

**TOWN OF ALLENSTOWN
STATE OF NEW HAMPSHIRE
MINUTES OF DELIBERATIVE SESSION ON 1/31/09**

To the inhabitants of the Town of Allenstown, in the County of Merrimack, New Hampshire, qualified to vote in Town affairs: You are hereby notified to meet at the Allenstown Elementary School on Saturday, January 31, 2009 at 8:30 a.m. for the purpose of transacting all business other than voting by official ballot and thereafter to meet on Tuesday, March 10, 2009 between 8:00 a.m. and 7:00 p.m. at the Allenstown Elementary School, to elect officers, vote on Zoning articles and to vote on all warrant articles from the first session by official ballot.

The meeting was called to order on Saturday, January 31, 2009 at 8:35 a.m. by Moderator Dennis Fowler.

There were 100 registered voters in attendance.

The Pledge of Allegiance was recited.

The Moderator asked for a moment of silence for the military and their families.

The Moderator noted that Gabriel Daneault and Bob Girard asked for the assistance of Irene Boisvert to register voters since Louise Letendre was not able to attend.

The Moderator noted there were non-residents present who may be speaking and asked if there were any objections. There were no objections.

The Moderator stated that Allenstown was a SB-2 Town and defined the purpose of the meeting and went over the rules.

The Moderator stated that voting on Articles 1 through 3 will take place on Tuesday, March 10, 2009.

ARTICLE 1

Are you in favor of adoption of amendment number 1 as proposed by the Allenstown Planning Board for the Allenstown Zoning Ordinance necessary to comply with the requirements of the national flood Insurance Program as follows:

To amend Article XII (Item VII) by inserting the following as the new section number 5:

The Conservation Commission shall obtain, review, and reasonably utilize any flood data available from Federal, State, or other sources as criteria for requiring that all development located in Zone A meet the following floodway requirement:

No encroachments, including fill, new construction, substantial improvements, and other development are allowed within the floodway.

This article is recommended by the Planning Board.

ARTICLE 2

Are you in favor of the adoption of Amendment No. 2 as proposed by the Planning Board for the Town of Allenstown Zoning Ordinance as follows: Establishing Article XXII, Blasting Ordinance, generally regulating the use, possession, storage, manufacture, and transportation of explosive material in the Town of Allenstown?

ARTICLE 3

To choose all necessary Town Officers for the ensuing year.

ARTICLE 4

To see if the Town will vote to raise and appropriate the sum of \$1,550,000 (gross budget) for the financing of an improvement to increase the capacity of the Town of Allenstown Wastewater Treatment Facility through the installation of equipment which will allow the implementation of the "BIOMAG" treatment process, and to authorize the issuance of not more than \$1,500,000 of bonds or notes in accordance with the provisions of the Municipal Finance Act (RSA 33) and to authorize the Selectmen to issue and negotiate such bonds or notes and to determine the rate of interest thereon; and to further authorize the Selectmen to contract for and expend any Federal, State or other aid that may be available for this project; Furthermore to authorize the use of up to \$50,000 from the December 31 fund balance for this purpose (this amount is equivalent to the interest earned on bond proceeds transferred to the general fund on or before December 31); and to take all other action necessary to carry out and complete this project. Repayment of the cost of this project will be shared by the Town of Allenstown and the Town of Pembroke pursuant to an agreement between their respective sewer commissions which provides that Pembroke will reimburse Allenstown for Pembroke's share of the cost, which share shall be ½ or 50% of the cost. Therefore, the Town of Allenstown's share of the total cost is \$775,000, (50%) and the Town of Pembroke's share of the cost is \$775,000, (50%). 3/5-

ballot vote required, pursuant to SB2. *This article is recommended by the Board of Selectmen and is recommended by the Budget Committee*

A Motion was made by James Rodger and seconded by Charlie Martel to remove the following phrase from Article 4: "...which will allow the implementation of the "BIOMAG" treatment process..." Mr. Rodger stated that the purpose of the amendment was to ensure that the Commission is able to negotiate with other vendors if that is in the best interests of the Town. Amendment voted and passed.

A general discussion ensued on the bond. Roger Blazon stated he attended recent hearings and there was a lot of cash in bank accounts. He felt some of that cash needed to be spent. Jim Boisvert asked whether Pembroke would be paying a higher amount or if the split was 50/50 for each Town. James Rodger stated that the amount fluctuates according to usage.

A Motion was made by Roger Blazon and seconded by Vic Martin to amend Article 4 by changing the cost amount to \$425,000 to come from the bond and \$350,000 to come from the Sewer Commission operating budget.

There was a general discussion from which fund it was intended for the cash amount to come from. Sandy McKenney asked whether, if the Amendment passes, the ratepayers or taxpayers would pay. Dana Clement stated that to change the funding source would change the subject matter. He stated that if the bond amount was changed the project would be underfunded. He also stated that in order to change the funding the sewer users would have to have been notified of a public hearing. Mr. Clement also discussed the capital reserve funds. Town Counsel Biron Bedard stated that if the Amendment is passed this may be a change of purpose, although stating the funds would come from the operating fund may be legitimate. Judy Silva asked whether we needed to reduce the total amount of the bond, or whether we just needed to say to take the funds from the operating budget. She asked what would be the impact of taking \$350,000 from the operating budget. The Sewer Commission Attorney, William Drescher, stated he believed the total appropriation amount was not being modified but the amount Allenstown would be borrowing has been lowered. Jim Boisvert mentioned the new set of rules about what is going into the river by 2010. He felt this was going to be a big item next year. James Rodger stated it would be to Allenstown's advantage in applying for grants by keeping the figure as it is. Amendment failed. Article 4 will appear on the ballot as amended.

ARTICLE 5

Shall the Town of Allenstown raise and appropriate as an operating budget, not including appropriations by special warrant articles and other appropriations voted separately, the amounts set forth on the budget posted with the warrant or as amended by vote of the first session, for the purposes set forth therein, totaling Five million three hundred thirty-eight thousand nine hundred eighty-one dollars (\$5,338,981) Should this article be defeated, the default budget shall be Five million one hundred twenty-five thousand nine hundred thirty-one dollars (\$5,125,931) which is the same as last year, with certain adjustments required by previous action of the Town of Allenstown or by law, or the governing body may hold one special meeting, in accordance with RSA 40:13 X and XVI, to take up the issue of a revised operations budget only.

NOTE: This warrant article (operating budget) does not include appropriations in ANY other warrant article.

The question was asked what the tax impact would be on the budget, as proposed. A Motion was made by Dennis Fowler and seconded by Dave Eaton to table Article 5 and go to Article 6. Voted and passed.

Discussion on Article 5 ensued after discussions on Articles 6 through 19. Carol Angowski asked whether the total operating budget increase of around \$213,000 was mostly because of salary increases. Tom Irzyk said all the department heads were asked to present their budgets with no more than a 5% salary increase, including up to a 3% cost of living and up to a 2% merit raise, with a required review. Carol Angowski asked the Police Dept. for an explanation of the increase. The Chief stated the salary line actually went down due to 52 pay periods in lieu of 54 the prior year. He stated that fuel prices and consumption actually went down, and the electric bills increased.

Sandy McKenney asked why a Skid Steerer was purchased even though last year Article #17 for the lease of a Skid Steerer was opposed by 523 votes to 92. Roger LaFleur stated that the purchase of the Skid Steerer saved the taxpayers over \$30,000, saving approximately \$11,000 per year. The purchase will pay for itself within 3-4 years. He stated it was determined that this purchase was the fiscally right thing for the Town, and that the D.R.A. did not reject the purchase.

Roger Blazon stated we could not afford increases this year, and we need to step back and look at the budget.

A Motion was made by Roger Blazon and seconded by Roland Martel to cut \$250,000 off the budget. Valerie Merrill said she didn't agree with running on a default budget and that we needed the current budget. Tom Irzyk discussed the general year-end payments to employees. He stated that some employees took pay cuts by a reduction of hours. Scott Lane stated he was opposed to the Amendment and stated the Board has done an excellent job. He said if the Amendment passed there would be a reduction in services. Tom Gilligan stated the department heads were asked to present

budgets 10% and 20% below. Motion to cut \$250,000 off the budget voted on and failed. Article 5 *will appear on the ballot as read.*

ARTICLE 6

To see if the Town will vote to raise and appropriate the sum of Two thousand five hundred dollars (\$2,500) to be placed in the **Police Computer Equipment** Capital Reserve Fund. *This article is recommended by the Board of Selectmen. This article is recommended by the Budget Committee. With no discussion, Article 6 will appear on the ballot as read.*

ARTICLE 7

To see if the Town will vote to raise and appropriate the sum of Two thousand five hundred dollars (\$2,500) to be placed in the **Police Cruiser** Capital Reserve Fund. *This article is recommended by the Board of Selectmen. This article is recommended by the Budget Committee. With no discussion, Article 7 will appear on the ballot as read.*

ARTICLE 8

To see if the Town will vote to raise and appropriate the sum of Six thousand dollars (\$6,000) to be placed in the **Police Safety Equipment** Capital Reserve Fund. *This article is recommended by the Board of Selectmen. This article is recommended by the Budget Committee. With no discussion, Article 8 will appear on the ballot as read.*

ARTICLE 9

To see if the Town will vote to raise and appropriate the sum of Ten thousand dollars (\$10,000) to be placed in the **Special Revenue D.A.R.E.** Fund. This is a Special Warrant Article. *This article is recommended by the Board of Selectmen. This article is recommended by the Budget Committee.*

There was a discussion as to why this was a special warrant article and Chief Mulholland stated that currently there were no funds in the account. *Article 9 will appear on the ballot as read.*

ARTICLE 10

To see if the Town will vote to raise and appropriate the sum of \$191,000 (One Hundred Ninety-One Thousand Dollars) to be offset by 25% to be raised by taxation in the amount of Forty-seven thousand, seven hundred and fifty dollars (\$47,750) as the Town's 25% matching funds and expend an additional One hundred forty-three thousand two hundred fifty dollars (\$143,250) from the State of New Hampshire, 75% matching funds through the Hazard Mitigation Grant (Department of Homeland Security and Emergency Management), under FEMA program 404. Said funds to be used to **re-construct the Mt. Delight Rd. culvert and associated planning, engineering & construction costs.** *With no discussion Article 10 will appear on the ballot as read.*

ARTICLE 11

To see if the Town will vote to raise and appropriate the sum of Five thousand dollars (\$5,000) to be added to the **Town Safety** Expendable Trust Fund. *This article is recommended by the Board of Selectmen. This article is recommended by the Budget Committee.*

Tom Irzyk asked whether if this Article passed it would prevent cutting the DARE funds again. Tom Gilligan stated that last year Allenstown voted all of the warrant articles down and there were no funds in the special DARE account. He stated the Selectmen didn't cut the program. He stated the School Department decided not to fund the program. *Article 11 will appear on the ballot as read.*

ARTICLE 12

To raise and appropriate the sum of Twenty Thousand dollars (\$20,000) to be placed into the Allenstown **Fire Department Safety Equipment** Capital Reserve Fund. *This article is recommended by the Board of Selectmen and the Budget Committee. With no discussion Article 12 will appear on the ballot as read.*

ARTICLE 13

To see if the Town will vote to raise and appropriate the sum of Thirty-two thousand dollars (\$32,000) to be added to the existing **Highway Department Equipment** Capital Reserve Fund. *This article is recommended by the Board of Selectmen. This article is recommended by the Budget Committee*

Chris Roy spoke about this Article. *Article 13 will appear on the ballot as read.*

ARTICLE 14

To see if the Town will vote to raise and appropriate the sum of Five thousand dollars (\$5,000) to be added to the existing **Public Safety Facilities** Capital Reserve Fund. *This article is recommended by the Board of Selectmen. This article is recommended by the Budget Committee. With no discussion Article 14 will appear on the ballot as read.*

ARTICLE 15

To see if the Town will vote to authorize the selectmen to enter into a five year lease agreement for One hundred thirty-four thousand five hundred sixty dollars (\$134,560) to lease a **2009 International Six Wheel Truck** (which includes plow, wing, conventional body with built in sander) and further to authorize the first year's lease payment in the amount of Thirty thousand one hundred ninety-six and 48 cents (\$30,196.48). This lease agreement contains an escape clause.

This article is recommended by the Board of Selectmen. This article is recommended by the Budget Committee.

Roland Martel asked why International was chosen and whether this should be put out to bid. Chris Roy stated that International was a better built truck and the prices from other vendors were within the same price range. *Article 15 will appear on the ballot as read.*

ARTICLE 16

To see if the Town will vote to raise and appropriate the sum of Ten Thousand dollars (\$10,000) to be added to the **Highway Garage** Capital Reserve Fund. *This article is recommended by the Board of Selectmen. This article is recommended by the Budget Committee.*

The question was asked how close we were to replacing the garage. It was stated there was currently \$7,000-\$8,000 in that account. *Article 16 will appear on the ballot as read.*

ARTICLE 17

To see if the Town will vote to raise and appropriate the sum of Ten Thousand dollars (\$10,000) to be added to the **Landfill Closure** Capital Reserve Fund. *This article is recommended by the Board of Selectmen. This article is recommended by the Budget Committee.*

Eric Ranfos asked for an estimate when we would be asked to close the landfill and what the balance in the account was now. Chris Roy stated DES has given the Town no estimate as of yet and that we would need roughly \$500,000 to close it. Roger LaFleur stated these were rough estimates. *Article 17 will appear on the ballot as read.*

ARTICLE 18

To see if the Town will vote to change the purpose of **the Town Hall Roof** Capital Reserve Fund to the **Town Hall Repairs, Maintenance and Renovation** Capital Reserve Fund. **(2/3 vote required)** *With no discussion Article 18 will appear on the ballot as read.*

ARTICLE 19

To see if the Town will vote to raise and appropriate the sum of Two Thousand Five Hundred (\$2,500) dollars to be added to the current **Recreation** Capital Reserve Fund. *This article is recommended by the Board of Selectmen. This article is recommended by the Budget Committee. With no discussion Article 19 will appear on the ballot as read.*

ARTICLE 20

To see if the Town will vote to change the current method from electing a Road Agent for a term of three years to authorizing the Board of Selectmen to appoint a Road Agent, annually pursuant to RSA 231:62. The appointment of the Road Agent will commence at the end of the current elected term in March 2010.

Carol Angowski asked for an explanation for the reason for this Article. Tom Gilligan stated the problem with an elected position is that if the performance is not good, the Town is stuck with the length of the term. In order to bring Allenstown more in line with other towns it would make sense for the Board of Selectmen to appoint, and give the Selectmen more oversight. *Article 20 will appear on the ballot as read.*

ARTICLE 21 – BY PETITION

Will the citizens of Allenstown N.H. enact a tax/spending cap for the purposes of regulating the annual town and school budgets. The cap will be effective within 30 days from the town voting day in the year 2009. The cap will be adjusted annually by the rate of inflation set forth by the national consumer price index from the previous year. Having a maximum annual increase of 2% from the previous year tax assessment.

Lisa Ranfos asked for an explanation of this Article. Ryan Provost said this is needed in the Town of Allenstown to give people a say as far as how much money gets spent from year to year and would make the increases predictable. Judy Silva stated there was a problem with the Article. She said this may work in situations where there is a representative form of government, but probably won't work in towns like Allenstown. She stated everyone has a say when they vote on the ballot and warrant articles. She stated we can't control what the School Department does. This will only reduce what the Town will send. Biron Bedard said the flaw in this Article is that it binds the School District and we have no power to do that. Also, it binds infinitely, which may be unlawful. Kelly Collins stated this year's proposed budget is approximately 4.07% over last year.

A Motion was made by Judy Silva and seconded by Roger LaFleur to add a sentence at the end of Article 21 as follows: "This warrant is not legally binding since we have direct control over budget as it is." Amendment passed. *Article 21 will appear on the ballot as amended.*

ARTICLE 22 – BY PETITION

To see if the Town will vote to approve the following resolution to be forwarded to our State Representatives, our State Senator and our Governor:

"Resolved: We the citizens of Allenstown, NH believe in a New Hampshire that is just and fair. The property tax has become unjust and unfair. State leaders who take a pledge for no new taxes perpetuate higher and higher property taxes. We call on our State Representatives, our State Senator and our Governor to reject the "Pledge", have an open discussion covering all options, and adopt a revenue system that is just and fair.

Roger LaFleur discussed the town revenue going down, and that this causes the taxes to go up. He recommended an Economic Development Committee to look at land parcels and mentioned 84 acres behind the town shed. He said it would be good for the town to obtain new taxation and new sources of money. He is looking for people to take part in this Committee. Jim Boisvert discussed a Solid Waste Committee. It was discussed there were not enough people in Allenstown participating in Committees and that the same people do everything.

Cliff Jones stated that when told there is a sewer moratorium, potential businesses go elsewhere. Bob Girard discussed the Commercial Development Committee and said if Allenstown wants to expand it has to attract industry and commercial development. *Article 22 will appear on the ballot as read.*

A Motion was made by Tom Irzyk and seconded by Armand Verville to adjourn. Motion passed. Meeting adjourned at 11:05 a.m.

Respectfully Submitted By:

Diane Demers

Allenstown Town Clerk

February 3, 2009