

**ANNUAL TOWN MEETING MINUTES
MARCH 10 & 11, 2009**

At the annual Town Meeting of the Town of Holderness held on March 10 and 11, 2009 the following business was transacted.

At 8:00 a.m. on Tuesday, March 10, 2009 at the Holderness Town Hall, Moderator Ross Deachman convened the meeting and began reading the warrant. After Articles 1 and 2 the Moderator declared the polls opened. At 7:00 p.m., Moderator Deachman declared the polls closed and the ballots were counted. Results were announced and the Moderator declared the winners.

At 7:30 p.m. on Wednesday, March 11, 2009 at Holderness Central School the Meeting resumed following the Holderness Central School District Meeting. Moderator Ross Deachman announced the results of Article 1 and declared the winners. The Moderator declared that Article 2 (the Zoning Amendments) had all passed. The Moderator Deachman announced the Holderness Central School and Pemi-Baker School District results. Moderator Deachman asked for a moment of silence for those residents that had passed away during the year 2008 as well as for Claudia Goodwin our good friend and former Town Clerk.

Article 1: To choose all Town Officers by official ballot:

Selectmen for 3 years: (Vote for one)

John W. Laverack, Jr. 178

Write in:

Bruce Levoy 1

Gary Cripps 1

Willy Holland 2

Todd Elgin 1

Richard Currier 1

Margie Maybeck 1

Moderator for 2 years: (Vote for one)

Ross Deachman 184

Write in:

Tink Taylor 1

Town Treasurer for 1 year: (Vote for one)

Todd Elgin 180

Write in:

Steve Huss 1

Trustee of Trust Fund for 3 Years: (Vote for one)

Bonnie M. Hunt 182

Library Trustees for 3 Years: (Vote for two)

Michelle Jenkinson 141
Robert B. Rothschild 91
Thomas “Ted” Vansant 118

Fire Ward for 3 Years: (Vote for one)

Randall Eastman 182
Write in:
David Dupuis 1
Richard Currier 1
Robert Rothschild 1

Article 2: 2009 Proposed Zoning Ordinance Changes

1. “Are you in favor of the adoption of Amendment No. 1 as proposed by the Planning Board for the town zoning ordinance as follows:

Delete Article IV,L, 1-5 and renumber 6-9 – Shoreline Structures, as the town has no authority regarding structures over the public water?”

(Recommended by the Planning Board)

Yes 160 No 29

2. “Are you in favor of the adoption of Amendment No. 2 as proposed by the Planning Board for the town zoning ordinance as follows:

Delete Article VII, C 1. Lots - to allow a discretionary merger of two or more lots under the same ownership?”

(Recommended by the Planning Board)

Yes 159 No 36

3. “Are you in favor of the adoption of Amendment No. 3 as proposed by the Planning Board for the town zoning ordinance as follows:

Add Article IV, V Outdoor Wood-Fired Hydronic Heaters – to regulate the use and installation of Outdoor Wood-Fired Hydronic Heaters as permitted by RSA 125-R including criteria relative to the smoke stack height and lot line setback?”

(Recommended by the Planning Board)

Yes 152 No 43

4. “Are you in favor of the adoption of Amendment No. 4 as proposed by the Planning Board for the town zoning ordinance as follows:

Add Article IV, W – Small Wind Energy Systems - to accommodate small wind energy systems in appropriate locations, while protecting the public’s health, safety, and welfare as required by RSA 674:63 including maximum tower height, lot boundary setback, and other parameters?”

(Recommended by the Planning Board)

Yes 160 No 36

CENTRAL SCHOOL DISTRICT
Election Results

School Board Member for 3 Years: (Vote for two)

Martha Macomber	162
Bonni Action	174
Write in:	
James Paul	1
Sharon Borggaard	2
Barbara Currier	1
Randy Eastman	1
Scott King	1
Tink Taylor	1
Ty Gagne	1

HOLDERNESS ELECTION RESULTS
PEMI-BAKER REGIONAL SCHOOL
DISTRICT
Election Results

Moderator for 1 Year:

Quentin Blaine	182
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School Board Member for 3 Years: Ashland

Catherine E. Hahn	164
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School Board Member for 3 Years: Campton

Lisa Ash	164
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Write in:

Jon Rankin	1
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School Board Member for 3 Years: Holderness

Andrew C. Hancock	180
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School Board Member for 3 Years: (Vote for One) Plymouth

Barbara A. Noyes	107
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Omer C. Ahern, Jr.	59
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School Board Member for 3 Years: Thornton

Carolyn M. Varin	157
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Article 2: Are you in favor of changing the term of the Moderator from one year to two years, beginning with the term of the moderator to be elected at next year’s regular school district meeting? (Submitted by petition)

Yes 120 No 30

**HOLDERNESS ELECTION RESULTS
PEMI-BAKER REGIONAL SCHOOL DISTRICT-WARRANT ARTICLES**

Article 1: To see if the School District will vote to authorize the School Board to negotiate and execute such tuition contracts as the board may determine advisable for students inside or outside the Pemi-Baker Regional School District. The School Board recommends this article. (Majority vote required)

Yes 174 No 23

Article 2: To see if the School District will vote to establish a contingency fund in accordance with Revised Statutes Annotated 198:4-b, such contingency fund to meet the cost of unanticipated expenses that may arise during the year and further to see if the District will raise and appropriate the sum of twenty-five thousand dollars (\$25,000) for such contingency fund. The School Board recommends this appropriation. (Majority vote required.)

Yes 136 No 60

Article 3: To see if the District will vote to authorize the School Board to form a committee to study the feasibility of seeking alternative energy options for the heating of school buildings and other uses. Such a committee would consist of Board Members, district residents and others, and further to see if the district will vote to raise and appropriate the sum of fifty thousand dollars (\$50,000) to engage consultants and other related costs. The School Board recommends this appropriation. (Majority vote required.)

Yes 134 No 62

Article 4: To see if the School District will vote to authorize and empower the School Board to borrow up to one hundred four thousand dollars (\$104,000) representing a portion of the State of New Hampshire’s share of special education costs for the 2009-2010 school year, pursuant to RSA 198:20-d upon such terms and conditions as the School Board determines in the best interest of the District: said sum together with the costs of borrowing to be repaid by the State of New Hampshire pursuant to RSA 198:20-d; or to take any action in relation thereto. The School Board recommends this appropriation. (Majority vote required.)

Yes 142 No 53

Article 5: To see if the Pemi-Baker Regional School District 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 (deliberative session) for the purpose set forth therein, totaling twelve million seven hundred eight thousand five hundred seventy-three dollars (\$12,708,573). The Board recommends this article. (Majority vote required.)

Yes 160 No 36

Should this article be defeated, the default budget shall be twelve million eight hundred twelve thousand nine hundred eighty-seven dollars (\$12,812,987), which is the same as last year, with certain adjustments required by previous action of the Pemi-Baker Regional School District; 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. This sum excludes the sums in Warrant Articles 2 and 3.

Article 3: To see if the Town will vote to accept the reports of all Town Officers and Committees

Moved by Malcolm “Tink” Taylor and seconded by Alden Van Sickle.

Alden Van Sickle moved to amend the 2008 Town Meeting Minutes as follows: page 26, Article 3 change “three two pontoon style” to “three tube pontoon style” and page 40, schedule of Town & School property change Town Hall building value from “ \$ 4,550 to \$ 44,550 “and Transfer Station total value from “\$ 26,800 to \$ 106,700”. A voice vote was taken on Article 3 and the article **PASSED, as amended.**

Article 4: To see if the town will vote to establish a public safety special detail revolving fund pursuant to RSA 31:95-h and to restrict all revenues received for providing public safety services by municipal employees in connection with special events, highway construction and other construction projects. Such revenues and expenditures shall be accounted for in a revolving fund known as the Holderness Revolving Detail Fund, separate from the undesignated fund balance. The town treasurer shall have custody of all monies in the fund and shall pay out the same upon the order of the Selectmen. Any surplus in said fund shall not be deemed part of the general accumulated fund balance and shall be expended only after a vote by the legislative body to appropriate a specific amount from said Detail Fund for a specific purpose related to the purpose of the fund or source of revenue. (Majority Vote Required)

Moved by Alden Van Sickle and seconded by Peg Winton.

Selectman Peter Webster explained that this Article is to establish a revolving account to expend and receive monies for public safety special details provided by the Police Department. Mr. Webster stated that a line item of \$ 8,500.00 in the police operating budget is designated as “seed money” to establish a fund balance for Article 4, and the balance in the account would be used for the following year to pay for the expenses of the details, such as officer’s pay. Mr. Webster added that any surplus in the account could be used in the future for the Police Department to assist with paying for capital purchases like a cruiser replacement. Mr. Webster responded to a question from Mr. Ronald Huntoon, the balance of the money can only be spent with authorization at a future town meeting. A voice vote was taken and the Article **PASSED.**

Article 5: To see if the Town will vote to raise and appropriate the budget committee recommended sum of Two Million Sixty-five Thousand Dollars (\$2,065,000.) for general municipal operations. Said sum does not include special or individual articles elsewhere within this warrant.

Moved by Ed Ford and seconded by Peg Winton. No discussion. A voice vote was taken and the Article **PASSED**.

Article 6: To see if the Town will vote to raise and appropriate the sum of Three Hundred and Fifteen Thousand Dollars (\$315,000) to be placed into the following Capital Reserve Funds:

Fire/Rescue Vehicles	\$35,000.
Road Reconstruction	150,000.
White Oak Pond Dam	1,000.
Transfer Station Equipment	5,000.
Municipal Buildings	5,000.
Revaluation	32,000
Library	15,000.
Fire Equipment	2,000.
Public Works Vehicles	40,000.
Police Cruiser	20,000
Employee Health Insurance Trust	5,000
Conservation	<u>5,000</u>
	\$315,000

Recommended by the Selectmen and Budget Committee

Moved by Fran Taylor and seconded by Nancy Ruhm.

Willis Holland moved to amend this Article by reducing the total amount from \$315,000 to \$288,000 with the amount of the reduction, \$27,000, to be taken from each one of the twelve Capital Reserve Funds listed in an amount proportioned to the total. Motion was seconded by Peg Winton. Mr. Holland noted the amount of \$27,000 is equal to the operating budget approximate increase over the estimated 2008 12 month operating budget and proposed this amendment to offset the budget increase netting a zero impact to the taxpayers during these tough economic times. Mr. Webster noted the net appropriation, gross expenditures less CRF withdrawals, is actually lower than last year. A voice vote on the amendment to Article made by Mr. Holland was defeated. A voice vote was taken on the original Article as written and the Article **PASSED**.

Article 7: To see if the Town will vote to raise and appropriate the sum of Three Hundred and Thirty-six Thousand Seven Hundred Dollars (\$336,700) for the following capital projects and to fund this appropriation by authorizing the Selectmen to withdraw the sums indicated from the following designated Capital Reserve Funds for these purposes:

Road Reconstruction	\$150,000.
Municipal Building Improvements	\$ 7,500
Fire Department Rescue Vehicle	\$ 55,500
Revaluation	\$ 33,000
Fire Equipment	\$ 5,500
Public Works Backhoe	\$ 73,200
Library Improvements	<u>\$ 12,000</u>
Total:	\$336,700

This is a special warrant article.

Recommended by the Selectmen and Budget Committee

Moved by Ed Ford and seconded by Mr. Tuveson.

In response to a question, Road Agent Peter Furmanick stated that Merrillwood Drive, Locust Drive, Burleigh Farm Road, and Hardhack Road will be repaired dependent on the cost of asphalt. It was clarified that \$ 33,000 for Revaluation was for a portion of the town and that a revaluation must be completed every 5 years. Mr. Furmanick stated that the current 1997 backhoe has over 6,000 hours. He further stated that refurbishing the current backhoe would not guarantee its use for another 10 years and it should be kept for use at the transfer station. Willis Holland moved to amend the article by reducing the amount for the purchase of a highway department backhoe by \$50,000 resulting in a reduction of the total to \$286,000 and use the remaining \$23,200 to refurbish the old backhoe for the highway department, seconded by Deborah Holland. A voice vote on the amendment to the article was defeated. A voice vote was taken on the original Article as written and the Article **PASSED**.

Article 8: To see if the town will vote to raise and appropriate the sum of Eleven Thousand (\$11,000) for the purchase of new computer equipment. This is a special warrant article. (Majority vote required)

Recommended by the Selectmen and Budget Committee

Moved by Peg Winton and seconded by Peter Webster.

A question as to what can be purchased for \$11,000 was answered by Peter Webster as follows: this amount will replace and update computers in the town office including the server that was damaged last year by a lighting strike. A voice vote was taken on the Article as written and the Article **PASSED**.

Article 9: To see if the town will vote to raise and appropriate the sum of Two Thousand Five Hundred Dollars (\$2,500) for the support of entertainment and promotion of summer concerts to be held on the town common. This is a special warrant article. (Majority vote required)

Recommended by the Selectmen and Budget Committee

Moved by Fran Taylor and seconded by Mr. Huntoon. No Discussion.

A voice vote was taken on the Article as written and the Article **PASSED**.

Article 10: To see if the Town will vote to name the Selectmen agents to expend funds from the previously established Village Sidewalks Summer Maintenance Capital Reserve Fund without further authorization from town meeting. (Majority vote required)

Moved by Sally Fellows and seconded by Mr. Huntoon.

A question to the amount that was currently in this fund was answered by the moderator: \$2,367 as reported on page 44 of the annual report. Sally Fellows stated she supported this article to name the Selectmen agents to expend. A voice vote was taken on the Article as written and the Article **PASSED**.

Article 11: To see if the Town will vote to name the Selectmen agents to expend funds from the previously established Municipal Buildings Improvements Capital Reserve Fund without further authorization from town meeting. (Majority vote required)

Moved by Malcolm “Tink” Taylor seconded by Fran Taylor.

A question regarding the amount in this fund was answered by the moderator; \$25,190 as reported on page 44 of the annual report. A motion by Kathleen Wieliczko and seconded to amend the Article to restrict expenditures from the fund by the Selectmen to \$3,000 per year was **Defeated** by a voice vote. Alden Van Sickle moved to amend the Article to limit this Capital Reserve fund for maintenance. William Webb stated when capital reserve funds are established the intent are for the funds to be used only for that purpose. Mr. Webb moved to amend the amendment by changing the wording to “providing these funds are used for improvements or maintenance of town buildings”, but it was not seconded. Edward Ford motioned to limit debate on the amendment, and a voice vote was taken and motion **carried**. A voice vote on the amendment “*to limit expenditures for maintenance*”, and a voice vote was taken and was inconclusive. The Moderator called for a division of the house. The division of the house resulted that the amendment was **Defeated**. A voice vote on the main motion was taken and the article **PASSED**.

Article 12: To see if the town will vote to retain ownership of a 8.5 acre parcel of property located adjacent to White Oak Pond known as lot 245-067-000 acquired by tax deed June 26, 2006 for use by the town and to designate the Holderness Conservation Commission to oversee and manage said property. (Majority Vote Required)

Moved by Larry Spencer and seconded by Harry Maybeck.

Larry Spencer, Chairman of the Conservation Commission, explained that the Conservation Commission was asked to be stewards of this land and the Commission members voted in favor. Mr. Spencer described this property as part of our prime wetlands and far right of this property is the Chabot easement. Mr. Spencer added that this property has not land access but is accessible by White Oak Pond. Mr. Spencer explained that this action would protect the property similar to other town conservation properties such as the Pilote, Town Forest and Riverfront Park properties. Town Administrator Walter Johnson was recognized and stated that the property was assessed at \$ 188,500 prior to being taken by the tax lien process, but currently is a town owned non-taxable property. In response to a question regarding further property restriction the moderator answered that it could be withdrawn from conservation status or be sold with the authorization of a future town meeting. A voice was taken and the Article **PASSED**.

Article 13: To see if the town will vote to change the annual town meeting for the selection of town officers and the transaction of all other town business from the second Tuesday in March to the second Tuesday in May beginning in 2010. (Majority Vote Required)

Moved by Fran Taylor and seconded by Malcolm “Tink” Taylor.

Bruce Whitmore stated that he appreciated having the Holderness Central School District Meeting and Town Meeting on the same night, but the School District Meeting is unable to change to a May date, and he was not in favor of the article. Willis Holland spoke against this article as he stated it is tradition to have Town Meeting in March. Sharon Beaty asked what the purpose the Selectmen have to change to a May meeting. Selectman, Peter Webster stated that this article would benefit the Department Heads to project their budgets 2 months closer and would make the budget process more accurate. Shelagh Connelly spoke against this article. Library Trustee, Amanda Loud stated this article would help the Library prepare their budget. A voice vote was taken and was inconclusive. The Moderator called for a division of the house. The result of the division of the house the Article **FAILED**.

Article 14: To see if the town will vote to authorize the reporting of recommendation vote tallies of the Board of Selectmen and Budget Committee in the town warrant.

Moved by Edward Ford and seconded by Ronald Huntoon.

Moderator explained that on future town warrants it would report the actual vote tallies of both the Board of Selectmen and Budget Committee and would show if they are unanimous or not. Gary Cripps asked who requested this article and why? Moderator answered the Board of Selectmen. Selectman Peter Webster stated the article authorizes the reporting but it is not required. Richard Cocchiario moved to amend the article, to substitute the word “require ” where the word is “authorized” and seconded by Edward Ford. A voice vote was taken and the amendment **PASSED**.

The article now reads, “ *To see if the town will vote to require the reporting of recommendation vote tallies of the Board of Selectmen and Budget Committee in the town warrant*”.

A voice vote was taken on Article 14 and the article **PASSED, as amended.**

Article 15: To see if the town will vote to authorize the appointment rather than the election of the town treasurer.

Moved by Edward Ford and seconded by Peg Winton.

Selectman Sidney Lovett stated the work of the treasurer requires skills, earnestness, openness and transparency. Mr. Lovett stated that the Board feels it is important to fill the position with a qualified person for the protection of good quality standards for this office rather than going through the electoral process. Terry Dautcher asked if we need to clarify who makes the appointment? A motion to amend the article to read, “by the Selectmen” seconded by Alden Van Sickle. A voice vote was taken and the amendment PASSED.

The article now reads, “*To see if the Town will vote to authorize the appointment by Selectmen rather than the election of the town treasurer*”.

Sallie Fellows was not in favor of this article as the Selectmen authorize payments on pay vouchers and the Treasurer signs the checks, and with appointment it could be a relative and the importance for checks and balances. Harry Maybeck spoke in favor of this article. Samuel Brickley motioned to amend the article to substitute the word “require” with the word “authorize” and seconded by Terry Dautcher. Sharon Beaty asked when this appointment would begin? Moderator questioned if it would be at the conclusion of the current term of the treasurer? A voice vote was taken and the amendment PASSED. The word “*require*” now replaces the word “*authorize*”. A motion to further amend the article begins with “the conclusion of the town meeting in 2010 when the current Treasurers duties will terminate”. Alden Van Sickle asked when does the newly elected treasurer term expire? The Moderator answered in March 2010. A motion by Sharon Beaty to amend the article to read “said term to begin with the conclusion of the current treasurer’s term” seconded Richard Cocchiaro. A voice vote was taken and the amendment **PASSED.**

The amended article now reads, “*To see if the Town will vote to require the appointment by Selectmen rather than the election of the town treasurer said term to begin with the conclusion of the current treasurer’s term*”. A voice was taken and the Article **PASSED as amended.**

Article 16: Shall the town vote to adopt the provisions of RSA 36-A: 4-a, 1(b) to authorize the 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.

Moved by Larry Spencer and seconded by Fran Taylor.

Larry Spencer stated that Articles 16 & 17 are the result of state legislation. Article 16 authorizes towns to spend money on projects without holding an interest in the property. He further stated that because both articles are state law, they cannot be amended. He noted that last year the Selectboard authorized a \$ 1,000 contribution for legal costs of Squam Lakes Conservation Society for an easement they acquired on Pierce Beij property located on East Holderness Road.

A voice vote was taken and the article **PASSED**.

Article 17: Shall the town vote to adopt the provisions of RSA 36-A:4-a, 1(a) to authorize the conservation commission to expend funds to purchase interests in land outside the boundaries of our municipality, subject to the approval of the local governing body?

Moved by Larry Spencer and seconded by Malcolm “Tink” Taylor.

Larry Spencer explained that it is highly unlikely that this would be used but it allows the Conservation Commission to be able to purchase interest in land outside of town boundaries if it is a benefit to the town. Ronald Huntoon spoke against this article as it is open-ended and doesn't specify location of property. A voice vote was taken and the article **PASSED**.

Article 18: To see if the town will vote to adopt the following sex offender ordinance?

**THE TOWN OF HOLDERNESS, NH
Sex Offender Ordinance**

Purpose:

Acknowledging that sex offenders who prey on children are at a higher risk of re-offending, the Town of Holderness has a compelling interest and responsibility to protect the health, safety and welfare of its children by restricting access to areas where there are high concentrations of children.

A. Definitions:

1. Registered Sex Offender: Any person required to register under RSA 651-B.
2. Offenders Against Children: Any Registered Sex Offenders who have been convicted of the crime against a person under the age of 18, as defined in RSA 651-B:1 and qualify to appear on the state maintained “Registered Offenders Against Children List”.
3. School/Daycare: Any public or private educational facility that provides services for children in grades K-12 or any day care facility.
4. Protected Area: Any school, day care, playground area, athletic field or court, public beach, or any other recreational location or facility where minors regularly congregate completely or partially.
5. Radius: The distance shall be measured from the outer boundary lines of the properties in question within the boundaries of the Town of Holderness.
6. Premises: Shall mean the building structure and/or curtilage surrounding the

7. Sex Offender Registration Form: Shall mean the form provided to law enforcement for specific purpose of registering Sex Offenders, currently designated DSSP311 or any other form as required by the Department of Safety to comply with RSA 651-B.

B. Restrictions:

1. An Offender Against Children shall not reside within a 2,500 foot radius of the property line of a protected area.
2. An Offender Against Children as defined above is prohibited from entering a protected area, unless specifically authorized by the appropriate facility / location management or the Chief of Police or his designee.

C. Exceptions:

1. An Offender Against Children residing within 2,500 feet of a Protected Area will be exempt from section B: 1, if residency was established prior to the date of passage of this ordinance, or if a new Protected Area is proposed or built at a location that would otherwise be restricted under this ordinance after the date of residency.

D. Protected Areas:

Protected Areas under this ordinance include:

1. The Holderness Central School, 19 School Road.
2. The Holderness Private School, 33 Chapel Lane.
3. Livermore Beach, 36 Dirt Road.
4. Livermore Falls Beach, Livermore Road.
5. PSU Athletic Club, (Field House and Athletic Fields), 25 Field House Road.
6. Any licensed day care center that has been licensed by the State of New Hampshire.
7. Holderness Library, 866 U.S. Route 3.

E. Penalties:

1. Any person violating the provisions of B: 1 shall be subject to a fine of not less than \$500.00 for the first offense and shall relocate within 30 days. Any subsequent violations of this chapter by the same person shall be subject to a fine of not more than \$1000.00 and must vacate the premises within 24 hours.
2. Any person who fails to relocate within the 30 days will also be subjected to a \$50.00 per day fine for failing to comply with this ordinance. That fine will start 30 days after the subject has been notified by the Board of Selectmen to relocate, such notice may be given in the same manner as service of process in any district court action.
3. Any person violating the provisions B: 2 or B: 3 shall be subject to a fine of not less than \$500.00 for the first offense. Any subsequent violations of this chapter by the same person shall be subject to a fine of not more that \$1000.00.

This ordinance shall take effect upon passage and shall remain in full force and effect until amended or repealed by appropriate authority. This Ordinance supersedes all prior ordinances on similar subject matter.

Moved by Robert Tuveson and seconded by Edward Ford

Library Trustee Amanda Loud moved to amend the article printed on page 55 to strike Holderness Library under protected areas number 7, and seconded by Kathleen Wieliczko. Willis Holland asked the Police Chief to speak on this amendment. Police Chief Jeremiah Patridge stated that he was disappointed with the position of the Library Trustees. He stated that the intent of this ordinance is to protect children and for them to be safe in the Library as a protected area. Library Trustee Kathleen Wieliczko stated that they want to protect children but if a person was asked to leave, because of the laws of the library it would not be enforceable and

the town could be liable. Shelagh Connelly asked for clarification for the Holderness Private School and would it include their many acres of woodlands with the trails, and the 2,500' beyond that as this is a huge footprint and where would the exclusionary zones be for housing. Chief Patridge stated in this ordinance there are exceptions and he is willing to work with Holderness Private School in regards to safe zones, and if the property on Route 175 is at risk or just focus on the parcel of land around the school buildings. Gordon Loud asked if the Library Director could speak. Moderator recognized Victoria Lang, Library Director, a non-resident, with the approval by the body. Mrs. Lang stated that with the "Freedom of Information Act" and the "Patriot Act" the library is obliged to let any person to have access to the library and is concerned the town is open to lawsuit if they deny access. Daniel Rossner moved to amend the amendment to have the Holderness Library be a protected area only as regards to Section B1 but not Section B 2 and seconded by Fran Taylor. Sharon Beaty read from Page 54 Section B2 at the end, "unless specifically authorized by the appropriate facility/location management or the Chief Police or his designee", which gets around the entire problem as it allows the Library Director to authorize a person access to information. Amanda Loud and Daniel Rossner withdrew their amendments. Sharon Beaty moved to amend Section A, Number 6 and strike "the" and substitute "it", and it was seconded. A voice vote was taken and the amendment **PASSED**. Sallie Fellows moved to amend Section E, number 3 and strike the reference to B3 and strike the letter "s" from the word provisions seconded by Alden Van Sickle. A voice vote was taken and the amendment **PASSED**. Robert Snelling asked if the ordinance should limit or to be expanded for new or projected facilities to be built by PSU. Shelagh Connelly said this should be covered under Section A5. Sharon Beaty motioned to limit debate and it was seconded. A voice vote was taken and the motion carried. A voice vote was taken on the main motion and the Article **PASSED as amended**.

Article 19: To transact any other business that can legally come before the meeting.

Selectman Peter Webster recognized the dedication of the 2008 Town Report to Sidney Lovett. Mr. Webster described Sid's political years in the state as he ran for State Senate and his years in office as State Representative and then his term as a Selectman. He thanked him for choosing to be a Selectman of Holderness as his lasted elected position. As a token of appreciation and in consideration for Sid's love of books, a new wing back chair has been placed in the Town Library's reading room in his honor. Sidney Lovett thanked the members of the Board of Selectmen and recognized their dedication and hard work. He thanked the Budget Committee, Planning Board, and Zoning Board and for their time and wisdom. He recognized and thanked the town employees. He recognized Walter Johnson, Town Administrator and stated how fortunate the town is to have him and that he is one of the great Town Administrators in the state. He stated that with Mr. Johnson's guidance and assistance, he makes the job easier for the Board of Selectmen. Mr. Lovett thanked all who participate in town meeting.

The Moderator reminded everyone of the planning for the 250th year celebration for the Town of Holderness in 2011 and the first organizational meeting to be held on April 6, 09 at 6:30 PM at the Town Hall. Georgene Fabian stated that Holderness Library will be celebrating their "100" years.

Malcolm “Tink” Taylor moved to adjourn the meeting and it was seconded. Moderator Deachman declared the meeting adjourned at 9:23 p.m.

Respectfully submitted,

Ellen King
Holderness
Town Clerk

