizes solar energy to heat or cool the interior of a building or to heat water for use in a building and which includes one or more collectors and a storage container. 'Solar energy system' also means a system which provides electricity for a building by the use of photovoltaic panels."

Adam Gauthier asked if a solar farm was put on a ten acre lot currently in current use, would it change the use of the land.

Town Administrator Marston responded it would.

Carmel Portillo asked if this exemption would apply each year or if it was a one-time exemption.

Town Administrator Marston responded it would apply each year.

Moderator Morse read the amended article including "residential property only."

Moderator Morse called for the vote on the amendment.

## **The amendment failed by card vote.**

Bill Miskoe made a motion to amend the article adding "The exemption to apply only to solar equipment which is an accessory to another use." Dave Simpson seconded the motion.

Moderator Morse opened the floor for discussion on the amendment.

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Helen Schoppmeyer asked for clarification on the amendment. Ms. Schoppmeyer also asked if it was necessary to add the amendment based on the information previously stated in RSA 72:61.

Sandy Wingate re-read RSA 72:61. He felt if the voters are confused with the amendments than the article should be voted upon as originally written. He believed that the RSA covered the stated concerns.

Bill Miskoe withdrew his motion to amend Article 31. David Simpson withdrew his second to the motion.

James Hetu moved to table Article 31. Noreen Rollins seconded the motion.

Moderator Morse opened the floor for discussion on tabling Article 31.

Conservation Committee Chairman Chris Hill discouraged the body from tabling Article 31. He stated that other surrounding towns have already adopted this provision and we need to catch up. He stated Pittsfield needs to be more marketable and this article provides an incentive to move here. He believed the RSA is clear and has been around a long time. He stated there is a process in place with planning and zoning to prevent a solar farm if necessary. The evaluation of the solar equipment can be adjusted by the Board of Selectmen.

Dan Schroth stated the planet can't wait. He encouraged the body to move forward.

Moderator Morse called for the vote to table Article 31.

**Call to table Article 31 failed by card vote.**

Moderator Morse called for the vote on Article 31 as originally written.

**Article 31 passed by card vote.**

## **Article 32:**

To see if the town will vote to repeal the Curfew Ordinance adopted at the 2006 Town Meeting Warrant Article 30.

Moderator Morse read the article.

Select Board Chairman Eric Nilsson made the motion to accept the article as read. Selectman Nick Hayes seconded the motion.

Moderator Morse opened the floor for discussion.

Dan Welch asked Police Chief Jeffrey Cain to speak to the article.

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Police Chief Cain stated he supported the ordinance as currently written and that it has been a tool to help keep the youth off the streets, however the ACLU has threatened a lawsuit. He stated that other communities have fought the issue in court and lost. He stated that town legal counsel advised not to pursue the issue in court. Though he supports the ordinance, Chief Cain did not think the voters should keep the ordinance due to the high risk and cost of losing in court.

Jen Cole asked if the ordinance was to be repealed because we no longer have the fire bell and if that was the case, could another alarm system be put in place.

Police Chief Cain responded the fire bell was a separate issue. The ACLU stated that the ordinance is a constitution violation.

Linden Cram asked if the town had a working fire alarm.

Fire Chief Peter Pszonowsky stated the town does have a working fire alarm.

Linden Cram believed the fire whistle is a wonderful thing. He didn't understand why the town couldn't have a designated time to sound the whistle to remind people to go home as in the past.

Merrill Vaughan asked if the town did away with the curfew, would there be an increase in problems involving the youth.

Police Chief Cain responded there is no way to know with certainty. The current ordinance was a preventative tool the police department could use to get the youth off the street late at night before they got into trouble, but he didn't believe the town would win the argument in court.

Merrill Vaughan felt the parents should be more accountable.

Carmel Portillo asked if the town had the legal funds in the budget to fight the issue in court.

Police Chief Cain responded town legal counsel had reviewed the issue and did not believe it could be won in court. Though he personally supported the ordinance, he did not believe it was worth spending the legal fees when the case has proven to fail in other communities.

Carmel Portillo asked if parents could be held accountable.

Police Chief Cain stated that the police department is limited in this area. He stated that the police department is trying to educate and work with the community. He stated that along with Fire Chief Pszonowsky he plans to hold public round table discussions to work through some of these issues.

Adam Cote reiterated parenting cannot be regulated, but believed we could work together as a community to monitor our neighborhoods. He encouraged people to work together with the police.

Moderator Morse called for the vote.

**Article 32 passed by card vote.**

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Moderator Morse explained Article 33 and Article 34 refer to the same piece of property. He stated that the body could vote in favor of Article 33 and defeat Article 34 or the body could defeat Article 33 and vote in favor of Article 34. Moderator Morse noted that if both articles are approved there will be a conflict and would probably result in a court settlement. He asked the body to be mindful of that possibility. He stated that an additional option was that both articles could be defeated and the status quo would remain.

## **Article 33:**

To see whether the Town will enter into a lease agreement with The New Hampshire Beagle Club of Pittsfield, NH to lease a portion of Town-owned land located at Greer Road in the Town of Pittsfield, identified in the Town of Pittsfield tax records as Tax Map R11 Lot Number 2 (58.2 acres, more or less) and Tax Map R26 Lot Number 8 (74.7 acres, more or less), to allow the Club to fence off a portion of said land (up to 80 acres) for the training of beagles to find rabbits. The lease to be for 20 years, with the Town having a right to enter the leasehold premises to harvest wood, sand, gravel or stone as needed. No hunting or shooting to be allowed. (By citizen petition)

Moderator Morse read the article.

Ed Vien made the motion to accept the article as read. Melody Williams seconded the motion.

Moderator Morse opened the floor for discussion.

Sandy Wingate stated that both Article 33 and Article 34 would keep the land open. He stated that if neither article passed the land could be sold at tax sale. He stated his firm belief that land should remain as open as possible. He felt there were good intentions on both sides of this question. He felt it was important to keep the land open and leasing the land would also generate some income. Mr. Wingate stated that it would also bring others into town who would hopefully use town services. He supported Article 33.

Ray Emerson stated that the beagle club intended to build a fence around the 80 acres that abuts his land. He asked what would happen to the animals that would be displaced from the fenced area. He voiced his concern over the barking dogs and the possible restrictions placed on hunting in the area.

Jim Allard stated that this was an issue of eminent domain and was a seizure of public land for private benefit. He stated that the citizens of Pittsfield would be denied access to this property.

Ed Vien spoke as Vice President of the beagle club. He stated that the club asked the Select Board to rescind the originally approved lease due to procedural errors. The proposed lease was then printed in the Suncook Sun for public review. The rent would be more than if it was purchased and put into current use. The total amount of rental income over the twenty years would be \$26,800.00. The town's forestry rights would not change, as stated in the proposed lease. The dogs would not be running at night and they are not left alone on the property for any longer than 30 minutes. This would not be a commercial lease. To have a commercial lease it must be commercial property. The club planned to use 40 acres initially, but asked for up to 80 acres. Neither the club nor the town could be sued unless a hazard is created, pursuant to RSA 508:14 and 212:34. If the obstacle is part of the natural

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habitat it is not a liability. Mr. Vien stated that he is in favor of maintaining land for town forests. He stated that the town has the 5 acre Sargent Town Forest, the 38 acre Black Gum forest, the 6.6 acres on Berry Pond Road purchased by the Conservation Commission, the 44.6 acre Dustin Baker Forest, three pieces of land on Tan Road and one on Webster Mills Road. He stated that the net assessed value of all these properties is \$383,300.00. Mr. Vien stated that research done at the NH Department of Health and Human Services showed no record of rabbits or hares contracting rabies. He stated research done at the Center for disease control showed the same results. He stated that no one would be restricted from the property. The beagle club would be caretakers of the property. He stated other wildlife would adjust to the fence and would not be bothered. The NH Department of Fish & Game supports this activity. The beagle club carries its own \$2 million dollar liability insurance. Mr. Vien stated he had walked the property and he believed it would be 10 to 20 years before the timber is harvestable.

Clayton Wood stated his concern about the fencing. He has found, personally, fencing does change the habitat and the animal activity.

Philip Gordon stated the wildlife in this area is extensive. He believed that fencing in the area would be devastating. He noted a pair of owls had just come back to that area.

Ray Emerson stated his concern that the displaced animals would move into in his yard and feed on his fruit trees and bushes.

Maurice Wells stated he did not support this article.

Conservation Committee Chairman Chris Hill clarified that the only two official town forests were Sargent on Catamount Road and Dustin Baker on Loudon Road. He noted the Berry Pond property was purchased to specifically protect that watershed.

Conservation Committee Vice Chairman Bryan Mika stated that he is a licensed forester. He stated that the Conservation Committee has a future plan for this property. He stated only certain areas are viable for fencing and is concerned about the size of the fence.

Carl Wallman stated he believed a private club should be on private property. He asked if the Planning Board had done a site review.

Linden Cram felt the land would be more beneficial if it was sold and put in current use. He stated if this article passed he would like to see something in the agreement regarding removal of the fence when they are done.

Paul Nickerson stated his approval of the beagle club. He believed only a few hunters have used the land thus far and it is not buildable. He stated that the land would stay in its natural state. He thinks the increase of people in town would be a financial benefit. He stated we want increased business in town. He didn't think the animals would be bothered and didn't think a few days of events would be a noise issue. He voiced his support of the lease.

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Bill Miskoe believed this lease would put the town in a commercial business. He didn't believe the town would be protected in a commercial business. He believed there would be an insurance cost to the town. He was concerned about the possible risk of infection and lack of funds for eventual restoration. He stated that it would not help our image if animal rights organizations became involved.

Louie Houle stated he works for an apple orchard that has a twenty foot fence with an electric wire around the orchard and they still have trouble keeping the wild animals out. He doesn't believe the fence would be a factor on this property.

Planning Board member Jim Pritchard stated his belief that there would be a need for site plan review.

Suzanne Blake stated that she rides her horses in that area and felt she would be blocked out as a resident and taxpayer. She was also concerned about the potential traffic impact on Clough Road.

Gail Nickerson stated that she also rides her horses in the area and was concerned she would not be able to use the trails. She asked how tall the fence would be and what would the fence be comprised of and stated that the only compromise may be to add numerous gates.

Adam Gauthier responded as secretary of the beagle club that the fence would be six feet high and made with plastic coated chicken wire. He stated the club would average five to six dogs every Saturday and would be quieter than the mud runs.

Cynthia Hayden voiced her concern there would only be exclusive use of the area and of the lack of parking. She felt 20 years was too long for lease and that a town forest would benefit all residents.

Noreen Rollins asked if the potential traffic impact had been addressed. She also asked if a plan was in place to control overpopulation of the rabbits.

Ed Vien responded that too many rabbits in a pen was not good. It doesn't give the dogs enough of an opportunity to track the rabbits by scent. Mr. Vien stated the dogs do not run the rabbits down. The dogs only follow the rabbits by smelling the scent. He stated that the rabbits also provide food for hawks, owls and other natural predators. The club has two large events a year, one in the winter and one in the fall. The other weekends would only be for members. He believed the increased traffic would be the same as a busy weekend at Graylag. It was a club membership decision to go this route with this lot of land.

Jacob Kitson asked if the land was for sale. Town Administrator Marston responded it was not. Mr. Kitson asked if the town could sell the beagle club the land.

Merrill Vaughan asked Police Chief Cain if this would add to Animal Control's responsibilities.

Police Chief Cain responded the issue had not been addressed.

Christopher Hemmah stated that he strongly objected to the town leasing any land to a private group. He felt it should be put up for sale instead.

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Tanner Van Nest stated that he did not see the positive economic impact of the lease.

Ed Vien stated that the intent of the beagle club was to bring positive usage into town.

George Bachelder disagreed with the statement that the land had no current value. He believed there was approximately \$2,000.00 worth of timber growth each year on this land even if it can't be cut each year. He stated that the town would receive income from the timber even if it took twenty years.

Ed Vien reiterated that the beagle club cannot harvest the land. The timber belongs to the town. The club just wanted to generate income in the meantime.

Moderator Morse called for the vote.

**Article 33 failed by card vote.**

## **Article 34:**

Shall the Town establish town-owned parcels Map R-11 Lot 2 (56 acres) and Map R26 Lot 8 (74 acres) as town forests as authorized under RSA 31:110, and to authorize the Conservation Commission to manage such forests under the provision of RSA 31:112, II, and to authorize proceeds which may occur from said forest management, not otherwise restricted, to be deposited into the existing Forest Management Capital Reserve Fund, established in 1982, and be allowed to accumulate from year-to-year, as authorized under RSA 31:113. Any expenditure from said fund shall require Town Meeting approval. (By citizen petition)

Moderator Morse read the article.

Carl Wallman made the motion to accept the article as read. Adam Gauthier seconded the motion.

Moderator Morse opened the floor for discussion.

Carl Wallman stated his support for the town forest. All townspeople would have access to a beautiful recreational area.

Ed Vien stated that he was now speaking as a taxpayer. He stated that the town already has a great hiking area in the Dustin Baker Town Forest located on Loudon Road. He believed the property referenced in Article 34 should be sold to gain tax revenue.

Helen Schoppmeyer stated vacant land is a better investment.

Moderator Morse called for the vote.

**Article 34 passed by card vote.**

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## **Article 35:**

To see if the Town will vote to reduce property taxes by means of allowing and taxing the production, sale or possession of up to 8 ounces of cannabis sativa, commonly known as marijuana. Said tax to be at the rate of \$10.00 per unit produced or sold, imposed upon each transfer (production to sale), the proceeds of which are dedicated to being applied directly towards the reduction of Pittsfield's property taxes. (By citizen petition)

Moderator Morse read the article.

Dan Schroth made the motion to accept the article as read. Tanner Van Nest seconded the motion.

Moderator Morse opened the floor for discussion.

Dan Schroth began to explain why marijuana should be allowed. Mr. Schroth began to list states where marijuana is legal. Moderator Morse Art asked him to speak to article.

Dan Schroth asked people to stand in protest.

Sandy Wingate asked if marijuana was here in Pittsfield.

Police Chief Cain applauded Dan Schroth for speaking and standing up for what he believes, though in his own personal and professional opinion he could not support the article. The police department must uphold all New Hampshire laws. He stated any vote would be symbolic. He confirmed marijuana is here in the community.

Tanner Van Nest stated the town should be able to tax marijuana.

Dan Schroth stated that 21% of the people in New Hampshire use marijuana. He stated this is a civil rights issue. Moderator Morse asked him to speak to the article.

Moderator Morse called for the vote.

**Article 35 failed by card vote.**

## **Article 36:**

To see if the Town will vote to amend the March 9, 1948 Town Meeting Warrant Article 8 establishing the Pittsfield Budget Committee by striking out the words "and, at the expiration of their respective terms not to re-appoint any person until at least one year has elapsed since the expiration of his or her previous term". (By citizen petition)

Moderator Morse read the article.

Budget Committee Chairman Bob Schiferle made the motion to accept the article as read. Budget Committee member Helen Schiff seconded the motion.

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Budget Committee Chairman Schiferle explained the intent of the article was to remove the one year hiatus requirement between each three year term. The intent of article 36 was to ensure full membership on the committee each year. He stated it is difficult to find volunteers for all committees. He stated that is very important to have as many people as possible participate in the review of the budget. He stressed the importance of having a full committee.

Merrill Vaughan believed the requirement to sit out one year was established for a reason. He urged the voters to vote no.

Budget Committee member Louie Houle stated it made more sense in 1948, but more people were involved and the budget was probably more simplistic back then. He believed there was a need for new people on the committee, but experience is important.

Budget Committee member Jacob Kitson stated this was the third year of this term and felt he was just getting comfortable in the position. He stated it takes a long time to gain experience.

Chris Hill stated from a committee chairman standpoint it is difficult to get people to volunteer. It takes a lot of time. He felt anything that detracted from the volunteer spirit was a bad thing.

Moderator Morse asked interim Moderator Cedric Dustin to stand in for him as he spoke as a voter.

Arthur Morse stated that it is the responsibility of the town moderator to appoint the budget committee members. He has found it very difficult to find volunteers. He felt ideally it would be best to have a mix of experienced and new members. He encouraged the voters to support this article.

Moderator Morse returned to the podium.

Moderator Morse called for the vote.

**Article 36 passed by card vote.**

## **Article 37:**

To see if the Town will vote to establish a revolving fund pursuant to RSA 31:95-h for the purpose of funding Housing Standards. All revenues received for Housing Standards activities will be deposited into the fund, and such revenues will be used to compensate Housing Standards Inspector(s) the Housing Standards Administrator/Administrative Assistant and for associated expenses, including supplies and equipment involved in the day to day operations of the Housing Standards Agency. Any remaining monies in the fund shall be allowed to accumulate from year to year and shall not be considered part of the town's general fund unreserved fund balance. The town treasurer shall have custody of all monies in the fund, and shall pay out of the same as required by the Agency and no further approval is required by the legislative body to expend. Such funds shall only be expended for the purposes for which the fund was created. The Housing Standards Agency is self-funding and this has no effect on the tax rate. (By citizen petition)  
(Not recommended by the Board of Selectmen 0-5)

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(Not recommended by the Budget Committee 3-9-1)

Moderator Morse read the article.

Housing Standards Agency member Cedric Dustin made the motion to accept the article as read. Paul Nickerson seconded the motion.

Joan Osborne asked if this article would remove control from the legislative body.

Selectman Hayes responded it would.

Housing Standards Agency Vice Chairman Dustin stated this article was approved and originally put on the warrant last year but was inexplicably removed before it was presented to the voters. He stated the Housing Standards Agency is self-sufficient and somewhat independent of the town. The Agency is funded through apartment building inspection fees.

Clayton Wood asked if the Housing Standards Agency had ever experienced a shortfall.

Town Administrator Marston confirmed there had been a shortfall past, particularly when expenditures were allocated to individual departments to show the true cost of each department. That was beyond the Agency's control. It is a department within the general fund. Their intention is to have their revenue offset their expenditures. The financial accounting would not change if this article passed, except that the Housing Standards Agency would present their own budget to the Budget Committee. This article would just add another layer of accounting that would have to be done to segregate the Agency's expenditures and revenues from the general fund.

Clayton Wood didn't see how the revolving fund would work.

Town Administrator Marston responded that town legal counsel did not believe the revolving fund would be legal, but New Hampshire Municipal Association's free counsel believed it would. The Select Board did not support this article based on town counsel's advice.

Housing Standards Agency Chairman Bill Elkins confirmed there had been a shortfall in the past. He didn't feel the Agency was kept adequately informed regarding shared town department services such as internet, the copier, postage, etc. He stated that the Select Board would have to approve any rate increase.

Helen Schoppmeyer asked if the Housing Standards Agency had been under budget in the past.

Town Administrator Marston answered yes they had.

Moderator Morse called for the vote.

**Article 37 failed by card vote.**

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## **Article 38:**

To transact any other business that may be legally brought before said meeting.

Louie Houle thanked Moderator Arthur Morse for his service. He stated Mr. Morse is leaving our community and that the town was losing an enormous amount of knowledge and dedication.

Moderator Morse received a standing ovation from the legislative body.

Moderator Morse stated he had grown up in Pittsfield and after coming back as an adult he served on the Budget Committee, the School Board, Select Board, as School District Moderator and Town Moderator. He served to give back to the community that gave him so much.

Adam Gauthier asked about the sidewalk fund. He asked where the sidewalk funds had been spent.

Town Administrator Marston responded all funds went to engineering costs. She stated work on the right of way was going to begin soon, and the Select Board plans to go out to bid on the construction phase later this spring. It has all been engineering at this point.

Fallon Reed spoke on behalf of the balloon rally committee and Rotary Club and encouraged people to become involved.

Ed Vien thanked Art Morse for his many years of experience.

Adam Gauthier asked for an update on the EPA issue at the wastewater treatment plant.

Town Administrator Marston responded the passage of Article 7 and Article 8 cleared the way for additional bonds if needed. The Select Board is awaiting a new administrative order from the EPA for the phosphorus levels at the wastewater treatment plant. Once the order to comply is received the Select Board will notify the public as to what needs to be done. There is no cost estimate at this point.

Moderator Morse reminded those who were just elected to see Cara Marston to be sworn in after the meeting.

Louie Houle thanked Select Board Chairman Eric Nilsson and Selectman Al Douglas for their service and also thanked the members of the other boards.

Moderator Arthur Morse adjourned the meeting at 3:05 p.m.

Respectfully Submitted,

Erica Anthony  
Town Clerk