

RESULTS OF THE JACKSON TOWN MEETING

March 11, 2010

Revision 1 dated March 31, 2010

Polls were opened at 8:10 AM and closed at 7 PM on March 9th by Moderator Willis Kelley to vote on Articles 1 through 5.

The town meeting was called to order by Moderator Kelley on Thursday, March 12th at 7:01PM. In his opening comments Moderator Kelley noted that 2009 was a historic meeting in that it was the last meeting in the old town hall and this is a historic beginning in the new Whitney Center. He then led the attendees in the Pledge of Allegiance and one verse of God Bless America. Rev Pojen Lee gave a short blessing.

The moderator gave introductory instructions indicating everyone has the opportunity to speak but if the comments become redundant or off the article at hand, he will end discussion. He announced the following administrative corrections to the Annual Report: 1) On page 23, Town Clerk's Report, the 2010 # of permits should be **1337** (not 337) and the total # of permits should be **1475** (not 475.) 2) On page 36 Bartlett-Jackson Transfer Station Operating Account – 2009 the Balance on Hand: December 31, 2008 should be December 31, **2009** and the total should be **\$40,552.72** (not (33,853.14)) 3) Omitted from Article 39 was the annotation that it was **by petition** and that **Selectmen do not recommend**.

Selectmen's comments: Dave Mason: The Budget format beginning on pg 78 provides more detail than in the past and gets us to the format recommended by the state. Since the format was not used in the past, some categories appear with blanks because these amounts were previously accounted for in different areas. The new format should make things clearer as to where funds are actually being spent; and next year the confusion with the blank spaces should not be a problem. Selectman Mason also noted that an article in the Conway Daily Sun written by Lloyd Jones incorrectly stated that the proposed 2010 operating budget was an increase of approximately \$.5M over 2009. (\$1,609,882.00 for 2010 increased from \$1,141,021.00 in 2009.) In fact the 2009 operating budget was \$1,523,360.00 and the 2010 operating budget represents a 6% increase or \$86,522.00. Mr. Jones misunderstood the 2009 budget and apologized for the mistake. Selectman Mason further directed peoples' attention to the budget line indicating the amount to be raised by taxes, pointing out that amount is slightly less than 2009 and results in an estimated municipal tax rate slightly lower than 2009.

Moderator Kelley then announced the results of the elections on Tuesday. (Reference Article 1 for results)

Bob Temple noted that we have a new town administrator and this is the first time the report has been so complete. He requested the dedication picture of Michael Clemons be posted in the town office.

Ray Abbott indicated that although he often disagreed with Selectman Funicella, he expressed appreciation for the outgoing Selectman and the audience stood and gave applause.

Moderator Kelley asked for a motion to dispense with the reading of the entire warrant since we will be reading and addressing each warrant individually – So moved and passed.

Articles 1-5 were voted on at Town Elections held March 9, 2010 at the Whitney Center. Articles 6-39 were voted at the Town Meeting March 11, 2010

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

<u>Position</u>	<u>Elected Candidate - # of votes</u>
Selectmen for 3 yrs	Jerome Dougherty IV - 192
Moderator for 2 yrs	Willis Kelley - 209
Trustee of Trust Funds for 3 yrs	Sally Treadwell - 22 write-in
Library Trustee for 3 yrs	Sarah Duffy - 176
Library Trustee for 3 yrs	Allen Brooks - 181
Cemetery Trustee for 3 yrs	Alicia M. Hawkes - 215
Supervisor of Checklist for 2 yrs	Joan Aubrey - 216
Supervisor of Checklist for 6 yrs	Barbara Meserve - 208
School Board Member for 3 yrs	Lauren Synnott - 205
School Moderator for 1 yr	Timothy Scott - 19 write-in
School Treasurer for 1 yr	Christine Thompson -8 write-in
School Clerk for 1 yr	Heidi Lewis - 3 write-in - winner declined School Board to make appointment

Note: Articles 2, 3, 4 and 5 are Zoning Ordinance Amendments proposed by the Jackson Planning Board; changes are indicated as follows: Underlining=insertions; [bracketed]=deletions from present Zoning Ordinance

ARTICLE 2: Are you in favor of the adoption of Amendment No.1 as proposed by the Planning Board to the Jackson Zoning Ordinance, in order to clarify work permitted in a non-conforming structure, by adding at Section 2.2.3 this sentence to follow "... nor may the volume of the structure or building exceeding the Height limit be increased."

Further, if altering the pitch or configuration of the roof increases the volume of the structure or building within the proscribed Setback area, it shall be permitted where: (i) the change is dictated by considerations of safety, snow disposal or building code requirements, and (ii) the change does not result in an increase in the interior floor space within the structure or building.

In favor: 163 Opposed: 48

ARTICLE 3: Are you in favor of the adoption Amendment No. 2 as proposed by the Planning Board to the Jackson Zoning Ordinance, in response to State regulations requiring municipalities to provide realistic opportunities for creation of Workforce Housing:

SECTION XX. AFFORDABLE OR WORKFORCE HOUSING

XX.1 AUTHORITY AND PURPOSE

This Section is enacted in accordance with the provisions of RSAs 674:58-61 and 674:21 which authorize municipalities to provide reasonable and realistic opportunities for the development of workforce housing, and to establish inclusionary zoning designed to produce Affordable Housing by offering incentives for the production of such housing. Providing incentives to encourage creation of Workforce Housing will permit the Town of Jackson to preserve and foster a diverse community. This Section recognizes three special features of the Town of Jackson: (1) a large percentage of land within the Town of Jackson is permanently protected from development, intensifying development pressures and increasing land costs; (2) the Town's location attracts tourism, necessitating employment of service workers who must live within a reasonable distance of their employment; (3) an increasing elderly population may require low-cost housing in the future. Because Jackson has a small year-round population, incentives for provision of low-cost housing shall include those shown in Section 9, Accessory Apartments. In addition, the number

of Dwelling Units approved under this Section shall be limited to avoid over-burdening town services within any one year period.

The purposes of this Section are to:

- (a) Provide a realistic opportunity for Low and Moderate Income individuals and families to obtain Affordable or Workforce Housing in the Town of Jackson,
- (b) Provide appropriate incentives to encourage the production of such housing, without creating a hardship for provision of town services.

XX.2 DEFINITIONS

The following words are specifically defined for purposes of this Section of the Zoning Ordinance:

XX.2.1 Affordable or Workforce Housing: Any housing unit created in this category shall be “affordable” within the meaning of NH RSA 674:58, as may be revised from time to time.

XX.2.2 Eligible Elderly Household: An individual or couple in which the individual or at least one person of the couple is 60 years of age or older and who by income qualifies as a Low or Moderate income Household as defined in this Section.

XX.2.3 Low and/or Moderate income Household: A person or family which has a household income meeting a particular percent of the median income, adjusted for family size, of Carroll County as published annually by the US Department of Housing and Urban Development; Low is up to 80 percent, and Moderate is up to 100 percent, of the above-cited median income level.

XX.3 PROCEDURES

The Planning Board is authorized to review and approve plans for creation of Affordable or Workforce Housing in the same manner specified in Section 8 of this Ordinance, as applicable, except as modified in this Section.

XX.4 AFFORDABLE OR WORKFORCE HOUSING CRITERIA

The Planning Board will authorize incentives to encourage development of Affordable or Workforce Housing units, providing the following Affordable or Workforce Housing development characteristics are met.

XX.4.1 Minimum Number of Affordable Units: For every four Dwelling Units being constructed in accordance with this Section, at least one of those four shall be built to be “affordable” to an individual or family meeting the definition of Low or Moderate Income Household as specified in XX.2.3. In the first four units, one must be available to a Low Income Household at under 80% of the Median Income Index for Carroll County; in the next four units, one must be available to a Moderate Income Household at under 100% of the Medium Income Index for Carroll County; additional units shall be made available in the same pattern.

XX.4.2 The Dwelling Units designed to be Affordable or Workforce Housing units shall be restricted as follows:

- (a) Approvals shall require that a one-bedroom unit may not exceed 900 square feet of heated space, a two-bedroom unit may not exceed 1,100 square feet of heated space, and a three-bedroom unit may not exceed 1,300 square feet of heated space;
- (b) Deed restrictions shall be placed on each Affordable or Workforce Housing unit that:
 - i. prohibit an increase of more than 10 percent of the total heated space of the unit or other improvements having a value in excess of 10 percent of the purchase price of the unit;
 - ii. prohibit a sale of an owner-occupied unit to any person or family which does not meet the Low or Moderate Income Household requirements of this Section;
 - iii. limit, in the case of rental units, any annual rent increases to the annual percentage increase in the Carroll County median income published annually by the U.S. Department of Housing and Urban Development; and

iv. require that each Affordable or Workforce Housing unit be occupied as a primary residence by those meeting the definition of Low or Moderate Income Household or Eligible Elderly Household

v. deed restrictions related to an affordable or Workforce Housing unit established under this Section must be approved by the attorney for the Town of Jackson and documented on all plans filed with the Planning board and with the Carroll County Registry of Deeds.

XX.4.3 No more than 20 percent of the Affordable or Workforce Housing units may be one bedroom or studio units, or be restricted to occupancy by Eligible Elderly Households. No more than 25 percent of the Affordable or Workforce Housing units may be three or more bedroom units.

XX.5 CERTIFICATION OF INCOME LEVELS

To ensure that only Low and/or Moderate Income Household persons or families occupy the designated Affordable or Workforce Housing units, the candidate for occupancy must comply with regulations set by the NH Housing Finance Authority. Paperwork necessary to comply with those regulations shall be submitted to the Board of Selectmen or their designee at least 30 days prior to the transfer of title or execution of lease agreement.

XX.6 AFFORDABLE HOUSING INCENTIVES FOR SECTION XX

The Planning Board is authorized to permit the following incentives provided that the criteria in Section XX.5 are met:

XX.6.1 Site Development: All structures may be placed on the cluster development site in a manner to minimize environmental impact providing the structures comply with the dimensional requirements in Section 8 of this Ordinance unless modified with Planning Board approvals according to Sections XX.6.2 or Section XX.6.3.

XX.6.2 Areas and Dimensions: The cluster development shall comply with Section 8 of this Ordinance, except that, as an incentive to develop Affordable or Workforce Housing units, the cluster parcel may have as little as 150 feet of frontage along a public or Private Road.

XX.6.3 Water and Sewer Requirements: The cluster development shall comply with Section 8 of this Ordinance, except that, as an incentive to develop Affordable or Workforce Housing units, the density of the parcel shall be permitted to be determined by utilizing current NH Department of Environmental Services standards for the quantity of land necessary to provide a proper and adequate community water supply and septic disposal system for each development containing Affordable or Workforce Housing units.

XX.6.4 The Planning Board may reduce application costs for development proposals considered within this Section.

XX.7 MAXIMUM UNITS CREATED WITHIN THIS SECTION

To avoid placing an undue burden on town services, no more than a total of 12 Dwelling Units (3 of which are Affordable or Workforce Housing units) receiving incentives through this Section shall receive approval in any single year.

XX. 8. ADMINISTRATION

This Section shall be administered by the Board of Selectmen.

XX. 8.1 Certificate of Occupancy. No certificate of occupancy shall be issued for an Affordable or Workforce housing unit without written confirmation, from the Board of Selectmen or their designee, of the income eligibility of the tenant or buyer of the unit and confirmation of the rent or price of the unit as documented by an executed lease or purchase and sale agreement.

XX. 8.2. Monitoring. Ongoing responsibility for maintaining the compliance with rental restrictions on Affordable or Workforce Housing units for rent shall entail an annual report certifying that the gross rents of such units and the household income of the tenants of such units have been maintained in accordance with and comply with the requirements of this Section. Such

reports shall be filed on May 1st of each year with the Board of Selectmen or their designee and shall list the contract rent and tenant income of all units for the calendar year.

XX.8.3 In the event that a tenant's household income exceeds 135 percent of the median income for that family size, the unit must be made available to an income-eligible tenant within one year.

XX.9. APPEALS

Appeals under this Section shall be governed by the provisions of RSA 674:61.

In favor: 138 Opposed: 74

ARTICLE 4: Are you in favor of the adoption of Amendment No.3 as proposed by the Planning Board to the Jackson Zoning Ordinance, in order to provide a definition for "Historic Structure", a term used at Areas of Special Flood Hazard, Section 11.1.19 within the current Zoning Ordinance. The Planning Board recommends adding a definition used in state and federal flood plain and flood hazard regulations to clarify how a building may be labeled an historic structure:

"Historic Structure" means any structure that is:

- (a) Listed individually in the National Register of Historic Places or preliminarily determined as meeting the requirements for individual listing on the National Register;
- (b) Certified or preliminarily determined as contributing to the historical significance of a registered historic district;
- (c) Individually listed on a state inventory of historic places; or
- (d) Individually listed on a local inventory of historic places.

In favor: 161 Opposed: 46

ARTICLE 5: Are you in favor of the adoption of Amendment No.4 as proposed by the Planning Board to the Jackson Zoning Ordinance, to bring into compliance with State laws the powers that the Zoning Board of Adjustment shall use in hearing appeals; no-longer-applicable wording in the Jackson Zoning

Ordinance at 16.2.3 would be removed, and the following would be substituted:

16.2.3 Hear and authorize, upon appeal in specific cases, a variance from the terms of this Zoning Ordinance, if the Board finds that the criteria set forth in RSA 674:33(I)(b), as amended from time to time, are met. Delete: [16.2.3.1, 16.2.3.2, 16.2.3.3, 16.2.3.4, 16.2.3.5, 16.2.3.6] since they are no longer applicable.

In favor: 165 Opposed: 40

ARTICLE 6: To see if the Town will vote to raise and appropriate the sum of One Million Two Hundred Thousand Dollars (\$1,200,000.00) for the purpose of building a new Public Safety Facility and Salt Shed (the "Project"); Seven Hundred Fifty-Five Thousand Dollars (\$755,000.00) of such sum to be raised through the issuance of bonds or notes under and in compliance with the Municipal Finance Act, RSA 33:1 et seq., as amended; to see if the town will vote to authorize the withdrawal of Two Hundred Seventy-Five Thousand Four Hundred Seventy-Four Dollars (\$275,474.00) from the Public Safety Facility Capital Reserve Fund (fund balance as of 12/31/09 - \$279,614.00) created in 2005 for this purpose; and to authorize the withdrawal of Ninety-Four Thousand Five Hundred Twenty-Six Dollars (\$94,526.00) from the Sand and Salt Shed Capital Reserve Trust Fund (fund balance as of 12/31/09 - \$98,026.00) created in 2007 for this purpose; with the balance of Seventy-Five Thousand Dollars (\$75,000.00) to be raised by taxation; to authorize the Selectmen to apply for, obtain and accept federal, state or other aid, if any, which may be available for said project and to comply with all laws applicable to said project; to authorize the Selectmen to issue, negotiate, sell and deliver said bonds and notes and to determine the rate of interest thereon and the maturity and other terms thereof; and to authorize the Selectmen to take any other action or to pass any other vote relative thereto. A 2/3 ballot vote required to pass this article. Recommended by Board of Selectmen [3-0-0]. Moved & seconded.

DISCUSSION: A town member asked if the salt shed will be constructed to prevent leaching of the salt. Architect Burr Phillips responded there will be a trench and this is the standard State construction.

Bob Temple asked if a truck will be able to fully raise the bucket inside the building. Yes the building is 32' high. Ray Abbott commented he is in favor of the salt shed but would like to see the price contained. Mary Cooper expressed that she thought the project was too expensive and would like to see the town go back to the drawing board to bring the price down. John Pietkiewicz believes the price is too high and that we don't need a heated garage for two trucks. He stated the rest of the trucks can go into the Grey's Inn garage which is perfectly fine. Selectmen Gino Funicella stated that he has a lot of experience with garages and that our current garage is the worst he has ever seen. OSAH would shut the current shed down – we must have the salt shed. The garage is less than \$100/sq ft.

Eckart Wieske asked what exactly are we building? Moderator Kelley offered to reply but noted there were two hearings on this subject, you have the "Proposal for a Highway Garage and Salt Shed" handout and the model is available in the entry hall. Architect Burr Phillips replied the project is the garage, a 40x72 salt shed and 400' access road along with the rest of the site work. The garage is an 80x80 roof (80x60 interior) with an overhang area outside. This reduced interior space was done to cut costs. The Town had a professional estimator double check the costs and several construction companies reviewed and provided estimates. Angus Badger asked if we anticipate state/federal aid? Phil Davies replied that Federal stimulus money for projects like the garage is available through the US Department of Agriculture Rural Development Grants and Loans. The money is "means tested." In the case of Conway, the USDA would provide a grant or loan of up to 30% of the project cost. Because Jackson has a higher median income, the percentage that would be applied to Jackson would be zero. Jackson would not be eligible for grants or loans under this program. In addition, the paperwork is onerous and in the end, you have to take the lowest bidder. Peter Benson commented that the community center, the library and the park were all constructed primarily with private funds; its time for the town to step up and pay for this. John Pietkiewicz attempted to clarify Bob Temple's earlier question as to the interior height of the salt shed. The architect responded that the interior height is 25' to the stretchers, still allowing a normal dump truck to be able to raise its bucket. John then commented on the need for the building.

Selectmen Dave Mason pointed out that the overall town tax rate should be level or going down slightly even with the inclusion of the "Project". Selectmen Gino Funicella noted that we have been putting away \$50-100K/year. If we continue to postpone we will still have to put \$100k in the budget anyway, which is a little more than the amount of the payment on the bond when those payments would begin in 2011. The rate is currently 4.5% and may get to 3.6%. It's in our best interest to act in an economic downturn. Chris Thompson commented that we owe it to the employees to do this, it's a matter of safety. John Pietkiewicz asked what the anticipated utility costs would be? Burr Philips responded based on another town with a similar facility the estimate is \$1/sq ft. John Pietkiewicz asked if there are other costs noting he expected our taxes to go up. Betsy Harding stated we have been talking about this project for several years, it's time to act. A written vote was taken with the polls opening at 7:35pm. Individuals placed their ballots in the historic voting box used for town meetings. After the body present had voted the meeting resumed moving to Article 7 while the polls remained open until 9:00pm at which time the meeting votes were counted. A total of 186 votes were cast and a 2/3 majority or 124 votes were required for passage. Vote: Yes 155 No 31 Passed

Selectman Gino Funicella thanked the Salt and Sand Shed committee for all the work they have done this past year.

As an introduction to Article 7, Moderator Kelley asked attendees to reference the 2010 Budget beginning on Page 78 in the annual report. He reiterated that you can only amend the total budget bottom line and you can only *recommend* to the Selectmen where you would like the cut made. Ray Abbott added that you have to listen to the state.

ARTICLE 7: To see if the Town will vote to raise and appropriate the Selectmen's recommended Operating Budget of the Town in the amount of \$1,609,882.00, not including appropriations by special warrant articles and other appropriations voted separately (See 2010 Budget).

DISCUSSION: Christine Crowe noted in the general government budget (pg 78-79) there are many omitted numbers. Does the total reflect the omissions?

Selectman Mason explained the new budget breaks out categories differently than in the past. For example – personnel administration is blank in 2010 because that information is now broken down into the areas where the funds will be spent. John Pietkiewicz commented regarding the building inspection costs stating building inspection costs over the past 3 years have increased over 200%, the town has had 4 building inspectors over the past 3 years. In the latest hiring, the town interviewed 2 individuals, one at \$20/hour; then in a working session selectmen selected another individual @ \$60/hour. Selectman Funicella responded that Andy Chalmers, the individual who was hired was local. The other applicants were not local and we would have to pay hourly rates for travel time and potentially mileage for travel. In the '50s the town decided to have an inspection process. There was a commercial building being built where fees were much less than the resulting cost to the town because the town wasn't tracking the fees very closely. Town can't charge for fire inspections done for the purpose of providing required "place of assembly" permits covering public access. Such buildings are supposed to be inspected 2 times a year. For public access buildings not requiring "place of assembly" permit we do the fire inspections "from time to time". Jay Henry, Fire Chief, pointed out the fire inspector rate last year was \$80/hour and this year it will be \$40/hour. Peter Benson commented he felt the Eastern Slope Airport Authority should be a separate warrant article not part of the operating budget. Some discussion began requesting clarification on Article 4 in the 2009 warrant which was to change the zoning ordinance. Moderator Kelley cut off the discussion and returned the discussion to the 2010 warrant.

Larry Siebert noted that inspection fees are supposed to be paid for by the building permit fees not by the taxpayer and requested the selectmen take a look at the broken inspection process noting you are now required to get a building permit for \$1 or \$10K. Bob Scolamiero pointed out the building permit says you must pay \$75 and then the town will determine if you need a permit. Bob filed for a permit to have his roof re-shingled, eventually writing three checks: The first check covered the \$75 application fee but because the work was estimated under \$10K there was no value fee. Then a revised estimate took the work over the \$10K figure triggering the value fee. Finally because of uncertain demolition provisions, he paid a disposal fee. He was then called and told all of his checks would be returned because it was a repair and although the application was required, a permit was not necessary. Selectman Funicella pointed out there wasn't any delay to the project because the selectmen approved the request immediately. Selectman Mason clarified that the selectmen may not be familiar with the codes so the building inspector, who is certified in the codes, determines if a permit is required or not. A question was asked as to the 2009 revenue from the building permits. Selectman Mason referenced pg 84 of the town report pointing to revenue sources and the amount of \$10,939.78. He noted that the town had ongoing projects which are continuing which may add funds in 2010. To help control costs, the selectmen are trying to control the amount of time the inspector consumes educating people in regard to code requirements at the town's expense. Angus Badger asked what the expected revenue is for 2010. A figure of \$8K is projected in the budget. Selectman Mason stated it is the Selectmen's intent to get the fees to cover the expenses, noting you don't want to over estimate your income.

Betsy Harding asked why North Country Council was not in the General Government section of the budget. Selectman Mason pointed out it is now in dues. Frank Benesh inquired, under cemetery, why health insurance is \$9k and the pay \$124K. Selectman Mason responded that this is a reimbursement line with the individual paying a portion of the benefit and the cemetery trustees paying the balance. A question was asked why the Transfer Station wages are \$69K and the Health Insurance is \$40K. The Selectman responded that all the employees moved to the same insurance plan this year saving money, but that the plan rates went up 16%. The rate is \$25K for a family plan: it's clear it doesn't take many employees to get to \$40K. Also, due to the requirement that towns "gross budget" the \$40K figure doesn't reflect the fact that some employees are contributing to the cost of their health insurance.
Bottom line: Total Operating Budget is \$1,609,882.00

Jeff Maynard, noting the 2010 budget represents almost a 6% increase over last year, asked why the increase? Selectman Mason responded this included \$47K for an additional Police Officer, \$23K for Building Permits, \$10K for legal fees and \$6,500 for miscellaneous items. He went on to note that this is the gross amount; from that you have to subtract the revenue and in total, the amount is less than last year. Ray Abbott expressed the opinion that the Selectmen should go back to the way the budget was presented in the past.

Eckart Wieske asked what articles the \$1.6M covers. Selectman Mason said the \$1.6 includes all operating expenses and doesn't include special warrant articles. Reference the end of these minutes for a budget summary.

John Pietkiewicz moved to reduce the bottom line by \$25K recommending it be taken from the building inspections. The motion was Seconded.
Discussion on the amendment: Frank Benesh shared that he had some building done this year and the inspector found issues with the propane connection. He would ask people to carefully consider before reducing the inspection budget. The vote on the amendment to reduce the budget by \$25K was defeated by voice vote.
Vote: (on original \$1.6M Operating Budget) Verbal approval

ARTICLE 8: To see if the Town will vote to raise and appropriate the sum of \$198,890.00 to purchase a highway plow truck; \$83,890.00 to be withdrawn from the Highway Truck Capital Reserve Fund (fund balance as of 12/31/09 - \$83,890.00) created for that purpose and the balance of \$115,000.00 to be raised from taxation. Selectmen Favor. Moved and seconded
DISCUSSION: Bob Temple asked what happened to the old truck. Road Agent Jay Henry explained the truck will be traded in and the value of the truck will be determined after the winter. As a result of the sale, there will be money going back to the general funds. Someone inquired as to the need for the new truck. Selectman Funicella explained the old vehicle needed a new engine, it has been limping on and it was determined unwise to continue to pour money into the old vehicle. Eckart Wieske made a motion to amend the article to include the value of the trade in. There was no second. It was noted the trade-in value will be deducted from the purchase price.
Vote: Verbal approval (unanimous)

ARTICLE 9: To see if the Municipality will vote to raise and appropriate the sum of \$125,000.00 to be deposited into the existing Jackson Public Library Capital Reserve Fund (fund balance \$100,320.00 as of 12/31/09). Said funds to come from the Unreserved Fund Balance (estimated 2010 fund balance - \$600,000.00). Selectmen Favor. Moved and seconded
DISCUSSION: Allen Brooks, Chairman of Library Trustees formally requested the commitment of the town. He gave his thanks for the funds already raised and to the Historical

Society and the committee which has raised 787K, as well as thanks to Building Committee and Tamarack Construction and local construction contractors and closed by stating we need the \$125K.

Vote: Verbal approval (unanimous)

ARTICLE 10: To see if the Town will vote to raise and appropriate the sum of \$78,861.00 for the purpose of highway repair and reconstruction, \$40,000.00 to be withdrawn from the Special Revenue Fund known as the Highway Repair and Reconstruction Fund (fund balance as of 12/31/09 - \$57,269.00) and the remainder of \$38,861.00 to come from the 2010 State Highway Block Grant. Selectmen Favor. Moved & seconded

DISCUSSION: Ben Green asked to amend the article to state this would cover town roads only. Selectman Mason indicated this wasn't really necessary. No second. Phil Gravink indicated that shoulder stabilization is a problem with lots of sand going down the hill. He feels the town needs a long term project to improve the shoulders. Jay Henry, Town Road Agent, responded that they have done a lot of stabilization this year and continuing to do more. Eckart Wieske inquired if any funds come from the lumber trucks coming down Carter Notch Rd. Moderator Kelley noted that timber tax and the state funds are collected from logging operations. Selectman Mason pointed out that a bond must be required when the the intent to cut contract is let. Then you must be able to prove the damage to the road was done by the logging trucks. Agent Henry commented that it is difficult to prove who did the damage.

Vote: Verbal approval (unanimous)

ARTICLE 11: To see if the Town will vote to raise and appropriate the sum of \$50,000.00 to be deposited into the existing Public Safety Facility Capital Reserve Fund (fund balance as of 12/31/09 - \$279,614.00). Not Recommended by Selectmen [0-3-0]. Moved & seconded

DISCUSSION: Selectman Mason indicated that articles 11 and 14 were included in the event Article 6 did not pass. Since it did pass, this is not needed. Ray Abbott indicated a negative vote is always a problem but we should support the Selectmen.

Vote: Verbal defeat

ARTICLE 12: To see if the Town will vote to raise and appropriate the sum of \$50,000.00 to be deposited into the existing Fire Truck Capital Reserve Fund (fund balance as 12/31/09 - \$58,719.00). Selectmen Favor. Moved & seconded

DISCUSSION: None Vote: Verbal approval

ARTICLE 13: To see if the Town will vote to appoint the Selectmen as agent, authorizing indefinitely until specific rescission of such authority, to expend funds from the Fire Truck Capital Reserve Fund for the purpose in which it was created for, in accordance with RSA 35:15. Selectmen Favor. Moved & seconded

DISCUSSION: Thom Perkins noted there are several articles which allow the selectmen to unilaterally spend funds. Selectman Davis clarified that the Selectmen have to have permission to spend funds out of the capital reserve funds. If the Selectmen don't have that authority to spend the capital reserve funds, then funding for an item already covered by a capital reserve fund must come out of the operating budget. Selectman Mason explained that in the past the "expendable trust" was incorrectly interpreted by employees as funds available to spend. Newly elected Selectman Jerome Dougherty IV explained that if Selectmen are not given the authorization to spend the capital reserve funds then the town meeting must vote to do that. Larry Garland asked if this authority is just for one year, to which Selectman Mason replied this authorizes the Selectmen to spend the money at any time for the purpose stated.

Vote: Verbal approval (unanimous)

ARTICLE 14: To see if the Town will vote to raise and appropriate the sum of \$25,000.00 to be deposited into the existing Sand and Salt Shed Capital Reserve Trust Fund (fund balance as of 12/31/09 - \$98,026.00). Not Recommended by Selectmen [0-3-0]. Moved & seconded

DISCUSSION: Ray Abbott recommended defeat

Vote: Verbal defeat

ARTICLE 15: To see if the Town will vote to raise and appropriate the sum of \$30,000.00 to purchase a replacement highway utility truck; said funds to be withdrawn from the Highway Equipment Purchase, Repair or Lease Expendable Trust Fund (fund balance as of 12/31/09 - \$34,127.00). created for that purpose. Selectmen Favor. Moved & seconded

DISCUSSION: Bob Temple asked what a utility truck is. Jay Henry, Fire Chief and Road Agent, explained this would replace the old Dodge which has 180K miles on it and for which they don't want to spend any more money. This new vehicle is a pick-up truck for use by Highway and Fire Dept

Vote: Verbal approval (unanimous)

ARTICLE 16: To see if the Town will vote to appoint the Selectmen as agent, authorizing indefinitely until specific rescission of such authority, to expend funds from the Highway Equipment Purchase, Repair or Lease Expendable Trust Fund created for that purpose, in accordance with RSA 35:15. Selectmen Favor. Moved & seconded

DISCUSSION: None Vote: verbal approval (unanimous)

ARTICLE 17: To see if the Town will vote to raise and appropriate the sum of \$56,139.00 for the support of the Jackson Public Library. The sum of \$34,574.00 to be raised from taxation and the remainder, \$21,565.00 to come from library trust funds, gifts and school reading program. Selectmen Favor. Moved & seconded

DISCUSSION: None Vote: verbal approval (unanimous)

ARTICLE 18: To see if the Town will vote to raise and appropriate the sum of \$20,000.00 to be placed in the State Aid Reconstruction Expendable Trust Fund (fund balance as of 12/31/09 - \$7,297.00) Selectmen Favor. Moved & seconded

DISCUSSION: Selectman Davis indicated these funds would be used with state funds, the state matching the \$20K, to do repair on state roads – primarily 5 mile circuit road. Road Agent Henry noted he wants to fix in front of the school and up the hill past the Post Office in particular.

Vote: Verbal approval (unanimous)

ARTICLE 19: To see if the Town will vote to raise and appropriate the sum of \$12,000.00 for the purpose of maintaining the Forestry Management plan with said sum from the Baker Prospect Farm Trust (fund balance as of 12/31/09 – \$72,703.00). Conservation Commission and Selectmen Favor. Moved & seconded

DISCUSSION: Martha Benesh noted funds were taken out last year and asked if this is going to happen every year. Phil Davies indicated this was for maintaining Prospect Farm Views. It was asked if this is coming out of interest or principal. Diane Falcey, Town Administrator, and Phil Davies replied they believe it comes out of principal. Selectman Funicella asked if they didn't have the ability to cut wood and generate an income, to which Phil Davies replied yes, but there are no current plans until the market changes.

Vote: Verbal approval (unanimous)

ARTICLE 20: To see if the Town will vote to raise and appropriate the sum of \$10,000.00 to be placed in the Police Cruiser Capital Reserve Fund (fund balance as of 12/31/09 - \$30,439.00). Selectmen Favor. Moved and seconded

DISCUSSION: None Vote: Verbal approval (unanimous)

ARTICLE 21: To see if the Town will vote to appoint the Selectmen as agent, authorizing indefinitely until specific rescission of such authority, to expend funds from the Police Cruiser Capital Reserve Fund for the purpose for which it was created, in accordance with RSA 35:15. Selectmen Favor. Moved and seconded

DISCUSSION: None Vote: Verbal approval (unanimous)

ARTICLE 22: To see if the Town will vote to raise and appropriate the sum of \$8,659.00 to be placed in the Transfer Site Buildings & Recycling Equipment Expendable Trust Fund (fund balance as of 12/31/09 - \$64,689.00). Said funds to come from the Unreserved Fund Balance (Estimated 2010 fund balance - \$600,000.00). Selectmen Favor. Moved & seconded

DISCUSSION: George Bordash, in referring to the ongoing discussion between Jackson and Bartlett, asked if there was any hope of resolving our differences. Selectman Funicella indicated we are getting closer all the time, noting Bartlett was voting tonight on their budget to raise the funds to support equalization.

Vote: verbal approval (unanimous)

ARTICLE 23: To see if the Town will vote to appoint the Selectmen as agent, authorizing indefinitely until specific rescission of such authority, to expend funds from the Transfer Site Buildings & Recycling Equipment Expendable Trust Fund created for that purpose, in accordance with RSA 35:15. Selectmen Favor. Moved & seconded.

DISCUSSION: None Vote: Verbal approval (unanimous)

ARTICLE 24: To see if the Town will vote to raise and appropriate the sum of \$5,000.00 to be placed in the Bridge Repair & Maintenance Expendable Trust Fund (fund balance as of 12/31/09 - \$29,575.00) Selectmen Favor. Moved & seconded

DISCUSSION: A citizen asked specifically what bridge? Selectman Mason replied no specific bridge but we have 3 bridges that need repair. Mary Burack asked when the green bridge (at the top of Jackson Falls on Valley Cross Rd) will be painted. Selectman Mason indicated it was one of the three bridges on the list.

Vote: verbal approval (unanimous)

ARTICLE 25: To see if the Town will vote to appoint the Selectmen as agent, authorizing indefinitely until specific rescission of such authority, to expend funds from the Bridge Repair & Maintenance Expendable Trust Fund for the purpose for which it was created, in accordance with RSA 35:15. Selectmen Favor. Moved & seconded

DISCUSSION: None Vote: Verbal approval (unanimous)

ARTICLE 26: To see if the Town will vote to raise and appropriate the sum of \$3,000.00 to be placed in the Police Department Equipment Expendable Trust Fund (fund balance as of 12/31/09 - \$1,875.00). Selectmen Favor. Moved & seconded

DISCUSSION: None Vote: Verbal approval (unanimous)

ARTICLE 27: To see if the Town will vote to raise and appropriate the sum of \$3,000.00 to be placed in the Town Office Equipment Fund (fund balance as of 12/31/09 - \$7,818.00). Selectmen Favor. Moved & seconded

DISCUSSION: None Vote: Verbal approval (unanimous)

ARTICLE 28: To see if the Town will vote to discontinue the Ambulance Capital Reserve Fund (fund balance as of 12/31/09 – \$74,702.00) created in 1986. Said funds, with accumulated interest

to date of withdrawal, are to be transferred to the municipality's general fund. Selectmen Favor. Moved & seconded

DISCUSSION: Moderator Kelley explained this action is to reimburse the general fund for the monies that were spent out of the operating funds for the new ambulance because the Selectmen didn't have the approval to spend the capital funds in the Ambulance Fund. A question was asked if we didn't still need the fund since this article indicates this fund will be discontinued. Selectman Mason replied the hope is the ambulance service will become self sustaining. Other service carry fees are \$600 so the Bartlett/Jackson ambulance recently raised the carry fee from \$200 to \$400. Bob Temple asked why not put the money in the fire engine fund, to which Selectman Funicella replied the funds have to go to the general fund to replace the funds that were spent on the ambulance. Moderator Kelley commented that we are following the *recommendation* of the Department of Revenue. Newly elected Selectman Jerry Dougherty IV commented he doesn't believe DRA *requires* this.

Vote: Verbal approval (unanimous)

ARTICLE 29: To see if the Town of Jackson will vote to raise and appropriate the sum of \$2,400.00 for the Early Supports & Services Program (birth to 3 years) of Children Unlimited, Inc. Submitted by petition. Selectmen Favor. Moved & seconded.

DISCUSSION: Ray Abbott was curious about petitioned articles in general noting they no longer list who submitted them and the people from the agencies no longer come to speak to the article. Selectman Mason responded that the Local Government Center (LGC) recommended the names not be included on the article.

Vote: Verbal approval (unanimous)

ARTICLE 30: To see if the Town will vote to raise and appropriate the sum of \$1,837.00 (level funded from last year) to support Jackson home delivered meals (Meals on Wheels), congregate meals, transportation and program services provided by the Gibson Center for Senior Services Inc. Submitted by petition. Selectmen Favor. Moved & seconded.

DISCUSSION: None Vote: Verbal approval (unanimous)

ARTICLE 31: To see if the Town of Jackson will vote to raise and appropriate the sum of \$1,798.00 for the support of White Mountain Community Health Center to help meet the healthcare needs of the uninsured and underinsured residents of the Town of Jackson. Submitted by petition. Selectmen Favor. Moved & seconded.

DISCUSSION: None Vote: Verbal approval (unanimous)

ARTICLE 32: To see if the Town will raise and appropriate the sum of \$716.00 to assist The Mental Health Center. Submitted by petition. Selectmen Favor. Moved & seconded.

DISCUSSION: Bob Temple asked where the Mental Health Center is located to which the Selectmen replied on Rt. 16 in Conway.

Vote: Verbal approval (unanimous)

ARTICLE 33: To respectfully request that the town vote to raise and appropriate the sum of \$698.00 in support of Starting Point providing advocacy and support to victims of domestic and sexual violence and their children. Submitted by petition. Selectmen Favor. Moved & seconded.

DISCUSSION: Angus Badger noted it would be nice to have someone here to speak to these articles.

Vote: Verbal approval (unanimous)

ARTICLE 34: Elderly Exemption. To see if the Town will vote to modify the Elderly Exemption from property tax in the Town of Jackson, based on assessed value, for qualified

taxpayers, to be as follows: for a person 65 years of age up to 75, \$23,100.00; for a person 75 years of age up to 80 years, \$34,650.00; and for a person 80 years of age or older \$57,750.00. To qualify, the person must have been a New Hampshire resident for at least 3 consecutive years, own the real estate individually or jointly, or if the real estate is owned by such person's spouse, they must have been married to each other for at least 5 consecutive years. In addition, the taxpayer must have a net income of not more than \$23,100.00 or, if married, a combined net income of less than \$34,650.00; and own net assets not in excess of \$75,075.00 excluding the value of the person's residence. Moved & seconded

DISCUSSION: Peter Benson asked who had the job of determining these amounts. Selectman Mason noted these amounts had not been revised in 5 years and so the Selectmen revised them to reflect cost of living changes.

Vote: Verbal approval (unanimous)

ARTICLE 35: To see if the town will vote to discontinue the Front Loader Capital Reserve Fund (fund balance as of 12/31/09 – \$.00) created in 2000. Said funds, with accumulated interest to date of withdrawal, are to be transferred to the municipality's general fund. Selectmen Favor. Moved & seconded

DISCUSSION: Larry Garland asked if is this was the front loader to which Selectman Mason clarified this is the Capital Reserve Fund.

Vote: Verbal approval (unanimous)

ARTICLE 36: To see if the Town will vote to discontinue the Town Administrative Office Building Capital Reserve Fund (fund balance as of 12/31/09 – \$.00). Said funds, with accumulated interest to date of withdrawal, are to be transferred to the municipality's general fund. Selectmen Favor. Moved & seconded.

DISCUSSION: None Vote: Verbal approval (unanimous)

ARTICLE 37: To see if the Town will vote to discontinue the Street Signs Expendable Trust Fund (fund balance as of 12/31/09 – \$.00) created in 2004. Said funds, with accumulated interest to date of withdrawal, are to be transferred to the municipality's general fund. Selectmen Favor. Moved & seconded.

DISCUSSION: Mary Burack asked if we will continue the good road signs and put up road delineators to which Road Agent Henry replied yes.

Vote: verbal approval (unanimous)

ARTICLE 38: To see if the Town will vote to discontinue the Emergency Communication Fund (fund balance as of 12/31/09 – \$.00). Said funds, with accumulated interest to date of withdrawal, are to be transferred to the municipality's general fund. Selectmen Favor. Moved & seconded

DISCUSSION: None Vote: Verbal approval (unanimous)

ARTICLE 39: To see if the Town will vote to approve the following resolution to be forwarded to our State Representative(s), our State Senator, the Speaker of the House, and the Senate President. Resolved: The citizens of New Hampshire should be allowed to vote on an amendment to the New Hampshire Constitution that defines "marriage." Selectmen oppose article. Moved & seconded

DISCUSSION: A request for a written ballot was not successful as 5 of the requestors weren't present to represent the request. Phil Gravink stated he has a daughter and daughter-in-law who are productive, respected citizens. He encouraged town members to forget your prejudices and defeat this article. Susan Bruce stated this is not the business of this town. Article 39 has nothing to do with our budget, or how we govern our town. She went on to say that we live in a representative democracy. The people in favor of this are asking us to use the NH Constitution

to enshrine bigotry, something that has never been done before. Ending slavery was never put to a popular vote. Repealing the laws against interracial marriage was never put to a vote. For that matter, the 19th Amendment was never put to a popular vote, and she is certain that there are those present who would vote against her right to vote, if given the opportunity. She concluded by saying this is not who we are. Jackson is not a town of bigots. Bob Scolamiero said this article is to put the question to the legislature to allow the citizens of the state to voice their opinion. Selectman Funicella stated he doesn't believe this is the appropriate place indicating marriage is a topic which belongs in the church. Diane Muliero believes this is a bigger issue. Thom Perkins stated we should send a message to the legislatures to stay out of our private lives and bedrooms. Glen Ashworth stated we are giving up our rights by letting the legislature decide for us. Dave Mason closed by saying a vote for this is a vote for discrimination.

Vote: Verbal defeat

ARTICLE 40: To act upon other business which may legally come before this meeting. Phil Davies stated the Highway Dept would like the new highway facility to be dedicated to all the past employees of the Highway Dept. Ray Abbott requested the Eastern Slope Airport Authority come in as a separate article. Moderator Kelley asked if there was preference for a Saturday meeting or the evening meeting. The general response was for an evening meeting.

Selectman Funicella thanked everyone for allowing him to serve for 6 years. He noted that everyone on the ballot was un-challenged and urged people to get involved stating there should be at least 2 names on the ballot for each position.

There being no further business a motion was made and seconded to dissolve. Moderator Kelley dissolved the meeting about 10PM.

Gino Funicella, Selectman

Dave Mason, Selectman

Beatrice Davis, Selectman

William H. Botsford, Town Clerk

A true copy attest

Atch: Summary of 2010 Warrant Articles Approved Budget

2010 WARRANT ARTICLES	2010 Article Amounts
Art. 6 Public Safety Facility & Salt Shed Bond	\$1,200,000.00
Art. 8 Highway Truck Capital Reserve Fund	198,890.00
Art. 9 Library Capital Reserve Fund	125,000.00
Art. 10 Highway Repair & Reconstruction	78,861.00
Art. 11 Public Safety Facility Capital Reserve Fund	50,000.00
Art. 12 Fire Truck Capital Reserve Fund	50,000.00
Art. 14 Sand and Salt Shed Capital Reserve Fund	25,000.00
Art. 15 Hwy Equip Purchase, Repair or Lease ETF	30,000.00
Art. 17 Jackson Public Library	56,139.00
Art. 18 State Aid Reconstruction ETF	20,000.00
Art. 19 Baker Prospect Farm Trust	12,000.00
Art. 20 Police Cruiser Capital Reserve Fund	10,000.00
Art. 22 Transfer Site Bldings & Recycling Equip. ETF	8,659.00
Art. 24 Bridge Repair & Maintenance ETF	5,000.00
Art. 26 Police Dept. Equipment ETF	3,000.00
Art. 27 Town Office Equipment Fund	3,000.00
Art. 29 Children Unlimited, Inc.	2,400.00
Art. 30 Gibson Center	1,837.00
Art. 31 White Mountain Community Health	1,798.00
Art. 32 Northern Human Services (The Mental Health Center)	716.00
Art. 33 Starting Point	698.00
2010 Warrant Article Total	\$1,882,998.00
2010 Operating Budget Total - Art. 7	\$1,609,882.00
2010 Gross Appropriation	\$3,492,880.00
Less Anticipated Revenues	-\$1,987,675.00
Articles 11&14 Not Approved	-\$75,000.00
Overlay & War Service Credits	\$50,000.00
Net to be raised from taxes \$3.872	\$1,480,205.00

Atch 1 to March 11, 2010 Jackson Town Meeting Minutes