

**TOWN OF HOLDERNESS
ANNUAL TOWN MEETING-MINUTES
MARCH 8 & 9, 2005**

At the annual Town Meeting of the Town of Holderness held on March 8 and 9, 2005 the following business was transacted.

At 8:00 a.m. on Tuesday, March 8, 2005 at the Holderness Town Hall, Moderator Ross Deachman convened the meeting and began reading the warrant. After reading Article 1, the Moderator declared the polls open. At 7:00 p.m. the polls closed and the ballots counted. Results were announced and the Moderator declared the winners.

At 7:00 p.m. on Wednesday, March 9, 2005 at Holderness Central School the Meeting resumed. Moderator Ross Deachman opened the meeting with the pledge of allegiance to the flag led by William Currier and had a moment of silence for those residents that have passed away during the year of 2004. Moderator Ross Deachman asked for a motion that we dispense with the reading of the remainder of the Warrant and take the articles up one at a time as they appear in the Warrant. Moved by Earl Hansen and seconded by Malcolm "Tink" Taylor. A voice vote was taken and the motion passed. The results of the town election, Holderness Central School District and the Pemi-Baker School District, which took place on Tuesday, March 8, 2005, were announced by the Moderator.

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

Selectmen for 3 Years: (Vote for Two)

Peter S. Francesco	153
Suzanne B. Peoples	153

Town Clerk for 3 Years:

Ellen King	187
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Town Treasurer for One Year:

Michael O'Leary	181
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Trustee of Trust Fund for 3 Years:

Maurice Lafreniere	177
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Moderator for 2 Years:

Ross Deachman	175
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Supervisor of Checklist for 1 Year:

Frances L.H. Taylor 168

Fire Ward for 3 Years:

Harold F. Maybeck 173

HOLDERNESS CENTRAL SCHOOL DISTRICT

Election Results

School Board Member for 3 Years:

C. Jane Bjerklie-Barry 168

School Board Member for 2 Years

Wendy Mersch 164

School District Moderator for 3 Years

Malcolm Taylor (write-in) 25

School District Treasurer for 3 Years

Kathy Whittemore (write-in) 5

ARTICLE 2: "Shall we adopt the provisions of RSA 40:13 to allow official ballot voting on all issues before the School District?" (Submitted by petition) (60% vote required)

YES 97 NO 83

ARTICLE 3: "Shall the voters of the Holderness School District within school administrative unit number 48 adopt the provisions of RSA 194-C:9-b to allow for insertion of the school administrative unit budget as a separate warrant article at annual school district meetings?" (Submitted by petition)

YES 102 NO 70

PEMI-BAKER REGIONAL SCHOOL DISTRICT

MODERATOR (1-yr term)

Quentin Blaine 168

SCHOOL BOARD MEMBER

FROM HOLDERNESS (3-yr term)

Ross Deachman 177

SCHOOL BOARD MEMBER

FROM CAMPTON (3-yr term)

Fred Anderson 155

SCHOOL BOARD MEMBER

FROM PLYMOUTH (3-yr term)

Kathleen E. Ringlein 159

SCHOOL BOARD MEMBER

FROM CAMPTON (3-yr term)

Gerritt J. Farina, Jr. 156

SCHOOL BOARD MEMBER

FROM RUMNEY (3-yr term)

Gregory P. Turmelle 154

SCHOOL BOARD MEMBER

FROM HOLDERNESS (2-yr term)

Jeffrey O. McIver, Sr. 171

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

Article 1: “*Shall the school district vote to raise and appropriate the sum of twenty-four thousand five hundred three dollars (\$24,503) for the purpose of establishing a Lacrosse program.*” The School Board this appropriation. (Majority vote required)

Yes 116 No 76

Article 2: *Shall the School District 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 161 No 28

Article 3: *Shall the School District 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 143 No 46

Article 4: *Shall the School District 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 2005-2006 school year, pursuant to RSA 198:20-d upon such terms and conditions as the School Board determines in the best interests of the District; said sum together with the costs of borrowing to be repaid by the State of New Hampshire pursuant to RSA:20-d; or to take any action in relation thereto. The School Board **recommends** this appropriation. (Majority vote required.)*

Yes 144 No 47

Article 5: *Shall the Pemi-Baker Regional School District raise and appropriate as an operating budget, not including appropriations by special warrant articles and other appropriation 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 purposes set forth therein, totaling \$11,805,099 (eleven million eight hundred five thousand ninety-nine dollars).*

*Should this article be defeated, the default budget shall be \$11,730,808 (eleven million seven hundred thirty thousand eight hundred eight dollars), 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 or a revised operating budget only. This sum excludes the sums in Warrant Articles 1 and 3. The School Board **recommends** this article. (Majority vote required.)*

Yes 133 No 54

Article 2: To see if the Town will vote to accept the reports of all Town Officers and Committees.

Moved by Earl Hansen and seconded by Fran Taylor. A voice vote was taken and the Article **PASSED**.

Article 3: To see if the Town will vote to adopt the provisions of RSA 149-I, vesting in the Board of Selectmen the powers of a board of sewer commissioners under that chapter. Such powers shall extend to the area of Holderness served by the sewer system formerly operated by the Upper Holderness Sewer District, which has since been dissolved, and any additions thereto within the Town as authorized by the selectmen; and further to authorize the selectmen on behalf of the Town to accept a deed/bill of sale to any and all assets of the former sewer district.

The Moderator recognized Selectmen Barbara Currier who explained that the residents of River Street requested the Board of Selectmen bring this Article back to Town Meeting this year after it had been defeated in 2004. Selectmen Currier outlined the history of the Upper Holderness Sewer District and the purpose of Article 3 as follows:

“In the early 1970’s the State of NH became concerned with the issue of severe pollution in the Pemigewasset River due to manufacturing discharge and sewer discharge. They entered into meetings with various communities including Plymouth and Holderness. At this time, The Pemi in this area was the most polluted and one of the last to be addressed.

In March 1970, Plymouth Village Fire District (as it was known at the time), voted to agree to provide sewerage services to the River St area of Holderness.

In Jan. or Feb of 1973 NH Water Supply and Pollution Control issued a cease and desist order to property owners on River St to stop all dumping of sewerage into the Pemi River.

The survey map dated March 18, 1975 had the notation that the area affected was the last remaining significant source of pollution on the Pemi River. The state negotiated with the Plymouth Village Water and Sewerage District to add River St to their sewer line services.

In May 1974 the Upper Holderness Village District was formed.

In December 1974 upper Holderness Village District during an emergency special town meeting, received permission for the town to raise and appropriate a sum of money to construct a municipal sewer system.

On June 30, 1975 Plymouth Village Fire District signed an agreement to supply services to the Upper Holderness Village District.

On September 28, 1987 the Upper Village District was dissolved in accordance with RSA52:21 at a special emergency meeting. 22 residents of River St were present and 20 voted in favor of dissolution.

For 2-3 years no bills were paid. Plymouth Village Water and Sewer said this issue must be resolved. The Board of Selectmen at the time voted to take action on resolving issues.

At the time of dissolution the Upper Holderness Village District owed a significant amount of money to the Plymouth District. In good faith the Plymouth Village Water District abated a significant amount of that money with promises from the Board of Selectmen of Holderness that future payments would be made in a timely manner.

In 1999 there was a significant freeze-up that amounted to \$ 23, 618.00. River St District was responsible for 23% or \$6582.00. The Holderness Prep School and PSU were responsible for the remainder. The Town of Holderness paid their share of the cost. River St. property owners paid back to the Town of Holderness the total cost over a period of three years similar to the betterment assessment which was done a few years ago for Lane Road. 8% of the flowage is from River St and the remainder is from PSU, the Prep School, and other businesses.

In late 2003 the Board of Selectmen was advised by legal counsel, that they did not have the right to act as sewer commissioners for the town unless the Board was given permission to do so at a town meeting. In March of 2004 an article was on the town warrant addressing the issue. The Selectmen at the time felt it was a "housekeeping issue" that would correct the oversight of not having a formal vote to manage the district. The article was defeated which now meant the Board could no longer do any services for the sewer district. A letter was sent to all property owners on River St advising them of what had happened and that the Board of Selectmen could no longer be involved.

Since that time, the Selectmen have met with River St residents several times, as well as with Plymouth Village Water and Sewerage district, trying to reach a resolution. We have also contacted PSU to see if they would help resolve the issue. Both PSU and Holderness Prep have contracts with Plymouth Village Water & Sewer.

Upon advice of counsel, we were told to pay no bills after July (because of the vote at town meeting 2004). There is currently a bill of \$1144 .35 outstanding. River St residents are once again asking us to accept the role of sewer commissioners. Hence the article now before you, the voters.

There is liability on both sides of the question. My concern is both legal and moral. The town has successfully represented the River St sewer district in collecting fees and passing them on to the Plymouth Village Water and Sewer District. The residents on River St in the past were not successful in acting in the capacity of sewer commissioners. There appears to be not enough willing, able, or legally qualified to form a new River Street Sewer District as some of the property owners are absentee landlords who are not residents and so ineligible to serve on the board. The past commission boards have met with difficulties in collecting funds with little or no legal status to force payment of the individual bills.

I believe there are residents here tonight who wish to speak on this issue and I turn back to the moderator to open the floor to their comments. Thank you. “

Moderator took Selectman Barbara Currier’s remarks as a motion to adopt the article as printed and seconded by Peter Francesco. A voice vote was taken and the Article **PASSED**.

Article 4: To see if the Town will vote, under the provisions of RSA72:28 II & IV, (Veterans Tax Credit on residential property), to increase the annual property tax credit from \$200. to \$300.
Recommended by the Selectmen and Budget Committee

Moved by Harold Maybeck and seconded by Peg Winton. There was no discussion on this article. A voice vote was taken and the Article **PASSED**.

Article 5: To see if the Town will vote to raise and appropriate \$12,500. to be placed into the Library Capital Reserve Fund, said money to begin the planning and design of a future expansion to the Holderness Free Library and to appoint the Selectmen as agents to expend from that fund when requested by the Library Trustees.
Recommended by the Selectmen and Budget Committee

Moved by Earl Hansen and seconded by Peg Winton. Steven Huss, Chairman of the Board of Selectmen, asked for an explanation of the article. Laurence Webster, Library Trustee explained that the funds will be used for a modest expansion to the Library and planning for handicap access. A voice vote was taken and the Article **PASSED**.

Article 6: To see if the Town will rescind that part of its vote on article 7 at the 2003 Annual Town Meeting which approved the automatic transfer of the first \$5,000. of Land Use Change Tax revenues into the Conservation Fund. Instead, henceforth disposition of all Land Use Change Tax funds received and deposited into the Land use Change Tax Fund will be determined by specific vote at the following year’s annual meeting.
Recommended by the Selectmen and Budget Committee

Moved by Earl Hansen and seconded by Fran Taylor. Alden Van Sickle asked for an explanation of the article. Selectmen Huss explained that the intent of the article is to place this money into the Conservation Capital Reserve Fund. Money placed in the Conservation Capital Reserve Fund can not be spent without a vote at a future Town Meeting. Huss stated that current state law allows funds in a Conservation Fund to be spent by the Conservation Commission without the issue going to a vote at Town Meeting. Article 6 would rescind that part of Article 7 “depositing the money into the Conservation Fund” and instead depositing the money into the Conservation Capital Reserve Fund. This will allow voters at a future Town Meeting to decide on how the money will be spent. Martha Richards asked what projects will be funded. Larry Spencer stated that money has not been spent because there is not enough money to purchase land. The Conservation Commission hopes to, one day, purchase property easements so to be able to connect Holderness Central School to the Pilote Forest land. A voice vote was taken and the Article **PASSED**.

Article 7: To see if the Town will vote to approve transferring \$5,000. from the Land Use Change Tax Fund to the Conservation Reserve Fund.
Recommended by the Selectmen and Budget Committee

The Moderator asked the Board of Selectmen if \$ 5,000.00 received from 2004 Land Use Change Tax had already been placed in the Conservation Reserve Fund and Selectmen Huss responded yes. Moved by Larry Spencer and seconded by Alden Van Sickle. A voice vote was taken and the Article **PASSED**.

Article 8: To see if the Town will vote to discontinue, per RSA 231:43, a section of the old Holderness – Plymouth Road on the present Holderness School campus beginning at the four way stop intersection with South Campus Road, westerly along a portion of Chapel Lane, and then northerly to a point adjacent to the south side of State Route 175A, said discontinuance to extinguish all right of public easement; and further to authorize the Selectmen to provide a deed without covenants to the School, to confirm that the Town has no remaining interest in the road.

Moved by Earl Hansen and seconded by Peg Winton. The Moderator described the location of the road and stated that this article gives up public rights to this road. Suzanne Peoples asked if the Town now owns the road. The Moderator responded that ordinarily abutters own to the center of the road and Holderness School is the abutter on both sides of what ever we are giving up so they would get it by default anyway. We are just giving them a deed to make it clearer. A voice vote was taken and the Article **PASSED**.

Article 9: To see if the Town will vote to delegate the duties and responsibilities of the cemetery trustees to the Board of Selectmen per the requirements of RSA 289:6.

Moved by Earl Hansen and seconded by Peg Winton. Sandy Ray asked why this article was before us. Selectmen Huss stated that we are required by law to have Cemetery Trustees. The Board of Selectmen are responsible for cemetery care and the Town has not had any Cemetery Trustees in the last ten years. Sandy Ray asked if the Selectmen are responsible for hiring people to take care of the cemeteries. Selectmen Samuel Laverack said that the Board of Selectmen are already responsible for the hiring. A voice vote was taken and the Article **PASSED**.

Article 10: To see if the Town will vote to authorize the Selectmen to enter into a two year lease/purchase for a new Police cruiser for the price of \$ 22,609. and to raise and appropriate \$12,000. for the first year payment on this lease/purchase. This lease purchase contains a non-appropriation clause.

Recommended by the Selectmen and Budget Committee

Moved by Earl Hansen and seconded by William Currier. There was no discussion on this article. A voice vote was taken and the Article **PASSED**.

Article 11: To see if the Town will vote to close out the Town Hall Reserve Fund and to transfer the balance within said Reserve Fund to the General Fund.
(Takes two-thirds majority vote to pass; balance in the Fund as of 1/1/05: \$22.00)

Recommended by the Selectmen and Budget Committee

Moved by Peg Winton by Earl Hansen. There was no discussion on this article. A voice vote was taken and by two-thirds majority vote the Article **PASSED**.

Article 12: To see if the Town will vote to raise and appropriate the sum of \$301,150. to be placed into the following Capital Reserve Funds:

Fire/Rescue Vehicles	\$55,000.
Road Reconstruction	150,000.
White Oak Pond Dam	1,000.
Library	16,150.
Municipal Buildings	2,000.
Fire Equipment	2,000.
Village Sidewalk	25,000.
Honor Roll	5,000.
Public Works Vehicles	35,000.
Master Plan	5,000.
Grant Applications	<u>5,000.</u>
	\$301,150.

Recommended by the Selectmen and Budget Committee

Moved by Peg Winton and seconded by Fran Taylor. Suzanne Peoples asked what happened with the money for the Honor Roll. Steve Huss stated that the money is going into a Capital Reserve Fund. A voice vote was taken and the Article **PASSED**.

Article 13: To see if the Town will vote to raise and appropriate \$275,000. for the purchase of a new fire truck and to fund said appropriation by authorizing the Selectmen to withdraw said funds from the Fire Truck/Rescue Vehicles Reserve Fund.

Recommended by the Selectmen and Budget Committee

Moved by Earl Hansen and seconded by Harold Maybeck. Joanna Tuveson asked how much money is in the Fire Truck reserve fund. Paul Weston, Town Administrator, stated that \$ 55,000.00 was raised in Article 12 and there was already \$ 221,000.00 in the fund for a total of \$ 276,000.00. A voice vote was taken and the Article **PASSED**.

Article 14: To see if the Town will vote to authorize the construction of a paved sidewalk within Holderness Village on the south side of Route 3/25 from Squam Boat Livery, Inc. (Tax Map 101, Lot 23) to the Golden Pond Country Store (Tax Map 102, Lot 47), authorize the Board of Selectmen to enter into a Transportation Enhancement Project Agreement with the NH Department of Transportation to procure Federal Highway funds for said project, raise and appropriate up to a total of \$360,000. for said project, and to authorize the funding of that appropriation by withdrawing \$72,000. from the Village Sidewalk Reserve Fund, and \$288,000. coming from the Federal/State Project funds.

Recommended by the Selectmen and Budget Committee

Moved by Earl Hansen and seconded by Alden Van Sickle. Robert Ayers asked who will maintain the sidewalk. Steve Huss stated that the Town will. Alden Van Sickle asked if the Town's total expenditures would be \$ 72,000.00. The Moderator stated it would not exceed \$ 72,000.00. Van Sickle asked what equipment will be purchased to maintain the sidewalk. Steve Huss said it is the Town's policy not to maintain sidewalks in the winter and if the Town decides to change the policy the Town does not have the equipment for winter maintenance. Margie Maybeck asked how much it will cost each taxpayer. Moderator said approximately fifteen cents per thousand of value. Huss stated that only \$ 25,000.00 is being raised this year and that the rest of the money is already in the capital reserve fund. Huss explained that the \$ 72,000.00 would only be spent if the total appropriation of \$ 360,000.00 is spent. Huss stated that budget figures show that the project may come in somewhat less, and the Town has spent some money on this project for the planning and the Town may get reimbursed for our part of the 20 percent match. Margie Maybeck asked who will be maintaining the sidewalks. The Moderator stated that it will be the Highway Department responsibility. Larry Spencer spoke in favor of the article stating it was part of the Master Plan that the Town had voted on a number of years ago. Susan Francesco stated that this is a safety issue. Laurence Beeson asked if there would be any property purchased for this project and if the retaining wall would be affected. Earl Hansen responded by saying that all the abutters have been involved in the planning process and all work would be within the right of way. Hansen stated that the retaining wall would be replaced along with the removal of some trees and new trees would be planted. Suzanne Peoples asked how much involvement will the NH Department of Transportation have in this project. Huss stated that this is a Town managed project. A voice vote was taken and the Article **PASSED**.

Article 15: To see if the Town will vote to appropriate the sum of \$236,150. 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.
Library	16,150.
Public Works Vehicle	65,000.
Master Plan	<u>5,000.</u>
	\$236,150.

Recommended by Selectmen and Budget Committee

Moved by Earl Hansen and seconded by Peg Winton. There was no discussion on this Article. A voice vote was taken and the Article **PASSED**.

Article 16: To see if the Town will vote to raise and appropriate the sum of one million eight hundred sixty five thousand nine dollars (\$1,865,009.) which represents the operating budget for the Town. Said sum does not include special or individual articles elsewhere within this warrant.
Recommended by Selectmen and Budget Committee

Moved by Earl Hansen and seconded by Fran Taylor. There was no discussion on this Article. A voice vote was taken and the Article **PASSED**.

Article 17: To transact any other business that can legally come before the meeting.

Peg Winton stated that the Holderness Community Church acquired the old Fire Station (formerly the Old Bridge School) a few years ago and is starting phase two of their improvement project. The project is to replicate the old Bridge School, they are in need of any historic items or pictures which would assist in this project.

The Moderator thanked all the various committees specifically he thanked the Town Hall Committee for the fine job done at the Town Hall as well as David Driscoll and the Sidewalk Committee.

Speaking for the Board of Selectmen, Peter Francesco thanked Steve Huss for his decade of superb service as a Selectman. His dedication and his intricate knowledge of budgeting and finance were noted. He stated Steve has an incredible ability to examine a document and quickly review it to determine its correctness. We are truly going to miss him as we welcome Suzanne Peoples to the Board of Selectmen Upon Mr. Francesco request, Mr. Huss was given a standing ovation.

Sandy Ray thanked all those who serve on behalf of the Town.

The Moderator recalled the terrible tragedy which befell the Town a year ago upon the death of Selectman Arthur Bartholomew. Because Steve Huss had already announced his retirement and graciously agreed to stay on to provide continuity to the Board, the Town is very indebted to him for continuing for the additional year of service.

Angie Francesco moved to adjourn the meeting. Seconded by Earl Hansen. The meeting was adjourned at 7:55 p.m.

Respectfully submitted,

