

Warner Town Clerk

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Office Hours: Mon, Wed, Thurs
8:00 – 3:00 PM
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Judith A. Newman-Rogers,
Town Clerk
Michele Courser, Deputy
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WARNER TOWN ELECTION MARCH 8, 2016

ARTICLE 1: To choose Town Officers for the ensuing year:

NOTE: * = Winner in contested race

Almoner of the Foster & Currier Fund 1 for 3 Years

416 Darryl Parker

Budget Committee 2 for 3 Years

281 Martha Bodnarik
301 *Michael Cutting
293 *Jonathan Lord

Chandler Reservation 1 for 4 Years

484 Stephen Hall

Moderator 1 for 2 Years

502 Ray Martin

Selectman 1 for 3 Years

170 Peter Anderson
120 Kinberley Edelmann
246 *John Dabuliewicz

Supervisor of the Checklist 1 for 6 Years

484 Kathy Carson

Trustee of Pillsbury Library 3 for 3 Years

426 Michelle Allen
438 Kathy Carson
408 Anastasia Glavas

Trustee of Town Cemeteries 2 for 3 Years

455 Mary Cogswell
429 Donald Wheeler

Trustee of Trust Funds 1 for 3 Years

456 Dale Trombley

ARTICLE 2: ZONING YES: 391 NO: 139

Amend Article XII Sign Requirements by reducing the number and types of temporary signs that require a permit, eliminating certain flags from regulation, clarifying certain items by rewording, and allowing signs painted directly on a building; and further to make the ordinance consistent with a recent decision of the U.S. Supreme Court by revising the purpose and creating content neutral sign requirements

KRSD BALLOT – Results in Warner

QUESTION 1: 284 A: \$40,896,661, SCHOOL BOARD BUDGET
183 B: \$40,896,661, MUNICIPAL BUDGET COMMITTEE BUDGET

QUESTION 2: YES: 292 NO: 237 EDUCATORS ASSOC BARGAINING AGREEMENT

QUESTION 3: YES: 377 NO: 155 SPECIAL EDUCATION EXP TRUST FUND

QUESTION 4: YES: 382 NO: 152 SCHOOL BLDGS MAINTENANCE FUND

MODERATOR: 484 SCHEFFY, BRACKETT L

MUNICIPAL BUDGET COMMITTEE, WARNER: 450 ANDERSON, PETER

ADJOURN TO WEDNESDAY MARCH 09, 2016
@ 7:00 PM WARNER TOWN HALL

Moderator Ray Martin opened the Warner Annual Town Meeting at 7:00 PM, Wednesday, March 09, 2016. He introduced himself, the audience stood in silence for a moment in honor of our service men and women then recited the Pledge of Allegiance. Moderator called on Selectman David Hartman to speak to the Dedication of the 2015 Town Report.

Selectman Carson said Selectman Hartman has been a tireless Selectman and was “retiring” after 11 years.

The Moderator also thanked Selectman Hartman. He then announced the results of the previous day’s voting. (Reported at the start of these minutes)

Moderator explained the meeting rules: 10 minutes for initial presentation, 3 minutes thereafter, state name and use a microphone, speak to the Moderator and not the audience, confine comments to the question, maintain a civil tone, wait your turn, a paper ballot request requires 5 sponsors and applies only to that question, Moderator will read the article, ask for a ‘motion’ and a ‘second’ to put the article on the floor and when everyone who wishes has spoken someone who already spoke may speak again.

ARTICLE 3 - Presented as follows, Amended during discussion, AMENDED ARTICLE 3

FAILED:

Shall the Town vote to raise and appropriate the total sum of \$392,400.00 (Three Hundred Ninety Two Thousand Four Hundred Dollars) to construct a municipal solar panel array on town land near the transfer station, of this amount, \$75,000.00 (Seventy Five Thousand Dollars) is to come as a rebate from the Public Utilities Commission (PUC), \$10,000 (Ten Thousand Dollars) for the first loan payment raised through taxation and the remaining balance of \$307,400 (Three Hundred Seven Thousand Four Hundred Dollars) to come from a combination of a grant from the Rural Development Office of the US Dept. of Agriculture and other long term financing? Furthermore, to authorize the issuance of up to \$307,400 (Three Hundred Seven Thousand Four Hundred Dollars) of bonds or notes in accordance with the provisions of the Municipal Finance Act (RSA 33), and to authorize the Board of Selectmen to issue and negotiate such bonds or notes and to determine the rate of interest thereon; as well as apply for, obtain and accept federal, state grants or other forms of aid and assistance which may be available for said project. It is estimated that the town will realize a net savings in the costs of electric power after loan payments starting in the first full year of power generation from the solar array. (Recommended by the Board of Selectmen; Recommended by the Budget Committee, 6-2). (2/3 Majority vote required.)

Article read by the Moderator. Motion made to Move the Article. Motion Seconded. Moderator said 2/3 Majority Vote was needed to pass Article 3 and voting would stay open for 1 hour when it starts.

Selectman Carson and member of the Energy Committee, addressed Article 3 (Information projected onto the screen on the Town Hall stage). George Harrock, Harmony Energy Works President, provided information about his company and responded to information in a citizen handout available before the meeting began.

Selectmen Carson presented a breakdown of the anticipated cost of the Array and showed a picture from Google Earth of the location of the proposed Solar Array at the Transfer Station area. He said an Eversource equipment charge is included in Article 3 however an inspection of the site determined that an extensive equipment upgrade was not necessary and the actual charge will be closer to \$2,500 and not \$30,000.

Motion to Amend Article 3 Made by Selectman Carson: To Reduce the total cost of the Solar Array project by \$27,500.

Moderator read Article 3 with Amendment: (amended amount in italics and underlined)

Shall the Town vote to raise and appropriate the total sum of \$364,900.00 (Three Hundred Sixty Four Thousand Nine Hundred Dollars) to construct a municipal solar panel array on town land near the transfer station, of this amount, \$75,000.00 (Seventy Five Thousand Dollars) is to come as a rebate from the Public Utilities Commission (PUC), \$10,000 (Ten Thousand Dollars) for the first loan payment raised through taxation and the remaining balance of \$279,900 (Two Hundred Seven Nine Thousand Nine Hundred Dollars) to come from a combination of a grant from the Rural Development Office of the US Dept. of Agriculture and other long term financing? Furthermore, to authorize the issuance of up to \$279,900 (Two Hundred Seven Nine Thousand Nine Hundred Dollars) of bonds or notes in accordance with the provisions of the Municipal Finance Act (RSA 33), and to authorize the Board of Selectmen to issue and negotiate such bonds or notes and to determine the rate of interest thereon; as well as apply for, obtain and accept federal, state grants or other forms of aid and assistance which may be available for said project. It is estimated that the town will realize a net savings in the costs of electric power after loan payments starting in the first full year of power generation from the solar array.

Motion made to Move the Article. Motion Seconded.

Moderator said discussion will address the Amendment.
Discussion followed.

**Motion Made by Richard Cook to Move the Question on the Amendment. Second made.
Moderator called for a Voice Vote on the Amendment. All in Favor.
Amendment to Article 3 Passed.**

Moderator asked for discussion on Article 3 as Amended.
Discussion followed.

Motion Made by a Voter to Move the Question. Second made.

Moderator recognized 2 speakers.

Moderator called for a Voice Vote to Move the Question. Majority in Favor. Question Moved.

Moderator explained the Paper Ballot Vote is on Article 3 as Amended, requires a 2/3 majority, the white "Yes/No" paper ballots will be used and voting will remain open for 1 hour – until 9:10 PM.

**Voting Results for AMENDED ARTICLE 3: YES - 139 NO - 77
Amended Article 3 Failed.**

ARTICLE 4 - PASSED

Shall the Town vote to authorize the Board of Selectmen to enter into a "lease to purchase" agreement in the amount of \$299,251 (Two Hundred Ninety-Nine Thousand, Two Hundred Fifty One Dollars) payable over a term of seven (7) years for a new highway grader? Furthermore, to raise and appropriate the sum of \$42,750 (Forty Two Thousand Seven Hundred Fifty Dollars) for the first annual (2016) payment for this lease agreement? The annual lease payments for the seven-year lease will be \$42,750 (Forty Two Thousand, Seven Hundred Fifty Dollars) and will be included in the annual operating budget for the Public Works Dept. Upon conclusion of this lease agreement the Town takes full ownership of the grader for \$1.00 (One Dollar). (Recommended by the Board of Selectmen, Recommended by the Budget Committee, 8-0) (2/3 Majority vote required)

Article read by the Moderator. Motion made to Move the Article. Motion Seconded.

Moderator said the current balance for the Highway Equipment Capital Reserve Fund = \$82,279, 2/3 majority vote was needed to pass Article 4 and voting would stay open for 1 hour when it starts.

Moderator introduced Tim Allen, Director of Public Works, to speak. Mr. Allen presented.

Discussion followed.

Motion Made to Move the Question. Second made. Voice Vote. Majority in Favor.

Moderator read Article 4, said the Paper Ballot Vote is on the Article as read, requires a 2/3 majority, the green "Yes/No" paper ballots will be used and voting will remain open for 1 hour – until 9:28 PM.

Voting Results for ARTICLE 4, Lease a Grader: 182- YES 15-NO

ARTICLE 5 - PASSED

Shall the Town vote to raise and appropriate the sum of \$3,026,049.00 (Three Million, Twenty Six Thousand, Forty Nine Dollars) as the 2016 Operating Budget for general municipal operations? This amount does not include appropriations contained in special and individual warrant articles addressed separately. (Recommended by the Board of Selectmen; Recommended by the Budget Committee, 7-1). (Majority vote required.)

Article read by the Moderator. Motion Made to Move the Article. Motion Seconded.

Michael Cutting, Budget Committee Chairman, presented.
Discussion followed.

Motion to Call the Question made by Rebecca Courser. Second made.

Moderator said he would recognized 2 speakers first.

Moderator read Article 5. Called for a Voice Vote. All in Favor.

Article 5 Passed.

ARTICLE 6 - PASSED

Shall the Town raise and appropriate the amount of \$735,000 (Seven Hundred Thirty Five Thousand Dollars) for the construction of the Roundabout on Route 103 near Exit 9 on I-89, of which \$490,245 (Four Hundred Ninety Thousand Two Hundred Forty Five Dollars), which represents two thirds (2/3) of the construction cost and \$114,000 (One Hundred Fourteen Thousand Dollars) which represents two thirds (2/3) of the design costs, will be reimbursed by the NH Department of Transportation; \$45,000 (Forty Five Thousand Dollars) will come from the Exit 9 Improvements Capital Reserve Fund and \$85,755 (Eighty Five Thousand, Seven Hundred Fifty Five Dollars) will come from the unassigned fund balance? (Recommended by the Board of Selectmen; Recommended by the Budget Committee, 8-0). (Majority vote required)

Moderator read Article 5. Motion made to Move the Article. Motion Seconded.

Moderator stated that the Exit 9 Improvements Capital Reserve Fund balance = \$55,635 before calling upon Jim Bingham, Town Administrator, to present Article 6.

Discussion followed.

Motion made for a paper ballot by James Gaffney. 5 Voters in support.
Further discussion followed.

Motion to Move the Question made by Stephen Hall.

Moderator said he recognized other speakers before the motion and would allow their comments first.

After allowing additional comments, Moderator asked people to come forward to Vote "Yes" or "No" using the "Yellow" paper ballot in their packet on Article 6.

Voting Results for ARTICLE 6, Roundabout: 98-YES 89-NO

**Moderator recognized 1 hour had passed and closed Voting for Article 3, Solar Array. He announced the results: YES - 139 NO - 77
Amended Article 3 Failed.**

Motion made by Neil Nevins, who voted in support of Article 3, to Reconsider Article 3. Second was made.

Moderator explained that if the Motion to Reconsider Article 3 Passes then a Ballot Vote, open for 1 hour and a 2/3 Majority will be required again.

Nancy Martin asked how many votes were needed to Pass Article 3. Moderator said 144 YES Votes were needed for a 2/3 Majority. (216 voters in attendance)

Discussion followed.

Motion made by Penny Courser to Move the Question. Moderator said he recognized one speaker.

**Moderator asked for a Voice Vote to Reconsider Article 3. Result was unclear.
Moderator called for a show of ballots. YES - 69 NO – 67
Moderator said that was to close and called for a paper ballot using the red ballot.
Voting results to Reconsider Article 3. YES - 77 NO - 85
Motion to Reconsider Article 3 Failed.**

A Motion was made to Restrict Rconsideration on Article 3. Motion Seconded.

Moderator explained that voting in Favor to Restrict Reconsideration meant the Article restricted can not be brought forward for another vote until 7 days from today in a properly warned meeting.

**Moderator called for a Voice Vote. Majority in Favor.
Motion to Restrict Reconsideration on Article 3 Passed.**

Motion made by Michael Cutting to Restrict Reconsideration on Articles 4, 5 and 6. Second was made.

**Moderator asked for a Voice Vote on the Motion to Restrict: Majority in Favor.
Motion to Restrict Reconsideration on Articles 4, 5 and 6 Passed.**

Moderator suggested that if voters were in agreement, Article 7 and 8 could be addressed together since both were asking to raise and appropriate funds for on going Capital Reserve Funds and have come before voters yearly at Town Meetings.

A Voice Vote was taken. All in Favor.

ARTICLE 7: - PASSED

Shall the Town vote to raise and appropriate the sum of \$25,000.00 (Twenty Five Thousand Dollars) to be added to the previously established Property Revaluation Capital Reserve Fund? (Recommended by the Board of Selectmen; Recommended by the Budget Committee, 8-0). (Majority vote required.)

ARTICLE 8: - PASSED

Shall the Town vote to raise and appropriate the sum of \$15,000.00 (Fifteen Thousand Dollars) to be added to the previously established Police Department Vehicle Capital Reserve Fund? (Recommended by the Board of Selectmen; Recommended by the Budget Committee, 8-0). (Majority vote required.)

Moderator read Articles 7 and 8. Motion made to Move the Article. Motion Seconded.

**Moderator called for discussion. Hearing none, he called for a Voice Vote. Majority in Favor.
Article 7 Passed and
Article 8 Passed.**

ARTICLE 9 – PASSED

Shall the Town vote to raise and appropriate the sum of \$100,000.00 (One Hundred Thousand Dollars) to be added to the previously established New Fire Station Capital Reserve Fund? (Recommended by the Board of Selectmen; Recommended by the Budget Committee, 5-3). (Majority vote required.)

Moderator read Article 9. Motion made to Move the Article. Motion Seconded.

Discussion followed.

Motion Made by Lydia Harmon to Move the Question. Moderator recognized 1 speaker.

Seeing no further discussion, question was Moved, Moderator read Article 9 and said the current balance in the New Fire Station Capital Reserve Fund was \$164,000.

A Voice Vote was called. All in Favor.

Article 9 Passed

James Gaffney Made a Motion to Restrict Reconsideration on Article 9. Motion Seconded.

Moderator called for a Voice Vote. All in Favor.

Motion to Restrict Reconsideration on Article 9 Passed.

Moderator told voters the following Articles were asking to place money in Capital Reserve Funds and have all been Approved by the Budget Committee 8-0. He said if voters were in agreement then Articles 10, 11, 12, 13 and 14 could all be combined and considered in one Motion but discussed separately.

Moderator called for a Voice Vote on his suggestion to take up Articles 10, 11, 12, 13 and 14 together. Majority in Favor. Articles 10, 11, 12, 13 and 14 addressed as one Article.

Moderator read Articles 10, 11, 12, 13, 14:

ARTICLE 10: -PASSED

Shall the Town vote to raise and appropriate the sum of \$90,000.00 (Ninety Thousand Dollars) to be added to the previously established Fire and Rescue Vehicle Capital Reserve Fund? (Recommended by the Board of Selectmen; Recommended by the Budget Committee, 8-0). (Majority vote required.)

ARTICLE 11: – PASSED

Shall the Town vote to raise and appropriate the sum of \$25,000.00 (Twenty Five Thousand Dollars) to be added to the previously established Fire Equipment Capital Reserve Fund? (Recommended by the Board of Selectmen; Recommended by the Budget Committee, 8-0). (Majority vote required.)

ARTICLE 12: – PASSED

Shall the Town vote to raise and appropriate the sum of \$10,000.00 (Ten Thousand Dollars) to be added to the previously established Highway Road Construction Capital Reserve Fund? (Recommended by the Board of Selectmen; Recommended by the Budget Committee, 8-0). (Majority vote required.)

ARTICLE 13: – PASSED

Shall the Town vote to raise and appropriate the sum of \$110,000.00 (One Hundred Ten Thousand Dollars) to be added to the previously established Highway Equipment Capital Reserve Fund? (Recommended by the Board of Selectmen; Recommended by the Budget Committee, 8-0). (Majority vote required.)

ARTICLE -14: PASSED

Shall the Town vote to raise and appropriate the sum of \$25,000.00 (Twenty Five Thousand Dollars) to be added to the previously established Bridge Repair/Replacement Capital Reserve Fund? (Recommended by the Board of Selectmen; Recommended by the Budget Committee, 8-0). (Majority vote required.)

Cathy Creed asked for the current balance of the Capital Reserve Funds in Articles 10, 11, 12, 13 and 14. Moderator answered:

Article 10: Fire and Rescue Vehicle CRF balance = \$212,892 (Add \$90,000)

Article 11: Fire Equipment CRF balance = \$14,872 (Add \$25,000)

Article 12: Highway Road Construction CRF balance = \$107,576 (Add \$10,000)

Article 13: Highway Equipment CRF Balance = \$82,279 (Add \$110,000)

Article 14: Bridge Repair/Replacement CRF balance = \$119,769 (Add \$25,000)

**Hearing no discussion, Moderator called for a Voice Vote. All in Favor.
Articles 10, 11, 12, 13 and 14 Passed.**

ARTICLE 15 - PASSED

Shall the Town vote to raise and appropriate the sum of \$25,000.00 (Twenty Five Thousand Dollars) to be added to the previously established Odd Fellows Building Capital Reserve Fund for the purpose of hazard mitigation? (Recommended by the Board of Selectmen; Recommended by the Budget Committee, 8-0). (Majority vote required.)

Moderator read Article 15. Motion made to Move the Article. Motion Seconded.

Jim Bingham, Town Administrator, presented information on Article 15.
Discussion followed.

**Motion Made by Martha Mical to Move the Question. Second was Made.
Hearing no further discussion, Moderator called for a Voice Vote. Moderator determined the Majority was in Favor. Article 15 Passed**

Moderator told voters 4 of the following 5 Articles were asking to place money in Capital Reserve Funds and all but one have been Recommended by the Selectmen and by the Budget Committee (8-0), Article 18 Recommended By the Selectmen and 7-1 by the Budget Committee. He said if voters were in agreement then those Articles could all be combined and considered in one Motion but discussed separately.

Moderator called for a Voice Vote on his suggestion to take up Articles 16, 17, 18, 19 and 20 together. Majority in Favor. Articles 16, 17, 18, 19 and 20 addressed as one Article.

Moderator read Articles 16 – 20:

ARTICLE 16: - PASSED

Shall the Town vote to raise and appropriate the sum of \$40,000.00 (Forty Thousand Dollars) to be added to the previously established Town Hall Building Improvements Capital Reserve Fund? (Recommended by the Board of Selectmen; Recommended by the Budget Committee, 8-0) (Majority vote required.)

ARTICLE 17: - PASSED

Shall the Town vote to establish a Capital Reserve Fund for the preservation of Town Records under the provisions of RSA 35:1 and to raise and appropriate the sum of \$10,000.00 (Ten Thousand Dollars) to be placed in this fund? Furthermore, to name the Board of Selectmen as agents to expend from said Fund? (Recommended by the Board of Selectmen; Recommended by the Budget Committee, 8-0). (Majority vote required.)

ARTICLE 18: - PASSED

Shall the Town vote to establish a contingency fund for the current year for unanticipated expenses that may arise and further to raise and appropriate the amount of \$10,000.00 (Ten Thousand Dollars) to be placed into the fund? This sum is to come from the General Fund. Any appropriation left in the fund at the end of the year will lapse to the General Fund. (Recommended by the Board of Selectmen; Recommended by the Budget Committee, 7-1). (Majority vote required.)

ARTICLE 19: - PASSED

Shall the Town vote to raise and appropriate the sum of \$30,000 (Thirty Thousand Dollars) to be added to the previously established Transfer Station Equipment Capital Reserve Fund? (Recommended by the Board of Selectmen; Recommended by the Budget Committee, 8-0). (Majority vote required.)

ARTICLE 20: - PASSED

Shall the Town vote to raise and appropriate the sum of \$5,000.00 (Five Thousand Dollars) to be placed in the previously established Library Building Capital Reserve Fund? (Recommended by the Board of Selectmen; Recommended by the Budget Committee, 8-0). (Majority vote required.)

Motion made to Move Articles 16, 17, 18, 19 and 20. Second.

**Moderator called for discussion. Hearing none, Moderator called for a Voice Vote on Articles 16, 17, 18, 19 and 20. Majority in Favor.
Articles 16, 17, 18, 19 and 20 Passed.**

ARTICLE 21 - PASSED

Shall the Town vote to raise and appropriate \$5,000.00 (Five Thousand Dollars) to be placed in the previously established Conservation Commission Fund? This Fund is used to pay for expenses related to conserving property in town including acquiring conservation easements on land. (Recommended by the Board of Selectmen; Not recommended by the Budget Committee, 6-2). (Majority vote required.)

Moderator read Article 21. Motion made to Move the Article. Motion Seconded.

John Dabuliewicz explained Article 21.
Discussion followed.

Motion Made to Move the Question by Martha Mical. Moderator recognized 1 speaker.

**Moderator called for a Voice Vote on Article 21. He declared Majority in Favor.
Article 21 Passed.**

ARTICLE 22- PASSED

Shall the Town vote to adopt provisions of RSA 36-A: 4-a, I (b) to authorize the Warner Conservation Commission to expend funds for contributions to “qualified organizations” for the purchase of property interests, or facilitating transactions related thereto, where the property interest is to be held by the qualified organization and the town will retain no interest in the property? (Submitted by the Board of Selectmen) (Majority vote required.)

Moderator read Article 22. Motion made to Move the Article. Motion Seconded.

John Dabuliewicz explained Article 22.

Discussion followed.

Hearing no further discussion, **Moderator called for a Voice Vote on Articles 22. Majority in Favor.
Article 22 Passed.**

Motion Made by Andrew Bodnarik to Restrict Reconsideration on Articles 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21 and 22. Second Made.

Moderator called for a Voice Vote. Majority in Favor.

Motion to Restrict Articles 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21 and 22 Passed.

Moderator asked to hear from Charles Albano, resident who submitted the petition for Article 23. Mr. Albano was not heard from. Moderator said earlier in the evening Mr. Albano stated his request to withdraw the petition and Pass Over Article 23 based on his support of the open and more transparent process the Selectmen are following in the actions being taken to locate and purchase a site for a New Fire Station.

**Moderator called for a Voice Vote to Pass Over Article 23. All in Favor.
Vote to Pass Over Article 23 Passed.**

ARTICLE 23 – PASSED OVER

To see if the town will vote to adopt the submitted petition to amend Article 12 of the 2015 Town Warrant? The amendment states the following tasks are to be undertaken as part of the process of vetting and purchasing a site for the new fire station:

- 1. Do not purchase property or pay for architectural designs until the State of New Hampshire and the Town of Warner Planning Board approves the driveway to the proposed property.**
- 2. Do not purchase the property until permitting requirements regarding the construction of a new fire station over the town’s aquifer are clarified and resolved.**
- 3. Secure three (3) signed appraisals of the proposed property to be purchased.**
- 4. Secure three (3) written bids from architectural design firms to design a new fire station based on specific building specifications and secure three (3) cost estimates to construct the station.**
- 5. Provide an estimated cost of interest to “bond” the construction of a new fire station.**
- 6. Site selection, expenditures to purchase the land, and expenditures for architectural design for the new fire station shall need prior approval by a majority vote of the legal residents of the Town of Warner attending a special town meeting.**
- 7. Hold a minimum of 2 public hearings addressing all of the above issues and be open to the discussion of alternative sites.**

(Submitted by Petition) (Not recommended by the Board of Selectmen) (Majority vote required.)

ARTICLE 24 - FAILED

To see if the town will vote to rescind the requirement in amended Article 9 passed at the 2011 Town Meeting for the Board of Selectmen to hold a duly noticed public hearing prior to any expenditure of funds from the Capital Reserve Fund for Highway Road Construction? All other aspects of Article 9 will remain in effect. (Submitted & Recommended by the Board of Selectmen). (Majority vote required.)

Moderator read Article 24. Motion made to Move the Article. Motion Seconded.

Moderator read an Amendment presented by the Selectmen to Article 24:

Amend Article 24 by striking out and inserting in its place an amendment to the 2011 Article 9 after the words, “what the money will be used for” at the end of the third sentence. The following new sentence will be: If a Road construction project that has already been heard encounters an unexpected or unforeseen situation that would involve additional construction costs before the overall project is completed the Selectmen may approve additional expenditures from the Capital Reserve Funds if the funds are available and if it is deemed more efficient and more effective to incur the additional cost at the time as part of the overall project.

2011 Amended Article 9: Shall the Town vote to raise and appropriate the sum of \$225,000 to be added to the already established Highway Road Construction Capital Reserve Fund. Of that sum \$100,000 will come from the General Fund Balance with \$125,000 raised by taxation. Prior to any expenditure of these funds authorization the Board of Selectmen will hold a duly publicized Public Hearing to fully explain what the money will be used for. *If a Road construction project that has already been heard encounters an unexpected or unforeseen situation that would involve additional construction costs before the overall project is completed the Selectmen may approve additional expenditures from the Capital Reserve Funds if the funds are available and if it is deemed more efficient and more effective to incur the additional cost at the time as part of the overall project.* Additionally all funds expended shall be included in a report that is available to the public and included in the next years Town Report. This shall remain in force until rescinded.

Motion Made to Move the Amendment. Second made.

Selectman David Hartman presented.

Discussion followed.

Motion Made to Move the Question on the Amendment. Second.

Hearing no further discussion, Moderator asked if he needed to re read the Article and Amendment. Majority answered, "No".

Moderator called for a Voice Vote on the Amendment to Article 24. Majority Against. Amendment to Article 24 Failed.

Moderator read Article 24 as originally presented:

ARTICLE 24

To see if the town will vote to rescind the requirement in amended Article 9 passed at the 2011 Town Meeting for the Board of Selectmen to hold a duly noticed public hearing prior to any expenditure of funds from the Capital Reserve Fund for Highway Road Construction? All other aspects of Article 9 will remain in effect. (Submitted & Recommended by the Board of Selectmen). (Majority vote required.)

Moderator said the previous Vote was on the Amendment to Article 24 and because it Failed there will now be a Vote on Article 24 as originally presented. He explained that a Vote in Agreement with Article 24 meant you were in Favor of rescinding/eliminating the requirement for a Public Hearing before spending money from the Highway Road Construction Capital Reserve Fund and a Vote in the Negative meant you wanted to Defeat Article 24.

Moderator called for a Voice Vote on Article 24 as originally presented. Moderator in doubt. Paper Ballot requested and supported by 5 voters. Moderator asked Voters to use the Yes/No Blue paper ballots.

**Voting Result for Article 24 was a tie: YES – 34 NO – 34
Moderator ruled Article 24 Defeated due to not receiving a Majority of Votes cast but said anyone could challenge the ruling. Ruling stood unchallenged.**

**Motion Made by Lydia Harmon to Restrict Reconsideration on Article 24. Second.
Moderator called for a Voice Vote on the Motion. Majority in Favor.
Motion to Restrict Reconsideration on Article 24 Passed.**

ARTICLE 25 - PASSED

To see if the Town will vote to discontinue completely and absolutely the Class VI section of Mill Pond Lane and revert the land back to the abutting property owner of Map 16, Lot 37. This Class VI section begins 300 ft. from the beginning of the road, and traveling in a northeasterly direction for about 1200 ft. until the ROW terminates at Rte. 103. (Submitted & Recommended by the Board of Selectmen) (Majority vote required.)

Moderator read Article 25. Motion made to Move the Article. Motion Seconded.

Selectman Allan Brown explained
Hearing no discussion, **Moderator called for a Voice Vote on Article 25. Majority in Favor. Article 25 Passed.**

ARTICLE 26

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

Hearing none -
**Motion Made to Adjourn. Second.
Moderator called for a Voice Vote on the Motion. Majority in Favor.**

Motion to Adjourn Passed.

Meeting Adjourned at 11:46 PM.

Respectfully submitted,

**Judith A. Newman-Rogers
Warner Town Clerk**