The 2009 Town Election was called to order on March 10, 2009 at 8:00 a.m. at the Winnisquam Regional Middle School by Moderator, Mr. Kenneth Randall. Moderator Randall read the first six articles on the warrant and announced that the business meeting would be held on Saturday, March 14, 2009 at 8:00 a.m. at the Winnisquam Regional High School. He then led the assembly in the Pledge of Allegiance. The polls were declared open. Prior to the opening of the polls it was verified by Mr. Bernard Chapman that the ballot box was empty and the voting machine was zeroed. The absentee ballots were processed, 20 in total at 1:00 p.m. as posted.

Motion made by Assistant Charles Mitchell to close the polls subject to the rights of those currently voting, to vote within the statutorily allowed timeframe, motion was seconded by Mr. Center Sanders and passed. Polls were declared closed at 7:00 p.m.

The total number of ballots cast was 509, the total number of registered voters at the close of the polls was 2657.

**Article 1. To choose all necessary town officers for the ensuing year as presented on the ballot prepared for the same.**

<table>
<thead>
<tr>
<th>Office</th>
<th>Candidates</th>
</tr>
</thead>
<tbody>
<tr>
<td>Selectman – 3 years</td>
<td>Thomas Cavanaugh 129, Patricia Consentino 290, Bob Deforge 53, Albert LaPlante 141, Norm Boudreau 286</td>
</tr>
<tr>
<td>For Selectman – 2 years</td>
<td>Helen Hanks 178, Sandra Plessner 301</td>
</tr>
<tr>
<td>Treasurer – 1 year</td>
<td>Sandra J. Hyslop 425</td>
</tr>
<tr>
<td>Sewer Commissioner</td>
<td>David Wadleigh, Sr. 424</td>
</tr>
<tr>
<td>Budget Committee</td>
<td>Michael Fleming 302, Jonathan Scanlon 282, Toni Belair 307</td>
</tr>
<tr>
<td>Trustee of Trust Funds</td>
<td>Charles Mitchell (write-in)</td>
</tr>
</tbody>
</table>

**Article 2. Changing term length of Treasurers position.**

Question 1.
Are you in favor of changing the term of the elected town treasurer from one year to 3 years, beginning with the term of the town treasurer to be elected at next year’s regular town meeting? Yes 298 No 161

**Article 3. To choose the necessary school officials for the Winnisquam Regional School District as presented on the ballot prepared for the same.**

<table>
<thead>
<tr>
<th>Office</th>
<th>Candidates</th>
</tr>
</thead>
<tbody>
<tr>
<td>Moderator - 1 year</td>
<td>Kenneth Randall 737</td>
</tr>
<tr>
<td>For Tilton School Board</td>
<td>Michael Gagne 730,For Tilton Budget Committee – 1 year – vote for 1 position to be appointed by Budget Committee</td>
</tr>
</tbody>
</table>

**Article 4. Zoning Articles**

Question 1.
Are you in favor of amending **Section 2.1 DEFINITIONS** by adding definitions for Outdoor Lighting? Yes 339 No 126
Question 2.
Are you in favor of adding a new Section 2.4 OUTDOOR LIGHTING?
Yes 321 No 139

Question 3.
Are you in favor of modifying the existing Section 10.5.2. WATER AND SEWERAGE to read as follows?
Yes 317 No 145

All dwelling units and all commercial, public or industrial buildings shall be connected to a sewage disposal system. When a public system is not available, a private sewer (sewage) system is required. INSERT:
Portable Toilets (commonly known as port-a-potties) or outhouses shall not be acceptable. *The type, size, location, and construction of all septic tanks and drainage fields shall conform to all current rules and regulations promulgated by the NH Water Supply and Pollution Control Commission and shall be approved by both the NHWSPPC and the appropriate town official. Approval by NHWSPCC shall not be binding on the town nor shall such approval by the NHWSPCC negate conformity with the aforementioned rules and regulations.

STATE OF NEW HAMPSHIRE
TOWN OF TILTON
BUSINESS MEETING
MARCH 14, 2009

Moderator, Mr. Kenneth Randall, opened the meeting at 8:00am. He then called a short recess for those still checking in. The meeting was resumed at 8:10am. He then led the assembly in the Pledge of Allegiance.
Moderator Randall asked the assembly to check their neighbors for those who are not Tilton residents. He then introduced the Town Clerk, Cindy Reinartz, and asked Selectman Chairperson, Katherine Dawson, to introduce the Selectman. Next, he asked the Budget Committee Chairperson, Toni Belair, to introduce the Budget Committee.

The Moderator gave instructions on the ballot cards and ballot votes and went over the Moderators rules for the meeting – who can vote, ballot votes and standing rules.

Due to loss of voice, the Town Clerk asked Selectman Dawson to read the minutes from the election held on March 10, 2009. Selectman Dawson read the minutes to the assembly.

Moderator Randall, suspended the reading of the full Warrant Articles until there is an objection. He will read each Article separately, open for discussion and read it again before it goes to a vote.

Jerry Davis made a motion to accept the Moderator’s rules, seconded by Mr. Kondrotas. Vote to accept the Moderator’s rules – passed.

Article 5. To see if the Town will vote to open discussion and to get clarification on what was presented and passed for Article 6 (proposal to purchase property at 61 Business Park Drive and build-out cost and size for a new Police Station) at Town of Tilton, business meeting held on March 15, 2008. Furthermore, to discuss the results of Article 15 at the March 18, 2006 Annual Town of Tilton, business meeting regarding a Police Department space needs study by a committee appointed by the Moderator with a budget total of $50,000 as it was not discussed relative to Article 6 in 2008. If the cost and size now being built-out is not what was presented and passed on Article 6 and complete study committee disclosure was not sufficient to inform the voter, to see what action the town would like to take including possibly rescinding any remaining bond amount of the bond that was passed in Article 6, Town of Tilton, business meeting on March 15, 2008. (This article was submitted by petition).

Article 5 was read by Moderator Randall. Scott Davis moved Article 5 to the floor for discussion, Pat Clark seconded. Selectman Dawson called a Point of Order. Selectman Dawson asked if the Moderator had made a decision on the letter given to him on Thursday night from attorney Walter Mitchell. Selectman Dawson was asked to read the letter to the assembly, which she did. She also stated that since the bond had already been issued, Attorney David Barnes, informed them that it could not be revoked (RSA 39:2). Moderator Randall commented that tax payers’ money was used to hire this attorney and that others from the Town used their own money to contact
legal council, Daniel Crean. Pat Clark read the letter received from Attorney Crean. Moderator Randall decided that the letter from Attorney Crean is what we would be working from due to Attorney Mitchell’s letter referencing SB2 towns – which we are not. Pat Clark explained that they received 140 petition signatures - 127 of which were certified by the Town Clerk. He just wants voters to have a chance to relook at the decision made at the 2008 Town Meeting. They agree that the Town needs a new Police Department. They had their petition for this Warrant Article in before the 3rd February deadline – February 2nd to be specific. Scott Davis gave a brief summary as to why they are bringing this to Town – cost, size and location for proposed Life Safety Building, lack of information for making an informed choice, and the fact that various studies were not shared with the public prior to or at the 2008 Town Meeting. Mr. Davis asked the Moderator if he could pass out a copy of the proposed amended Article 5. The amendment was passed out to the public.

Pat Clark read the proposed amended Article and made a motion to bring it to the floor, seconded by Scott Davis.

Pursuant to this Article, I move that the Town take the following actions with regard to a Tilton Police Station and Emergency Operations Center:

1. Rescind the action by which the Town raised and appropriated the sum of $910,000.00 representing a partial amount of the unexpended portion of the funds raised and appropriated under Article 6 at the 2008 Tilton Annual Meeting for the purpose of a Tilton Police Station and Emergency Operations Center.
2. Rescind the authority to issue bonds or notes to the extent that any such bonds or notes authorized under said Article 6 have not yet been issued and except what may be needed to fund the operations of the Committee created in this motion.
3. The portion of the appropriation made under said Article 6 that is not rescinded by this motion in the amount of $50,000.00 shall be used for the purpose of defraying expenses of a study committee as follows.
4. A seven-person Committee is hereby created to investigate the best location for a Life Safety building with consideration being given to the 61 Business Park Drive site, the sites coming out of the 2006 police department study committee, and any other potential locations and to consider the best use or disposition of any property acquired pursuant to said Article 6 of the 2008 Annual Meeting.
   a) The Committee shall be appointed by the Moderator with a composition of one person to represent each of the Police Department (PD), Board of Selectmen, and Fire District (FD), and four members of the public at large.
   b) The Committee shall elect a chair and vice chair from among the public at-large members.
   c) The Committee shall use, but is not limited to using, the 2006 Tilton police study committee details, the MRI report, the 2008 PD study findings, and feedback from the Fire District.
   d) The Committee shall conduct its proceedings in accordance with the right-to-know law and shall hold a minimum of two well-advertised public hearings to share its findings and to obtain public input.
   e) The Committee shall submit a final report of its findings and recommendations to the voters not later than the 2010 Town Annual Meeting. Its report shall be made available to the public no later than 30 days prior to the time for submission of petitioned articles for the 2010 Annual Meeting and shall be included in the Town Annual Report.
   f) The Selectman shall make clerical assistance available to the Committee for such purposes as keeping minutes, posting notices, and assisting with correspondence. Funding for this purpose and for other appropriate expenses shall be provided by use of the unexpended and non-rescinded portion of the appropriations made under Article 6 of the 2008 Annual Meeting as stated above.
   g) This Committee shall supersede any other Committees that have been created for related purposes and those Committees are hereby dissolved.
   h) The ultimate purpose of action under this article is to:
      i) Determine a best site for a Life Safety building with the idea that a Police Department facility may be designed and built there initially, with the potential of adding a Fire Department facility at a later date;
(1) Develop conceptual plans and building cost estimates;
(2) Investigate the potential need to include an Emergency Operations Center within the Police Department facility, and;
(3) Have the Town Administrator and others research any potential outside funding sources, including grants and donations. The Committee’s efforts will be coordinated with any similar study group established by or in relation to the Fire District.

The amendment was open for discussion. A Point of Order was called by Selectman Dawson. She stated that numbers 2 and 4 were illegal – you can not rescind a bond once it has been issued. Pat Clark commented that the voters do have the right to rescind the bond and to relook at this. Selectman Dawson called another Point of Order.
She stated that the bond has already been taken and bonded. It's already done and this Article is not addressing how to pay the bond back or how to use the remainder of the bond money. She doesn't understand how we can vote on something that has already been done.

Attorney Stanley Robinson, Tilton Lawyer, explained that he feels both Walter Mitchell and Dan Crean are very good attorneys and are both high powered municipal lawyers. He feels that Attorney Crean’s advice deserves a lot of weight. Helen Hanks addressed the public. She would like to know who the attorney is that is working for her. She sees that Pat Clark and Scott Davis have hired an attorney to represent their opinions and the Town has a lawyer representing their opinions, but who will unbiashly represent the Town’s people? Bill Lawrence commented that #2 is a conditional statement, to rescind the authority on bonds not yet issued. This will depend on what is decided in the rest of the process. Moderator Randall ruled that 1 and 2 will remain in the amendment.

Kathy Mitchell stated that she is a strong believer in Town meetings where people get to talk. She says let the body have a chance to talk about it. She wants to hear from the Town’s people.

Moderator Randall asked Pat Clark to continue with his presentation. Mr. Clark states that Attorney Crean, Municipal Attorney, said it is possible to stop spending and rescind the balance of the bond. He proposes the formation of a new study committee which includes the Fire District’s input. He believes in keeping the public informed and reporting its findings and recommendations at the next year’s Town Meeting. Mr. Clark then went through a slideshow. Some of the key points were a “failure to communicate”, “don’t make promises you cannot keep” and “be truthful”. Both sides see the need for a new police station; they just feel it was a rushed judgment - only 6 weeks. Other points made in the presentation were that contingency funds in the Town budget can not be used to cover building cost over-runs, real costs were kept from the contractors to keep bids low, and that taxpayer were kept in the dark.

After the presentation concluded, Thomas Gallant stated that he was on the committee and that they worked very hard to move forward a recommendation to the Selectman that the committee felt was necessary for the PD. When the commissioned police study came in, not to some people’s likings, they hired an architect to design a PD which could be expanded to a Life Safety building in the future – with the Fire Chief input. The committee rated 6 sites and narrowed them down to 3. They presented their findings and recommendations to the Selectmen on 04/11/07 and that was the last they ever heard from the Selectmen. The choice was made to go in another direction. The committee should have been incorporated in the final decision as well as Fire Department – neither of which was included.

Scott Davis would like to get more answers and more information before decisions are made on the future of the new police station. The vote was called. Moderator Randall explained that if the Amendment to Article 5 passes, it becomes the new Article 5. If passed, then a second vote will need to be taken to pass Article 5 (amendment). First vote is to accept or not accept the Amendment. Second vote is to accept or not Article 5. George Hast asked since the figure is over ½ million dollars, shouldn’t it be a secret ballot vote. Moderator Randall stated that there is not a need for ballot vote because it is not asking for money. Moderator Randall, asked if there was a need to have the Article reread, assembly decided no. Vote was taken to accept amendment – counters 108 in the affirmative, counters 1 in the negative.

Thomas Gallant asked how many people are registered to vote here today. Supervisor of the Checklist, Bernie Chapman, stated that there are 119 voters checked in. Amendment has now become Article 5. Comments. Selectman Dawson questioned 4(f), the Selectman making clerical assistance available to the committee. Thomas Gallant explains that they want a non-committee member that can take notes and supply good minutes back to the public. He would like to see the funds made available to pay a person to take these notes. George Hast asked if there is a motion needed to bring to a vote. Moderator Randall said it was not necessary. The vote was taken on Article 5 as amended - counters 103 affirmative, 3 negative. Article 5 passed as amended.

**Article 5 Amendment** - Pursuant to this Article, I move that the Town take the following actions with regard to a Tilton Police Station and Emergency Operations Center:

5. Rescind the action by which the Town raised and appropriated the sum of $910,000.00 representing a partial amount of the unexpended portion of the funds raised and appropriated under Article 6 at the 2008 Tilton Annual Meeting for the purpose of a Tilton Police Station and Emergency Operations Center.

6. Rescind the authority to issue bonds or notes to the extent that any such bonds or notes authorized under said Article 6 have not yet been issued and except what may be needed to fund the operations of the Committee created in this motion.
7. The portion of the appropriation made under said Article 6 that is not rescinded by this motion in the amount of $50,000.00 shall be used for the purpose of defraying expenses of a study committee as follows.

8. A seven-person Committee is hereby created to investigate the best location for a Life Safety building with consideration being given to the 61 Business Park Drive site, the sites coming out of the 2006 police department study committee, and any other potential locations and to consider the best use or disposition of any property acquired pursuant to said Article 6 of the 2008 Annual Meeting.

   a) The Committee shall be appointed by the Moderator with a composition of one person to represent each of the Police Department (PD), Board of Selectmen, and Fire District (FD), and four members of the public at large.

   b) The Committee shall elect a chair and vice chair from among the public at-large members.

   c) The Committee shall use, but is not limited to using, the 2006 Tilton police study committee details, the MRI report, the 2008 PD study findings, and feedback from the Fire District.

   d) The Committee shall conduct its proceedings in accordance with the right-to-know law and shall hold a minimum of two well-advertised public hearings to share its findings and to obtain public input.

   e) The Committee shall submit a final report of its findings and recommendations to the voters not later than the 2010 Town Annual Meeting. Its report shall be made available to the public no later than 30 days prior to the time for submission of petitioned articles for the 2010 Annual Meeting and shall be included in the Town Annual Report.

   f) The Selectman shall make clerical assistance available to the Committee for such purposes as keeping minutes, posting notices, and assisting with correspondence. Funding for this purpose and for other appropriate expenses shall be provided by use of the unexpended and non-rescinded portion of the appropriations made under Article 6 of the 2008 Annual Meeting as stated above.

   g) This Committee shall supersede any other Committees that have been created for related purposes and those Committees are hereby dissolved.

   h) The ultimate purpose of action under this article is to:

      i) Determine a best site for a Life Safety building with the idea that a Police Department facility may be designed and built there initially, with the potential of adding a Fire Department facility at a later date;

      (4) Develop conceptual plans and building cost estimates;

      (5) Investigate the potential need to include an Emergency Operations Center within the Police Department facility, and;

      (6) Have the Town Administrator and others research any potential outside funding sources, including grants and donations. The Committee’s efforts will be coordinated with any similar study group established by or in relation to the Fire District.

Scott Davis made a motion to reconsider Article 5 and vote no, seconded by Foster Peverly. By voting no, you are killing reconsideration of the Article forever, stated Moderator Randall. Mr. Davis urged voters to vote no. Motion carries at no. No reconsideration of Article 5.

Selectman Dawson made a motion to see if the order of the Warrant Articles could be changed to 5, 7, 8, 15, 6, 9, 10, 11, 12, 13, 14, and seconded by Selectman Tom Cavanaugh. Selectman Dawson needs to leave at 1:00pm and would like to be there for some Articles. The Assembly accepted the change of order.

Article 7. To see if the Town will vote to discontinue subject to gates and bars pursuant to RSA 231:45 a portion of Pest House Road more specifically described as beginning at a point at the intersection of Pest House Road (also known as a Range Road) and Calef Hill Road and thence heading in a westerly direction a distance of 100 feet more or less to a point where Pest House Road becomes a Class VI Road.

Moderator Randall read the Article to the public. Bill Joscelyn made a motion to table Article 7. Vote - counters 44 yes / 26 no. Article 7 is tabled.

Article 8. To see if the Town will vote to discontinue subject to gates and bars pursuant to RSA 231:45 a portion of the Range Road more specifically described as beginning at a point at the intersection of Range Road and Sanborn Road (State Route 132) and thence heading in a westerly direction a distance off 660 feet more or less; this portion of the Range Road is shown on plat recorded at the Belknap County Registry of Deeds (Drawer L63 Plan #95).
Moderator Randall read the article to the public. **Bill Joscelyn made a motion to table Article 8. Vote - counters 16 / 21 no. Article was tabled. Move for reconsideration.** Point of Order made by Bob Brown. Questioning being able to reconsider a tabled motion. **Vote was taken and reconsideration was in the affirmative.**

**Article 15:** To see if the Town will vote to raise and appropriate the Budget Committee’s recommended sum of $5,269,900 for general municipal operations as posted as part of the warrant. **This article does not include special or individual articles addressed.**

Moderator Randall read Article 15. Budget Committee Chairperson, Toni Belair moved to the floor for discussion, seconded by Jerry Davis. Ms. Belair stated that the Budget Committee meets once per month from April – October. They meet with Department Heads, review bills, etc. Then from October onward, they meet on a weekly basis. She explained that the 2008 budget was under-spent by $409,240, but that Revenues were also down. The biggest expenses in 2008 are the salary lines, benefits, health and dental – they make up 47% of actual budget. Moderator Randall then opened the budget for amendments – which should be made in writing and signed. Scott Davis questioned the Town Hall Contingency Fund line of $100,000. This line is meant for emergencies and the Budget Committee is supposed to be informed before any monies are spent from this line. This line is being used for heat and electric for the new Police building. Ms. Belair confirmed that the Budget Committee was not informed prior to the spending of these funds.

**Scott Davis made a motion to amend line 810 (Contingency Fund) from $100,000 to $0, seconded by Steve O’Leary.**

Selectman Dawson stated that the contingency fund was created to rebuild the reserve fund. Due to abatement refunds, the reserve fund had been depleted. She stated that there was no line item for the heat and lighting for the new Police building. It was not an “emergency” but was more of a need. Jon Scanlon of the Budget Committee stated that there were big cuts in the budget this year – we may have even cut into the budget too much. The Contingency Fund allows the Selectman to make emergency expenditures with input from the Budget Committee.

Mr. Hast stated that since the budget is not a line item budget, whatever we put in these lines can be used by the Selectman however they wish. They can take money from any line item. They can take from the Police Department if they want. He would like to keep the budget tight and feels that we don’t need the extra $100,000 to “splash around”. Kevin LaChapelle wants to know if there is a need for this line to be $100,000, or can we bring that number down. $100,000 seems steep, but maybe we could consider a smaller number. Norm Boudreau advised not to be short sighted by zeroing out the line item. This line could possibly need to be used in the case of an ice storm, blizzard, or a real emergency. Any one of these emergencies could leave us scrambling to find the funds. He does not agree with how this fund has been used to date, but assures the public that as one of the newly elected Selectman, he would keep a close eye on how the line is being used. He recommends not approving the amendment. Ben Labelle stated that from his previous term on the Budget Committee, he remembers that the Contingency Fund was a temporary measure to build up the reserve fund. He asked what the status of the reserve fund is now – is it built back up or do we still need to build it? This was deferred to finance manager, Tim Pearson. He stated that the reserve fund has not been built up as of yet. Mr. Labelle wanted to know what the balance of the reserve fund is now. Mr. Pearson could not answer that now. Center Sanders reminds us that if the cost of materials increase, road salt triples or fuel doubles - where does that extra money come from. Selectman Dawson explained that these unexpected monies would come from the Contingency Fund. She also states that the Contingency line item was well under spent in 2008 and that any money not spent goes to unreserved fund.

The question was called amendment submitted by Scott Davis – declined. **Point of Order – a physical count was requested – counters 49 yes / 57 – amendment still defeated.**

Mr. Joscelyn would like to make an amendment to Article 15 for no wage increases, except those now under contract. **Seconded by Mr. O’Leary.**

Charles Mitchell would like to know who of the Town employees are under contract. Selectman Dawson stated that it would be the Police Department union members only. The Town Administration, Highway Department and all non-union employees within the Police Department would be affected by this amendment. The cost saving if raises were eliminated would be $11,479.86 in the 2009 budget. Even though the intent is admirable, it would also encourage more Town employees to unionize. Norm Boudreau stated that he has been part of a bargaining unit.
and even if 3.5% raise seems a little high, he will not be accepting his stipend as Selectman and would like to see this savings of $3,000 cover the salary increases. Toni Belair, Budget Committee, stated that she would need a dollar amount to correct this line number for the vote. Selectman Dawson gave the corrected figure of $14,042. Mr. Sanders asked about the increase to the Finance Officer line item (130) and if this is a new position. Selectman Dawson stated that in 2008 this line consisted of two part-time people. In 2009 it will be one full-time position. The two part-time positions are being eliminated.

The vote on the Amendment submitted by Mr. Joscelyn was taken, counters 7 yes / 91 no – amendment defeated.

Mr. Sanders commented that he recognized that the body has supported its Town employees and hopes for support of the Teachers at next week’s School Board Meeting.

Bob Hardy submitted amendment to move line items 01-92-4589.99-935 and 01-92-4589.99-938 to the Park Budget located on line 01-89-4520.99-931. Seconded by Selectman Dawson,

Selectman Dawson stated that this would simply be moving money – no change in money. Mr. Hardy stated that the reason he is requesting this change is because the Park Commission is responsible for these expenses. And, without it in their jurisdiction, they would have no control over the expenditures.

Vote was taken on the amendment submitted by Mr. Hardy. 97 yes / 0 no – Amendment to Article 15 passes.

Dave Fox would like to know why the Selectman and Budget Committee did not choose to fund Old Home Day. Toni Belair, Budget Committee, stated that due to the fireworks being rained out and this money being carried over, it was felt that there was a significant reserve for this year, but this line will certainly be considered for funding next year.

Ready for vote on budget in the amount of $5,269,900. VOTE on Article 15 – 95 yes / 0 no – Article 15 passes as amended.

Short recess at 10:38am. Meeting resumed at 10:52am.

Point of Order made by Loren Noether. She would like to know how the minutes from the 2008 Town Meeting are approved and when. The Town Clerk takes the minutes and they are signed off by her. Noether wants to know if there is a statute on this. She is concerned that if there is a problem with the minutes, how they are amended. Town Clerk, Cindy Reinartz said that if someone comes to her with corrections, she adds them to the document with the person’s name next to it. Minutes are not under the authority of the Selectman. This is the first year that an Article was not on the ballot to accept the Town report and minutes. Bill Lawrence thought Article 16 may cover this. Selectman Dawson said it would not. She said that once Town Meeting has ended, there is a time limit for an attested copy to be sent to the government and that it can not be changed at this point. Town Clerk to research.

Helen Hanks made a motion for reconsideration of Article 15, seconded by Mr. Mitchell. Advised the voters to vote no – reconsideration killed on Article 15.

Article 6. To see if the Town will vote to adopt the exemption for the Disabled pursuant to RSA 72:37-b (persons eligible under Title II or Title XVI of the federal Social Security Act) in the amount of $50,000 with the following income limits: single $24,000; married $32,000; and asset limit of $70,000. The exemption shall become effective April 1, 2009.

Article 6 was moved to the floor by Selectman Al LaPlante, seconded by Jerry Davis. Joyce Fulweiler stated that this would cover a few people in Town that are totally disabled but are not age 65. Vote – passed as presented.

Article 9. To see if the Town will vote to adopt an Ordinance relative to Highway Regulation, Protection and Control Regulations pursuant to RSA 31:39; 41:11; 47:17 VII, 236:19; 236:20; 236:39:

Section 1: Snow/Ice Obstructions. No person shall put or place or cause to be put or placed any snow or ice upon the surface of the traveled portion of any Town Class V or Class VI Road for any purpose, except to provide a place necessary for crossing, recrossing and traveling upon said highways by sleds, logging or farm equipment.
Section 2: Obstructing Water. No person shall place, or suffer to be placed or to remain, any logs, earth or other substances within the limits of a town road, or upon land in the vicinity of a highway by which the water in a stream, pond or ditch is turned upon the highway and injures or renders it unsuitable for public travel.

Section 3. Penalty. Pursuant to RSA 31:39,III, any person in violation of Section 1 or 2 of this ordinance shall be subject to a penalty in an amount not to exceed $1,000 for each offense, to be paid to the general fund of the town. Nothing herein shall be treated as a waiver of the right of the town to pursue all additional civil and/or criminal penalties available at law or in equity to recover for damages to the highway, or for personal injuries incurred as a result of the prohibited conduct.

Section 4: Effective Date of Ordinance. This ordinance shall take effect immediately upon adoption by Town Meeting Vote.

Article 9 was moved to the floor by Selectman David Wadleigh, seconded by Lauren Noether. This is a house cleaning Article that would need to be adopted by the Town. Heavy snow has become a problem. Approving this Article would give the Town a way to enforce RSA’s that are already in place.

Mr. Mitchell stood to amend this article asking if the wording in Section 2 could be changed from “and injuries...” to “which could injury and render”. Bill Lawrence wants to know who would make the determination of the penalties and their costs. Bob Wadleigh figures it would be determined by the Police. Bill Lawrence asked if the fine would come into affect if an obstruction does create injury – or if it just could potentially create an injury. Mr. Boudreau stated that it’s not an injury to a person or property but instead to the road itself - a dam or bridge that causes water to cross over the road and the road being damaged. Anyone that causes water to run over the road would be subject to this fine. Lynn Fox states that the Town does not allow for pre-empted law. Toni Belair, Budget Committee, would like to see the wording stay the same so it stays relevant to the road. Jerry Davis explains that animals could also create a dam that causes water to run over the road. Mr. Mitchell would like to withdraw the amendment. Charlie Hall would like to know the meaning of the word “sleds” in Section 1. This is sleds used to move logs across the road. VOTE – yes – Article 9 passed as presented.

Article 10. To see if the Town will authorize the Town Clerk/Tax Collector to accept payment of local taxes, charges or other fees by use of a credit card pursuant to RSA 80:52-c. The Town will add to the amount due, in addition to any interest and penalties payable, a service charge for the acceptance of the card. The amount of the service charge shall be disclosed at the time of the billing. The Board of Selectmen shall adopt an ordinance for processing credit card payments.

Article 10 was moved to the floor by Selectman Al LaPlante, seconded by Jerry Davis. Cindy Reinartz stated that this would allow Town’s people to pay by credit card online or in the Town Hall for taxes and registrations. It would not cost the Town anything. The 2-3% credit card fee would be charged to the person using the credit card. Steve O’Leary asked if there needed to be a separate phone line for the credit card line. Ms. Reinartz stated that it goes over an existing phone / fax line used for the debit machine. There would be no extra cost for the credit card line. She does not know the cost per month per line. Jon Scanlon stated that charging customers the credit card fee is currently being challenged in court – on the State level. It looks like the State will have to refund all these fees. Reinartz stated that there is an RSA in place that protects people who are using credit cards in the Town. This system is very active with a number of other towns in New Hampshire. Mr. Scanlon feels this should be researched further. Jim Cropsey wants to know if there is an additional monthly cost for the machine. Ms. Reinartz stated that it is all included in the service. Mr. Lawrence wanted to know what the service charge would be. Ms. Reinartz stated that they vary between 2-3% depending on which company is chosen. Ms. Fox asked if the Town will charge the exact fee given by the credit card company or if they would inflate the fee. Ms. Reinartz said there would be no additional charges. VOTE – 41 yes / 39 no – Article 10 passed as presented.

Article 11. To see if the Town will vote to raise and appropriate the sum of $500,000 for the White Rock Cooperative Infrastructure Improvements, said project to be offset by a Community Development Block Grant in the amount of $500,000. This project will not be paid for through taxation. This will be a non lapsing appropriation per RSA 32:7, VI and will not lapse until the project is completed or by December 31, 2011.

Article 11 was moved to the floor by Selectman Tom Cavanaugh, seconded by Maurice Chaput. Point of Order by Bob Hardy. Mr. Chaput is sitting in the non-resident section of the room. Mr. Hardy would like to be sure he is indeed a Tilton resident. Mr. Chaput presented his yellow voting card and stated that he is indeed a Tilton resident. Joyce Fulweiler stated that Donna Lane, a consultant with CBDG, is present today to discuss this Article. Ms. Lane
stated that there is arsenic in the water at White Rock Cooperative and there is no land to install a new well. This Article is for a grant that has already been granted. $1.3 million plus a loan that the residents of White Rock will need to repay. Most of the people living in the park are low income. Pat Clark wants to know what would happen if White Rock goes belly up. Would the Town be liable to repay this loan? Ms. Lane stated that the Town would never be liable. Monies would be recouped from the lean on the land only. Center Sanders questioned the raise and appropriate language. Ms. Fulweiler assured him that the language was approved by the Local Government Center. Jim Cropsey asked if once this is in place, wouldn’t it increase the value of the property. Mr. Sanders asked if there are other grants that need to be applied for to complete this project or are all the finances in place. Mary Ball said that all the money is in place to pay for these improvements, either through grants or loans. **VOTE – Article 11 passed as presented.**

**Article 12.** To see if the Town will vote to discontinue the Peabody Street Reconstruction Fund created in 2007, as the project is complete. All remaining funds in this account, with accumulated interest to date of withdrawal are to be transferred to the general fund.

Article 12 was moved to the floor by Selectman Thomas Cavanaugh, seconded by Jerry Davis. This fund is no longer needed and the Selectman would like to see it moved into the General Fund. Sandy Plessner asked what the balance in the fund is. The balance is $36,048.76. Tim Pearson stated that due to a deduction of $35,000 in 2008 that did not clear until January 2009, the approximate balance is $1,050. There is still a base coat that needs to be applied to the road, but that cost is already covered. **Vote – Article 12 passed as presented.**

**Article 13.** To see if the Town will vote to establish a Capital Reserve Fund under the provisions of RSA 35:1 for the purpose of reconstruction of the Island Retaining Wall and to raise and appropriate the sum of seven thousand dollars ($7,000) to be placed in this fund and to name the Tilton Selectmen as agents to expend the funds for this purpose. This appropriation is contingent upon the Town of Northfield raising and appropriating the same amount at its 2009 annual meeting, failing which this fund shall not be established.

Article 13 was moved to the floor by Selectman Katherine Dawson, seconded by Kathryn Mitchell. Ms. Fulweiler stated that at the time the Warrant was written, Tilton and Northfield were being considered for a FEMA hazard mitigation grant. The cost to each town would be $13,000. But, it does not look like FEMA will accept the project. The Selectman in Northfield tabled their Article. Both towns would have to agree to appropriate the funds the same year. **Thomas Gallant moved to table, Mr. O’Leary seconded. Vote – Article 13 was tabled.**

**Article 14.** To see if the Town will vote to establish a Recreation Revolving Fund pursuant to RSA 35:b:2 II. All money received from fees and charges for recreation park services and facilities (i.e. rentals, contributions, gifts, donations, etc.) shall be deposited in said fund and allowed to accumulate from year to year, and shall not be considered to be part of the town’s general fund unreserved fund balance. The town treasurer shall have custody of all moneys in the fund, and shall pay out the same only upon order of the Parks Commissioners. No further Town meeting approval is required. These funds may be expended only for recreation purposes as stated in RSA 35-B, and no expenditure shall be made in such a way as to require the expenditure of other town funds that have not been appropriated for that purpose.

Article 14 was moved to the floor by Selectman Katherine Dawson, seconded by Bob Hardy. Selectman Dawson stated that the Park Commissioners would like to be able to use the fees collected to offset their line item. Bob Hardy, Park Commissioner, stated that rental fees could be collected from the use of the Grange Hall, Park and possibly advertisement signs at the Route 132 ball field. This would move the income to the Park Commission rather than put it into the General Fund. Mr. O’Leary reminds them that the fence on Route 132 is only half owned by the Town, the other half is owned by the Tanger Outlet.

**Jim Cropsey would like to propose a friendly amendment to add the word “fines”, and seconded.**

To see if the Town will vote to establish a Recreation Revolving Fund pursuant to RSA 35:b:2 II. All money received from fees, fines and charges for recreation park services and facilities (i.e. rentals, contributions, gifts, donations, etc.) shall be deposited in said fund and allowed to accumulate from year to year, and shall not be considered to be part of the town’s general fund unreserved fund balance. The town treasurer shall have custody of all moneys in the fund, and shall pay out the same only upon order of the Parks Commissioners. No further Town meeting
approval is required. These funds may be expended only for recreation purposes as stated in RSA 35-B, and no expenditure shall be made in such a way as to require the expenditure of other town funds that have not been appropriated for that purpose.

Discussion was opened; Ms. Fox asked if the fines collected would go to the Park Commission rather than the Town. Yes they will.

Vote on amendment to add the word “fines”. 49 yes / 18 no – amendment to Article 14 passed.

There was some confusion about the fines and if these were only the fines that took place in the Parks. It was explained that there are other fines collected by the Town – those would not be included. Selectman Dawson confirmed that this only pertains to fines related to the Park. Mr. Lawrence wanted confirmation that these are fines for recreation Park services only – not all Town fines. Helen Hanks wanted to know if there was a list of rules for the Parks. Bob Hardy explained that park rules and regulations can be found on the website and soon at all the parks. Each park has its own rules. If the rules are broken and there is a fine for that rule, that fine would go into the Parks Commission account. Joe Plessner wanted to know who has authority to assess and collect these fines. The Park Commissioners have the authority to determine and collect fees and fines – backed by the Selectman and the Police Department. Bob Haberman, Planning Commission, feels that the Article clearly states which funds we are talking about. Betsy Beck stated that charges are fines, so fines are already covered in this Warrant Article. Bob Hardy explained that the charges referred to in this Article were meant as fees collected for the use of the Parks.

Bob Hardy explained that the rules were drawn up by the Commissioners and the Selectman and were also discussed at Public Hearings before accepted and put in place. There is a contract for signage of rules at the Parks currently in place. Selectman Dawson, with Chief Cormier’s agreement, said the Police Department would collect the fines if necessary. The fines are set fees.

Vote – Article 14 passed as amended.

Article 16: To enact any other business that may legally come before this meeting.

Article 16 was moved to the floor by Selectman Katherine Dawson and seconded. Town Clerk Tax Collector Cindy Reinartz addressed the assembly stating as promised at the 2008 Annual Meeting, beginning this April, her office will be open on the 2nd Saturday of the month from 8:00 a.m. - noon. She will log in the usage of this service and report back at the 2010 Annual Meeting.

Selectmen Dawson spoke stating “I would like to take this opportunity to thank Selectman Albert LaPlante and Selectman Tom Cavanaugh for three years of personal sacrifice and dedicated service to the town’s people of Tilton.”

Vote was taken on article 16 as presented – passed.

Motion to adjourn made by Jerry Davis and seconded by Mr. Plessner. Meeting adjourned at 12:05pm.

Respectfully submitted:

Cynthia D. Reinartz
Town Clerk Tax Collector

A true attest copy

Cynthia D. Reinartz
Town Clerk Tax Collector