

**TOWN OF MILTON
FIRST SESSION
DELIBERATIVE MINUTES
FEBRUARY 7TH 2015**

The Annual Town Meeting was held on Saturday February 7th 2015 beginning at 1:08 pm at the Nute High School, Milton New Hampshire. A total of 45 voters were in attendance.

Chris Jacobs, Town Moderator, declared the meeting in session.

Those in attendance recited the Pledge of Allegiance. The Moderator asked for a moment of silence for those departed.

The Moderator introduced the Selectmen: Tom Gray, Michael Beaulieu, and Andrew Rawson; Town Administrator Elizabeth Dionne; Town Council Jim Sessler; Budget Committee Members: Bruce Woodruff, Larry Brown, Robert Carrier, Jennifer Crone, Eric Ohlenbusch, Ann Walsh, and Devon Pageau; Supervisor of the Checklist: Karen Brown; Fire Chief Nick Marique, Public Works Director Pat Smith; Police Chief Richard Krauss and Town Clerk Michelle Beauchamp.

The Moderator noted that there would be a Candidates Forum for all candidate running for School District and Town Offices on Wednesday February 18th at 6pm at the Town Hall in the Selectmen's Chamber.

The Moderator explained the rules of SB-2 and noted that the second session would be held on Tuesday March 10th 2015 at the Emma Ramsey Center. He added that the polls for voting by official ballot will be open from 8am to 7pm.

The Moderator read Article 1:

To choose all necessary Town Officers for the ensuing year for which there are vacancies, for such terms as may be permitted by law.

The moderator noted that the following positions had vacancies: Selectman – 1 for 3 years; Treasurer - 1 for 1 year; Fire Chief – 1 for 1 year; Planning Board - 2 for 3 years; Budget Committee – 1 for 2 years and 2 for 3 years; Library Trustee – 1 for 3 years; Trustee of the Trust Funds – 1 for 1 year and 1 for 3 years; Zoning Board of Adjustment – 1 for 2 years and 1 for 3 years; Cemetery Trustee – 1 for 2 years and 1 for 3 years; and Public Works Director – 1 for 3 years.

The Moderator noted that the names on the ballot would be in alphabetical order following the same procedures the Secretary of State uses pursuant to RSA 656:5a.

The Moderator instructed the Clerk to place Warrant Article 1 on the second session ballot.

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The Moderator read Article 2:

Zoning Amendment #1:

Are you in favor of the adoption of zoning amendment #1, as proposed by the Milton Planning Board for the Milton Zoning Ordinance as follows: To add the following language to Article III Establishment of Zoning Districts, Section 3.2 b at the end of 1) "note in order to receive the benefits of the High Density Residential (HDR) zoning district, the parcel shall be served by municipal water and sewer" as included in the Milton Zoning Ordinance?

Recommended by the Planning Board (4-2, 1 abstention)

Recommended by the Board of Selectmen (2-1)

The Moderator noted that this article could not be amended and that the Planning Board had their statutory public hearings on this article.

The Moderator instructed the Clerk to place Warrant Article 2 on the second session ballot as read.

T.Gray made the motion to restrict reconsideration. L.Brown seconded the motion. Majority in favor, 1 opposed. The motion passed.

The Moderator read Article 3:

Zoning Amendment #2 (Submitted by Petition):

- 1) To amend Article II, Definitions of the Milton Zoning ordinance to include the following definition:

"Solid Waste Management Facility" means a facility as defined in RSA 149-M:4,IX, namely "a location, system, or physical structure for the collection, separation, storage, transfer, processing, treatment and/or disposal of solid waste." The term "solid waste" specifically excludes hazardous waste as defined in RSA 147-A, radioactive waste and biological waste. The term "Solid Waste Management Facility" excludes "Incineration Facilities" for solid waste.

- 2) To amend Article II, Definitions of the Milton Zoning Ordinance to include the following definition:

"Recycling Facility" means a location, system or physical structure for collection, separation, storage, transfer, processing and/or distribution or recyclable materials to markets for recycling.

- 3) To amend the Table of Uses within the Milton Zoning Ordinance to provide proper and integrated management of solid waste by providing that the uses under Category F of the Table of Uses be amended to permit Solid Waste Management Facilities and Recycling

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Facilities, and permit such uses to the extent that such use is conducted subject to and in accordance with the requirements, restrictions and/or dimensional regulations set forth within RSA 149-M, et. seq., and to the extent the use is granted a special exception by the Zoning Board of Adjustment pursuant to Article VIII of the Milton Zoning Ordinance.

Not recommended by the Planning Board (6-0, 1 abstention)

Not recommended by the Board of Selectmen (2-0, 1 abstention)

The moderator noted this article could not be amended and that the Planning Board had their statutory public hearings on this article.

The Moderator instructed the Clerk to place Warrant Article 3 on the second session ballot as read.

T.Gray made the motion to restrict reconsideration. L.Brown seconded the motion. Majority in favor, one opposed. The motion passed.

The moderator noted that the voters could move all the zoning amendments at once. Billy Palmetier made the motion to have the moderator move the zoning articles forward. K.Brown seconded. Majority in favor, the motion passed.

T.Gray made the motion to restrict reconsideration on the zoning amendments. L.Brown seconded. Majority in favor, one opposed. The Motion passed.

The Moderator instructed the Clerk to place Warrant Article 4 and Article 5 on the second session ballot as written.

Article 4:

Zoning Amendment #3 (Submitted by Petition):

To see if the use category of "Materials recycling, processing" will not be permitted as an allowable principal or accessory use in the Industrial/Commercial zoning district as shown in Article III of the Town of Milton Zoning Ordinance at Section 3.5 Table of Principal and Accessory Uses in Zoning Districts.

Not recommended by the Planning Board (7-0)

Not recommended by the Board of Selectmen (3-0)

Article 5:

Zoning Amendment #4 (Submitted by Petition):

To see if the Town will vote to amend Article II (definitions) of the Milton Zoning Ordinance to define "Landfill" as follows:

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“Landfill shall be defined as a facility which collects and: disposes of; or recycles or processes, waste by landfilling methods. The term includes facilities that collect and store waste indefinitely or recycle or process waste. Landfilling means a method of disposing of solid waste by the intentional placement of the solid waste in or on land where it will remain: after landfill closure; or until use for recycling or processing.”

Not recommended by the Planning Board (6-0, 1 abstention)

Not recommended by the Board of Selectmen (3-0)

The Moderator read Article 6:

To see if the Town will vote to raise and appropriate as an operating budget, not including appropriations by special warrant articles and other appropriations voted separately, the amounts set forth on the budget posted with the warrant or as amended by vote of the first session, for the purposes set forth therein, totaling Three Million, Nine Hundred Thirty-One Thousand, One Hundred Fifty-Nine Dollars and Forty-Six Cents (\$3,931,159.46). Should this article be defeated, the default budget shall be Three Million, Nine Hundred Thirty-One Thousand, Two Hundred Twelve Dollars and Four Cents (\$3,931,212.04) which is the same as last year, with certain adjustments required by previous action of the Town or by law; or the governing body may hold one special meeting, in accordance with RSA 40:13, X and XVI, to take up the issue of a revised operating budget only.

(Majority vote required)

(Note: This Warrant Article, the operating budget, does not include special or separate warrant articles.)

Recommended by the Board of Selectmen (3-0)

Recommended by the Budget Committee (7-0)

M.Beaulieu made the motion to open the warrant article for discussion. B.Woodruff seconded. Majority in favor, motion passed.

The Moderator opened the warrant article for discussion. Selectman Beaulieu spoke regarding the article.

T.Gray made the motion to close further discussion. K.Brown seconded. Majority in favor, the motion passed.

The Moderator instructed the Clerk to place Warrant Article 6 on the second session ballot as read.

T.Gray made the motion to restrict reconsideration. K.Brown seconded the motion. Majority in favor, one opposed. The motion passed.

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The Moderator read Article 7:

To see if the Town will vote to authorize the Board of Selectman to enter into a long-term lease/purchase agreement in the amount of Four Hundred Ninety Four Thousand, Seven Hundred and Sixty Dollars (\$494,760.00) payable over a term of 7 years for three (3) Highway Department 6 Wheel Dump Trucks with snowplow equipment and sanders, and to raise and appropriate Seventy-Six Thousand, Nine Hundred Fifty Dollars and Two Cents (\$76,950.02) for the first years' payment for that purpose; the lease purchase agreement does contain the municipal funding escape clause.

(Majority vote required)

Recommended by the Board of Selectmen (3-0)

Recommended by the Budget Committee (7-0)

T.Gray made the motion to open the warrant article for discussion. B.Woodruff seconded. Majority in favor, motion passed.

The Moderator opened the warrant article for discussion. Selectman Gray spoke regarding the article.

T.Gray made the motion to close further discussion. K.Brown seconded. Majority in favor, the motion passed.

The Moderator instructed the Clerk to place Warrant Article 7 on the second session ballot as read.

T.Gray made the motion to restrict reconsideration. K.Brown seconded the motion. Majority in favor, one opposed. The motion passed.

The Moderator read Article 8:

To see if the Town will vote to raise and appropriate the sum of Two Hundred Ninety Thousand Dollars (\$290,000.00) for Highway and Road reconstruction purposes. Said amount is partially offset by revenues from the Highway Block Grant estimated to be One Hundred Ten Thousand Dollars (\$110,000.00). This is an annual appropriation that provides for the reconstruction of existing roadways. This appropriation will be a non-lapsing appropriation per RSA 32:7 VI and will not lapse until completed or by December 31, 2016.

(Majority vote required)

Recommended by the Board of Selectmen (3-0)

Recommended by the Budget Committee (7-0)

T.Gray made the motion to open the warrant article for discussion. B.Woodruff seconded. Majority in favor, motion passed.

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The Moderator opened the warrant article for discussion. Selectman Gray spoke regarding the article.

T.Gray made the motion to close further discussion. K.Brown seconded. Majority in favor, the motion passed.

The Moderator instructed the Clerk to place Warrant Article 8 on the second session ballot as read.

T.Gray made the motion to restrict reconsideration. K.Brown seconded the motion. Majority in favor, one opposed. The motion passed.

The Moderator read Article 9:

To see if the Town will raise and appropriate the sum of One Hundred Forty Three Thousand Dollars (\$143,000.00) to be placed in the Herbert Downs Fire Station Capital Reserve Fund, previously established, for the purpose of producing finalized design and engineering plans for a new fire station to be bid in late 2015 and presented to the voters in 2016.

(Majority vote required)

Recommended by the Board of Selectmen (3-0)

Recommended by the Budget Committee (7-0)

A.Rawson made the motion to open the warrant article for discussion. B.Woodruff seconded. Majority in favor, motion passed.

The Moderator opened the warrant article for discussion. Selectman Rawson spoke regarding the article.

T.Gray made the motion to close further discussion. K.Brown seconded. Majority in favor, the motion passed.

The Moderator instructed the Clerk to place Warrant Article 9 on the second session ballot as read.

T.Gray made the motion to restrict reconsideration. K.Brown seconded the motion. Majority in favor, one opposed. The motion passed.

The Moderator read Article 10:

To see if the Town will vote to authorize the Board of Selectmen to enter into a long-term lease/purchase agreement in the amount of Two Hundred Forty Thousand Dollars (\$240,000.00) payable over a term of 10 years for one (1) Highway Department Grader, and to raise and appropriate Twenty Seven Thousand Three Hundred and Fifty Two Dollars and Eight Cents

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(\$27,352.08) for the first years' payment for that purpose; The lease/purchase agreement does contain a municipal funding escape clause.

(Majority vote required)

Recommended by the Board of Selectmen (3-0)

Recommended by the Budget Committee (7-0)

T.Gray made the motion to open the warrant article for discussion. B.Woodruff seconded. Majority in favor, motion passed.

The Moderator opened the warrant article for discussion. Selectman Gray spoke regarding the article.

T.Gray made the motion to close further discussion. K.Brown seconded. Majority in favor, the motion passed.

The Moderator instructed the Clerk to place Warrant Article 10 on the second session ballot as read.

T.Gray made the motion to restrict reconsideration. K.Brown seconded the motion. Majority in favor, one opposed. The motion passed.

The Moderator read Article 11:

To see if the Town will vote to raise and appropriate the sum of Twenty Thousand Dollars (\$20,000.00) to be placed in the Milton Recreation Department Capital Reserve Fund, previously established, for the purpose of constructing a free municipal playground.

(Majority vote required)

Recommended by the Board of Selectmen (3-0)

Recommended by the Budget Committee (6-1)

A.Rawson made the motion to open the warrant article for discussion. B.Woodruff seconded. Majority in favor, motion passed.

The Moderator opened the warrant article for discussion. Selectman Rawson spoke regarding the article.

T.Gray made the motion to close further discussion. K.Brown seconded. Majority in favor, the motion passed.

The Moderator instructed the Clerk to place Warrant Article 11 on the second session ballot as read.

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T.Gray made the motion to restrict reconsideration. K.Brown seconded the motion. Majority in favor, one opposed. The motion passed.

The Moderator read Article 12:

To see if the Town will vote to raise and appropriate the sum of Twenty Thousand Dollars (\$20,000.00) to be placed in the Milton Free Public Library Capital Reserve Fund, previously established.

(Majority vote required)

Recommended by the Board of Selectmen (3-0)

Recommended by the Budget Committee (7-0)

M.Beaulieu made the motion to open the warrant article for discussion. B.Woodruff seconded. Majority in favor, motion passed.

The Moderator opened the warrant article for discussion. Selectman Beaulieu spoke regarding the article.

T.Gray made the motion to close further discussion. K.Brown seconded. Majority in favor, the motion passed.

The Moderator instructed the Clerk to place Warrant Article 12 on the second session ballot as read.

T.Gray made the motion to restrict reconsideration. K.Brown seconded the motion. Majority in favor, one opposed. The motion passed.

The Moderator read Article 13:

To see if the Town will vote to raise and appropriate the sum of Five Thousand Dollars (\$5,000.00) for the purpose of purchasing and installing video and recording equipment to be used for recording and publishing various public meetings within the town hall meeting room. The appropriation of this equipment is in addition to any video and recording equipment purchased by the Town through grants previously received from Metrocast or any other service provider.

(Majority vote required)

Recommended by the Board of Selectmen (3-0)

Recommended by the Budget Committee (7-0)

T.Gray made the motion to open the warrant article for discussion. B.Woodruff seconded. Majority in favor, motion passed.

The Moderator opened the warrant article for discussion.

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Selectmen Gray noted that Town had received grant money for this purpose and proposed the following amendment:

To see if the Town will vote to raise and appropriate the sum of Zero Dollars (\$0.00) for the purpose of purchasing and installing video and recording equipment to be used for recording and publishing various public meetings within the town hall meeting room. The appropriation of this equipment is in addition to any video and recording equipment purchased by the Town through grants previously received from Metrocast or any other service provider.

T.Gray made the motion for the amendment. B.Woodruff seconded the amendment. Majority in favor, motion passed.

T.Gray made the motion to close further discussion. K.Brown seconded. Majority in favor, the motion passed.

The Moderator instructed the Clerk to place Warrant Article 13 on the second session ballot as amended.

T.Gray made the motion to restrict reconsideration. Janice Long seconded the motion. Majority in favor, one opposed. The motion passed.

The Moderator read Article 14:

To see if the Town will vote to raise and appropriate the sum of Two Thousand Dollars (\$2,000.00) to be placed in the Milton Police Department Computer and Radio Capital Reserve Fund, previously established.

(Majority vote required)

Recommended by the Board of Selectmen (3-0)

Recommended by the Budget Committee (7-0)

M.Beaulieu made the motion to open the warrant article for discussion. B.Woodruff seconded. Majority in favor, motion passed.

The Moderator opened the warrant article for discussion. Selectman Beaulieu spoke regarding the article.

K.Brown made the motion to close further discussion. T.Gray seconded. Majority in favor, the motion passed.

The Moderator instructed the Clerk to place Warrant Article 14 on the second session ballot as read.

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T.Gray made the motion to restrict reconsideration. K.Brown seconded the motion. Majority in favor, one opposed. The motion passed.

The Moderator read Article 15:

To see if the Town of Milton will vote to rescind Article # 17 passed at the 2004 Town Meeting which read *"to approve a Capital Improvement Plan included in this Town Report as the plan for capital improvements for the Town Departments for the next seven years, with the understanding that the plan will be amended annually and that at this point no funding is attached to the plan. This article is advisory only."* Town Legal Counsel determined that article # 17 approved in 2004 was improperly prepared and does not conform with NH RSA 674:5, the statute that establishes a CIP.

(Majority vote required)

Recommended by the Board of Selectmen (3-0)

T.Gray made the motion to open the warrant article for discussion. B.Woodruff seconded. Majority in favor, motion passed.

The Moderator opened the warrant article for discussion. Selectman Gray spoke regarding the article.

K.Brown made the motion to close further discussion. Billy Palmetier seconded. Majority in favor, the motion passed.

The Moderator instructed the Clerk to place Warrant Article 15 on the second session ballot as read.

T.Gray made the motion to restrict reconsideration. Janice Long seconded the motion. Majority in favor, one opposed. The motion passed.

The Moderator read Article 16:

To see if the Town of Milton will vote to rescind Article # 5 passed at the 2005 Town Meeting which read *"to establish a Capital Reserve Fund for the purpose of funding the Capital Improvement Plan including the use of the fund as matching funds for grants that might come available, and to raise and appropriate the sum of \$480,000.00 for deposit in that account and to authorize the Board of Selectmen as agents to expend from that fund."* Town Legal Counsel determined that article # 5 approved in 2005 was improperly prepared and does not conform with NH RSA 674:5, the statute that establishes a CIP.

(Majority vote required)

Recommended by the Board of Selectmen (3-0)

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T.Gray made the motion to open the warrant article for discussion. B.Woodruff seconded. Majority in favor, motion passed.

The Moderator opened the warrant article for discussion. Selectman Gray spoke regarding the article.

T.Gray made the motion to close further discussion. K.Brown seconded. Majority in favor, the motion passed.

The Moderator instructed the Clerk to place Warrant Article 16 on the second session ballot as read.

K.Brown made the motion to restrict reconsideration. T.Gray seconded the motion. Majority in favor, one opposed. The motion passed.

The Moderator read Article 17:

To see if the Town, having a Master Plan adopted by the Planning Board on September 7, 2004, will vote to authorize the Planning Board to prepare and amend a recommended program of municipal capital improvements projected over a period of at least 6 years, in accordance with RSA 674:5.

(Majority vote required)

Recommended by the Board of Selectmen (3-0)

T.Gray made the motion to open the warrant article for discussion. B.Woodruff seconded. Majority in favor, motion passed.

The Moderator opened the warrant article for discussion. Selectman Gray spoke regarding the article.

T.Gray made the motion to close further discussion. K.Brown seconded. Majority in favor, the motion passed.

The Moderator instructed the Clerk to place Warrant Article 17 on the second session ballot as read.

T.Gray made the motion to restrict reconsideration. K.Brown seconded the motion. Majority in favor, one opposed. The motion passed.

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The Moderator read Article 18:

To see if the Town will vote to raise and appropriate the sum of Forty Thousand Dollars (\$40,000.00) to be placed in the Milton/Maine Bridges Capital Reserve Account previously established.

(Majority vote required)

Recommended by the Board of Selectmen (3-0)

Recommended by the Budget Committee (7-0)

M.Beaulieu made the motion to open the warrant article for discussion. B.Woodruff seconded. Majority in favor, motion passed.

The Moderator opened the warrant article for discussion. Selectman Beaulieu spoke regarding the article.

T.Gray made the motion to close further discussion. K.Brown seconded. Majority in favor, the motion passed.

The Moderator instructed the Clerk to place Warrant Article 18 on the second session ballot as read.

T.Gray made the motion to restrict reconsideration. K.Brown seconded the motion. Majority in favor, one opposed. The motion passed.

The Moderator read Article 19:

To see if the Town will vote, pursuant to NH RSA 35:9-a-II, to authorize the Trustees of Trust Funds to pay for capital reserve fund investment management services, and any other expenses incurred, from capital reserve funds income. No vote by the Town to rescind such authority shall occur within five years of the original adoption of this article.

(Majority vote required)

Recommended by the Board of Selectmen (3-0)

A.Rawson made the motion to open the warrant article for discussion. B.Woodruff seconded. Majority in favor, motion passed.

The Moderator opened the warrant article for discussion. Selectman Rawson spoke regarding the article.

T.Gray made the motion to close further discussion. K.Brown seconded. Majority in favor, the motion passed.

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The Moderator instructed the Clerk to place Warrant Article 19 on the second session ballot as read.

T.Gray made the motion to restrict reconsideration. K.Brown seconded the motion. Majority in favor, one opposed. The motion passed.

The Moderator read Article 20 (Submitted by petition)

Shall we adopt the provisions of RSA 40:14-b to delegate the determination of the default budget to the municipal budget committee which has been adopted under RSA 32:14?
(3/5 vote required per RSA 40:14, VI)
Not recommended by the Board of Selectmen (3-0)

Jennifer Palmetier made the motion to open the warrant article for discussion. L.Brown seconded. Majority in favor, the motion passed.

The Moderator opened the discussion.

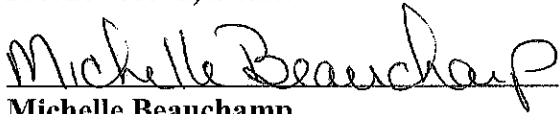
K.Brown made the motion to close further discussion. T.Gray seconded. Majority in favor, motion passed.

The Moderator instructed the Clerk to place Warrant Article 20 on the second session ballot as read.

T.Gray made the motion to restrict reconsideration. K.Brown seconded the motion. Majority in favor, motion passed.

M.Beauchamp made the motion to adjourn at 4:52pm. L.Brown seconded the motion. All in favor, motion passed. The Moderator declared the meeting adjourned.

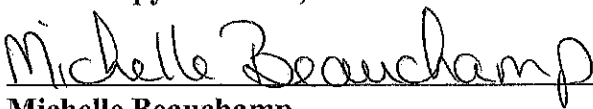
A true record, attest:



Michelle Beauchamp

Town Clerk Tax Collector

A true copy of record, attest:



Michelle Beauchamp

Town Clerk Tax Collector