

**Loudon Town Meeting Minutes for March 11, 2014 First Session
and March 15, 2014 Second Session.**

Articles 1 – 2 were held by ballot vote on Tuesday, March 11, 2014; the polls were opened at 8:00AM and closed at 7:00PM at Loudon Town Hall on Clough Hill Road by Moderator Michael LaBonte.

Jennifer Leonard and Katelyn Leonard being registered voters in the Town of Loudon were called over to check the ballot box to verify it was empty.

The Loudon Officers for the day were Roger Matte and Robert Ackerstrom.

The Ballot clerks were Debra Mulkhey, Dorothy Mulkhey, Charlene Morin, and Eileen Cummings. The Supervisors of the Checklist were Marge Schoonmaker, Tracy Huckins, and Francine Clave. Town Clerk Wendy Young.

The results are as follows:

Moderator

Vote for not more than one. 2 year term.

Michael LaBonte 217
Write In 4

Treasurer

Vote for not more than one. 3 year term.

Melanie Kiley 212
Write In 1

Selectmen

Vote for not more than one. 3 year term.

Robert Kreiger 207
Write In 5

Trustee of the Trust Fund

Vote for not more than one. 3 year term.

Susan Kowalski 209
Write In 1

Supervisors of Checklist

Vote for not more than one. 1 year term.

Marjorie Schoonmaker 197
Write In 3

Library Trustee

Vote for not more than one. 3 year term.

Alice C.J. Tuson 202
Write In 0

Supervisors of Checklist

Vote for not more than one. 4 year term.

Tracy Huckins 211
Write In 0

Planning Board

Vote for not more than two. 3 year term.

Stanley H. Prescott II 188
Robert A. Cole 181
Write In 7

Supervisors of Checklist

Vote for not more than one. 2 year term.

Francine Clave 204
Write In 2

Zoning Board

Vote for not more than one. 3 year term.

David Powelson 170
Howard Pearl 188
Write In 6

Tax Collector

Vote for not more than one. 3 year term.

Helen McNeil 222
Write In 0

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

ARTICLE 2: Zoning Amendments:

ZONING AMENDMENT 2014-1

Are you in favor of adoption of Amendment 2014-1 proposed and recommended by the Planning Board for the Loudon Zoning Ordinance as follows: Amend Appendix – Definitions – Replace the term “Contiguous Area” with “ Contiguous Buildable Area” and add “The main residence and accessory buildings shall be located in the Contiguous Buildable Area” to the definition and amend all other sections of the Zoning Ordinance that reference the term “Contiguous Area” or “Buildable Area” to read “Contiguous Buildable Area”.

Reason: The purpose of the amendment is to make the new phrase “Contiguous Buildable Area” consistent throughout the Zoning Ordinance.

Yes 158

No 59

Moderator Michael LaBonte opened the second session of Town Meeting at 9:00AM. Colors were presented by Boy Scout Troop #30, and then they led the Pledge of Allegiance.

Moderator then asked for a moment of silence for all Veterans, who are here at home and still away.

Moderator then introduced the Selectmen: Robert Krieger, Steven Ives and Dustin Bowles. Ballot Clerks: Debra Mulkhey, Dorothy Mulkhey, Charlene Morin, and Eileen Cummings. Supervisors of Checklist: Francine Clave, Tracy Huckins, and Marge Schoonmaker. Town Clerk: Wendy Young.

Moderator also thanked State Representative Howard Moffet for joining us today.

The Moderator extended gratitude to the Merrimack Valley School District, the Principal Mr. Tom Laliberte, Facility Director Fred Regan, Maintenance Coordinator Chuck Houston and his staff and the Loudon Highway Dept. for preparing and setting up for the meeting.

The Moderator read the rules of the meeting and advised that they are not Robert’s Rules, then moved to reading the results of Articles 1-2 and Zoning Amendment, and then proceeded to Article 3.

ARTICLE 3: To see if the Town will vote to raise and appropriate the sum of \$241,000 for the purchase of an Ambulance and Equipment, with said funds to be withdrawn from the Ambulance/Rescue Equipment Capital Reserve Fund and to appoint the Board of Selectmen as agents to carry said purpose into effect. *The Selectmen recommend this article.*

Moved by: Steve Ives

Seconded by: Bob Krieger

Fire Chief Rick Wright spoke on the need for this article.

Moderator asked if anyone had a question. Having no questions Moderator re-read Article #3 and moved for a vote.

Article #3 Passed as read.

ARTICLE 4: To see if the Town will vote to raise and appropriate the sum of \$68,000 for the purchase of a cab and chassis dual rear wheel 4x4 with dump body, plow, and sander. Funds to be withdrawn from the Highway Department Capital Reserve Fund and further to appoint the Board of Selectmen as agents to carry said purpose into effect. *The Selectmen recommend this article.*

Moved by: Dustin Bowles Seconded by: Steve Ives

Selectmen Bowles offered an explanation on the need for this article.
Moderator asked if anyone had a question. Having no questions Moderator re-read Article #4 and moved for a vote.

Article #4 Passed as read.

ARTICLE 5: To see if the Town will vote to raise and appropriate the sum of \$330,000 for the purpose of grinding and paving 9050 feet of Oak Hill Road. \$175,000 to be withdrawn from the Roadway Improvement Capital Reserve Fund and \$155,000 to be raised by taxes and further to appoint the Board of Selectmen as agents to carry said purpose into effect. This will affect the tax rate by approximately 29 cents per \$1,000 value. *The Selectmen recommend this article.*

Moved by: Bob Krieger Seconded by: Dustin Bowles

Selectmen Krieger offered an explanation on the need for this article.
Moderator asked if anyone had a question. Having no questions Moderator re-read Article #5 and moved for a vote.

Article #5 Passed as read.

ARTICLE 6: To see if the Town will vote to raise and appropriate the sum of up to \$35,000 for the purchase of a road tractor for hauling trash from the transfer station. Funds to be withdrawn from the Transfer Station Maintenance Expendable Trust Fund. *The Selectmen recommend this article.*

Moved by: Dustin Bowles Seconded by: Steve Ives

Selectmen Bowles offered an explanation on the need for this article.
Moderator asked if anyone had a question. Having no questions Moderator re-read Article #6 and moved for a vote.

Article #6 Passed as read.

ARTICLE 7: To see if the Town will vote to establish a Capital Reserve Fund under the provisions of RSA 35:1 for the purpose of purchasing Self Contained Breathing Apparatus (SCBA) for the Loudon Fire Department and to raise and appropriate the sum of \$30,000 to be placed in said fund. This will affect the tax rate by approximately 6 cents per \$1,000 value. *The Selectmen recommend this article.* (Majority vote required).

Moved by: Steve Ives Seconded by: Bob Krieger

Fire Chief Rick Wright spoke on the need for this article.
Moderator asked if anyone had a question. Having no questions Moderator re-read Article #7 and moved for a vote.

Article #7 Passed as read.

ARTICLE 8: To see if the Town will vote to modify the provisions of RSA 72:37-b for any person who is eligible under Title II or Title XVI of the Federal Social Security Act for the benefits to the

disabled to receive a yearly exemption in the amount of \$25,000. To qualify, the person must have been a New Hampshire resident for at least 5 years. Additional requirements for an exemption under paragraph I or I-a shall be that the property is: (a) Owned by the resident; (b) Owned by a resident jointly or in common with the resident's spouse, either of whom meets the requirements for the exemption claimed; (c) Owned by a resident jointly or in common with a person not the resident's spouse, if the resident meets the applicable requirements for the exemption claimed; or (d) Owned by a resident, or the resident's spouse, either of whom meets the requirements for the exemption claimed, and when they 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 \$25,000 if single, or if married, a combined net income of not more than \$35,000 and own net assets, tangible and intangible not in excess of \$60,000, excluding the value of the person's residence and land up to 2 acres. *The Selectmen recommend this article.*

Moved by: Bob Krieger

Seconded by: Dustin Bowles

Selectmen Krieger offered an explanation on the need for this article.

Moderator asked if anyone had a question. Steve Jakubowski asked if he could propose an amendment to this article in which the wording could be changed from stating "New Hampshire" resident to more clearly state "Loudon" resident. Moderator advised this request must be done in writing and seconded (this was written up and provided). Peter Pittman seconded the amendment to the article. Preston Lawrence inquired as to whether a change like that was still legally following with the wording of the RSA. Selectmen Ives advised we did not have the town attorney present at the meeting, however he does not feel that adding Loudon would affect the integrity of the RSA. Selectmen Krieger advised we may be able to include a line underneath clearly stating this is for a Loudon resident.

Steve Jakubowski stated that he feels the intention of the Article is good, he just doesn't want to see someone move into town one month before the end of the year and all ready be able to get a \$25,000 tax exemption. Preston Lawrence asked that the amended article be voted down does not believe a change like that will be legal, so would like to go back to original article and vote on that.

MaryAnn Steele agreed with wanting to know if making a change like this was legal since the RSA is a state law. Steve Jackson advised that he googled the RSA and what is currently written is very accurate, but not sure if we could legally change it at all. Selectmen Bowles advised that the Article is already in place, all this article is doing is increasing the amount. The last time it was reviewed was around 2006. Lisa Laughlin is this something that all towns adopt or is this specific just to us here in Loudon? Selectmen Bowles advised that this is not something new we are adopting, we already have this in place. Yes, other towns across the state do have this in place, we were on the low end and felt it should be increased. Selectmen Ives also stressed that this would not affect a large number of people anyway, due to the way it is written. Peter Pittman asked to have the amendment moved to vote and was seconded by Steve Jackson.

Moderator read Article #8 with requested amendment. Vote ensued.

Amendment to Article #8 Failed.

Peter Pittman asked to have Article #8 moved and was seconded by Roger Maxfield. Moderator asked for a vote to have Article moved, all voted and passed.

Moderator dismissed the crowd for a 10-minute break. Peter Pitman advised the Moderator that the crowd had been dismissed for a break prior to voting on the original Article. Vote was only for the amended article. Moderator announced that a vote for original Article #8 would take place immediately following the break.

After meeting resumed Moderator re-read original Article #8, a vote ensued.

Article #8 Passed as read.

During the break Retired Fire Chief Dick Wright advised the Moderator that he did not believe a Passed vote was announced regarding Article #3. The Moderator after voting on Article #8 re-announced the Passed vote for Article #3.

Peter Pittman asked that Article #'s 3,4,5,6,7,and 8 be restricted. Seconded by Steve Jakubowski. Voted on and passed.

ARTICLE 9: To see if the Town will vote to modify the elderly exemptions from property tax based on assessed value, for qualified taxpayers, to be as follows: For a person 65 years of age up to 74 years, \$25,000; for a person 75 years of age up to 70 years, \$50,000; for a person 80 years of age or older, \$75,000. To qualify, the person must have been a New Hampshire resident for at least 3 consecutive years preceding April 1st in the year which the exemption is claimed. Additional requirements for an exemption under RSA 72:39-b shall be that the property is: (a) Owned by the resident; or (b) Owned by a resident jointly or in common with the resident's spouse, either of whom meets the age requirement of the exemption claimed; or (c) Owned by a resident jointly or in common with a person not the resident's spouse, if the resident meets the applicable age requirement for the exception claimed; or (d) Owned by a resident, or the resident's spouse, either of whom meets the age requirement for the exceptions claimed, and when they have been married to each other for a least 5 consecutive years. In addition, the taxpayer must have a net income of not more than \$25,000 if single, or if married, a combined net income of not more than \$35,000; and own net assets, tangible and intangible not in excess of \$60,000, excluding the value of the person's residence and land up to 2 acres. *The Selectmen recommend this article.*

Moved by: Bob Krieger Seconded by: Dustin Bowles

Selectmen Krieger offered an explanation on the need for this article.

Steve Jakubowski asked that the Selectmen please look to Legal advisors regarding the wording in these articles to specifically state "Loudon" residents. Stated that he clearly understands it can not be done this year, but perhaps for next year if this could be looked into.

Moderator asked if there are any further questions. Having no questions Moderator re-read Article #9 and moved for a vote.

Article #9 Passed as read

ARTICLE 10: To see whether the Town will approve the following resolution: Whereas, the production of tar sands oil is causing environmental devastation to the forests of Alberta, Canada and releases more greenhouse gases than does the production of ordinary crude oil; and Whereas, owners of the Portland Montreal Pipeline and associated companies have expressed interest in reversing one of their pipelines to bring Alberta tar sands oil through Vermont, New Hampshire, and Maine to South Portland, Maine; and Whereas, pipelines carrying diluted tar sands oil leak more frequently than other oil pipelines; and Whereas, leaks of diluted tar sands oil create extreme dangers to human health and the natural environment: and Whereas, the Portland Montreal Pipeline crosses valuable and environmentally fragile areas of northern New Hampshire;

Now therefore be it resolved:

1. That the Town of Loudon expresses its opposition to the transport of tar sands oil through New Hampshire because of its deep concern about the economic, environmental and public health risks of such transport; and
2. That the Town of Loudon strongly encourages the new Hampshire General Court and the U.S. Congress to take all reasonable steps to oppose transport of tar sands oil through New Hampshire pipelines; and

3. That the Selectmen of Loudon transmit a copy of this resolution to N.H. Governor Maggie Hassan, N.H. Senator John Reagan, N.H. Representative Priscilla Lockwood, N.H. Representative Howard Moffett and N.H. Representative Lorrie Carey; and
4. That the Selectmen of Loudon transmit a copy of this resolution to U.S. President Barack Obama, U.S. Senator Kelly Ayotte, U.S. Senator Jeanne Shaheen and U.S. Representative Ann Kuster.
(By petition)

Moved by: Steve Ives

Seconded by: Bob Krieger

Trudy Mott-Smith spoke on the need for this article. She and 31 other residents of Loudon petitioned to have this article included. Expressed her reasons for its importance.

Moderator asked if anyone had questions. Alice Tuson advised that though she agrees with Trudy Mott-Smith, she does not feel that this is a town issue and asks to table this article. Preston Lawrence opposed this article because if they don't use a pipeline then they will end up using Tanker cars to transport, which can be even more dangerous, so transporting by pipeline is safer. Roger Maxfield inquired as to whether this pipeline was to go all the way through Canada to Maine? Trudy advised that yes it was to go all the way through Canada to Maine. She also confirmed that she would not want it to be transported by railway either. It would be best if not transported at all.

Moderator asked if any further questions, seeing no one else had a question, vote ensued. Moderator stated the count was so close that he would need the Ballot clerks to count all hand held votes.

Yes 60 No 68

Article #10 Failed

ARTICLE 11: To see if the Town will vote to raise and appropriate the sum of \$461,500 to be placed in previously established Capital Reserve Funds:

- Fire Department Apparatus Capital Reserve Fund \$100,000
- Highway Department Capital Reserve Fund \$50,000
- Bridge Capital Reserve Fund \$30,000
- Recreational Facility Maintenance Trust Capital Reserve Fund \$2,000
- Library Collection Maintenance Capital Reserve Fund \$7,000
- Roadway Improvements Capital Reserve Fund \$100,000
- J.O. Cate Memorial Van Capital Reserve Fund \$2,500
- Ambulance/Rescue Equipment Capital Reserve Fund \$40,000
- Conservation Commission Land Capital Reserve Fund \$30,000
- Town Office Building Capital Reserve Fund \$100,000

(Majority vote required) This will affect the tax rate by approximately 88 cents per \$1,000 value. *The Selectmen recommend this article.*

Moved by: Dustin Bowles

Seconded by: Steve Ives

Selectmen Bowles offered an explanation on the need for this article. Moderator asked if anyone had a question. Having no questions Moderator re-read Article #11 and moved for a vote.

Article #11 Passed as read.

ARTICLE 12: To see if the Town will vote to raise and appropriate the sum of \$60,000 to be placed in the previously established Expendable Trust Funds:

Transfer Station Maintenance Expendable Trust Fund \$20,000

Septage Lagoon Expendable Trust Fund \$10,000

Highway Equipment Expendable Trust Fund \$30,000

(Majority vote required) This will affect the tax rate by approximately 11 cents per \$1,000 value. *The Selectmen recommend this article.*

Moved by: Steve Ives

Seconded by: Bob Krieger

Selectmen Ives offered an explanation on the need for this article.

Moderator asked if anyone had a question.

Having no questions Moderator re-read Article #12 and moved for a vote.

Article #12 Passed as read.

ARTICLE 13: To see if the Town will vote to raise and appropriate the sum of \$4,142,211 to defray Town charges for the ensuing year and make appropriations to the same. This article does not include any of the previous warrant articles.

Moved by: Steves Ives

Seconded by: Bob Krieger

Selectmen Ives offered an explanation on the need for this article.

Moderator asked if anyone had a question.

Peter Pittman questions on Line item 41531 Legal on page 14 of Town Report, why such a large increase? You are asking for a large increase, almost 300%, why? Selectmen Ives advised that the increase to Legal is due to for a pending law suit with the racetrack. NHMS was not pleased with increase to their tax rate and even though we do lower after they filed abatement, they were still not pleased and filed a lawsuit.

Preston Lawrence had 3 questions, 1. If budget is approved as is, what is the impact on the tax rate? Selectmen Ives advised he did not have that figure at this time, but if he could be given a minute he may be able to give an estimated figure. 2. Page 1 of Town Report, Selectmen's line times 44% increase, why? Selectmen Ives advised that the increase is in anticipation of a new computer. 3. Page 2 under Elections, approximately 112% increase, why the large increase? Selectmen Ives advised that this amount will fluctuate pending the number of elections in a given year.

Steve Jakubowski questioned whether it was DOR that needs to set the rate? Selectmen Ives advised he would only be giving an estimate, not setting the rate.

Pat Kiley mentioned that he may have found something on the bottom of page 15 in Town Report, that could answer the question. Selectmen Ives said the rate would be approximately 15%, which is truly just an estimate.

Having no further questions Moderator asked for a vote.

Article #13 Passed as read.

Peter Pittman asked to have Articles 9, 10, 11, 12, and 13 restricted and was seconded by Dustin Bowles. Voted on and passed.

ARTICLE 14: To transact any other business that may legally come before said meeting.

Moved by: Dustin Bowles Seconded by: Steve Ives

Lisa Laughlin had three items she wished to mention. 1. Would it be possible to have the annual Town Report put into some type of electronic format? This would be helpful for someone like herself who could then download the information to her ipod and blow it up so that she can read it. 2. Wished to remind everyone that Wednesday March 19 is Pizza Night for the DARE Program and encouraged everyone to come and support them. 3. Would like to have an update on the new Town Office Building.

Selectmen Krieger addressed the Town Office Building, our plan is upon completion of the Town Meeting and approval of the budget, we will be appointing a Building Committee so that we can move forward with plans. We are hopeful that we have enough funds to move forward to completion.

David Steele – wanted to announce per State Rep Howard Moffet, he would be at the Maxfield Library on April 12th at 10am along with Priscilla Lockwood, and Lorrie Carey, for anyone that would like to meet and speak with them about any bills or concerns, etc.

Steve Jackson – Thanked the 126 Loudon residents that went to the School Board Meeting and especially the 2 Selectmen Dustin Bowles and Steve Ives for their attendance. Steve explained that the increase that was passed will have a drastic affect on our taxes. We need to all come together to do something about this. Please, every Loudon resident needs to get involved.

Steve Ives asked for a round of applause to Delena Leonard who has retired from Loudon Fire Department as Captain of the Rescue Squad and for her family’s involvement over the years with the Loudon Fire Department.

David Steele – responded to his lack of attendance at the School Board Meeting, due to his being unaware. Asked if somehow the town could look into video conferencing the School Board Meeting for people who can not attend so that more people could get involved and vote.

Girl Scout Troops #10955 & #12083 came forward to present a skit about the importance of recycling.

Preston Lawrence inquired as to when the Whales Bridge Road would be repaired. Selectmen Ives advised he was not sure exactly when it could be done, however, there should be enough in the budget to do some minor improvements.

Earl Tuson regarding School Budget, does Loudon have any other option? Is staying with Merrimack Valley the best option for us? Selectmen Ives advised that due to outstanding bonds, etc. we are tied in to Merrimack Valley for several more years. He advised that several years back the town voted on whether to separate from MV and the taxpayers voted it down. Mr. Tuson had a second question concerning the new Town Office building and a wood chip heating system, which could possibly be a cost-effective option for the town.

Selectmen Krieger advised that we are planning to do the new Town Office as green as possible.

Peter Pittman gave a motion to have the meeting adjourned, seconded by Steve Jakubowski.

Seeing no further questions, Moderator asked for a vote to close the meeting.

Voted on and approved. Meeting adjourned at 10:25am.

Respectfully submitted,

Wendy L. Young
Loudon Town Clerk