

**MINUTES OF THE 2012 WEBSTER TOWN MEETING
MARCH 13, 2012 AND MARCH 17, 2012**

**Tuesday, March 13, 2012 -- THE POLLS WERE OPEN FROM 10:00 AM TO 7:00 PM
TO ACT ON ARTICLE I**

Moderator Harold Janeway declared the polls open at 10:00 am.

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

OFFICE	# YRS. TERM	NAME	# OF VOTES
Selectman	3	Frank "Butch" Thornton	217
		Roy Fanjoy	302
Moderator	2	Robert Pearson III	297
		Mike Jette	226
		Karen King	478
Tax Collector	1	Michele St. Jacques	492
Town Clerk	1	Mary Smith	481
Treasurer	1	Darlene Cummings	483
Cemetery Trustee	3	Susan Barnes	470
Library Trustee	3	Beth-Holly LaDuke	114
Supervisor of the Checklist	6	Henry Bergeron	89
		Ellen Kontinos-Cilley	265
		Carol Creighton	476
Trustee of Trust Funds	1	Brenda Silver	483
Trustee of Trust Funds	3		

526 ballots cast

**BUSINESS MEETING AT THE TOWN HALL ON
SATURDAY, MARCH 17, 2012 AT 10:00 AM
TO ACT UPON THE FOLLOWING SUBJECTS**

The meeting was called to order at 10:03 am. Moderator Janeway invited Clarence Jeffery to lead us in the Pledge of Allegiance. Moderator Janeway recognized Clarence as the last surviving World War II Veteran in Webster (Wilfred Calkins was later recognized as also being a World War II veteran from Webster). Moderator Janeway thanked Clarence Jeffrey for filling in as Moderator pro-tem for many years during his term as Moderator. Moderator Janeway recognized the passing of Bill Bird on February 4, 2012, a past Selectman, wonderful volunteer and a longtime resident. Richard Doucette's recent passing was also acknowledged. A moment of silence was held for Bill, Richard and others that passed in 2011.

Selectman Cummings presented Moderator Janeway with a special engraved gavel in recognition for his service as Moderator for 22 years.

Moderator Janeway called attention to the Town Report and the dedication to David M. Batchelder, a long-time resident, who served the Town in many capacities.

The Moderator read the election results. Ballots cast were 526. Roy Fanjoy was the newly-elected Selectman; Bob Pearson III, Moderator and Ellen Kontinos-Cilley, Supervisor of the Checklist; with all other positions unopposed.

Selectman George Cummings provided a budget summary of where the Town is heading. The budget is up .62%. Generally, surplus is used to help offset the tax increase, with approximately \$120,000 of surplus from 2011 expected to be applied. Income is down due to downshifting from the State, revenue sharing is down \$12,000 and the Blackwater Dam Flood Control money has not been paid to the Town in full. Massachusetts has not been paying NH for the last several years. When MA pays the State, the State of NH says they will keep the money for the State and not pass it down to the towns. The State did pay Webster \$8,000+ that is not shown on the revenue listing in the budget, as it was unknown if the money would be received.

There has been only one new house built in Town last year.

In order to keep the budget flat, it would have to be reduced by about \$70,000-\$75,000. This can be achieved by lowering the operating budget or capital reserves.

Moderator Janeway made a motion to dispense with the second reading of the Warrant Articles to save on time. Moved and seconded.

Moderator called for a voice vote.

PASSED BY VOICE VOTE

ARTICLE 2 To see if the Town will vote to raise and appropriate the sum of One Hundred Forty Thousand Dollars (\$140,000) for road pavement preservation.

The Board of Selectmen recommends this article by a vote of 3 to 0

Moved and seconded.

Selectman Cummings said it was similar to last year's article in that \$40,000 will go for sealing and \$100,000 to road improvements. Last year the first phase of Little Hill Road was completed. Road Agent Emmett Bean said there are two sections on Little Hill Road and two sections on Deer Meadow Road to be done.

Moderator called for a voice vote.

PASSED BY VOICE VOTE

ARTICLE 3 To see if the Town will vote to raise and appropriate the sum of Ten Thousand Dollars (\$10,000) to help offset the cost of the bond for "Funds to Repair Dam" passed at the Pillsbury Lake Water District Special Meeting held August 5, 2006.

The Board of Selectmen recommends this article by a vote of 3 to 0

Moved and seconded.

Selectman Bruce Johnson said this was like in years passed. The Selectmen at that time thought the entire Town should help pay for a portion of rebuilding the Pillsbury Lake Dam.

Martin Bourque encouraged people to vote down this article as one way to save money.

Moderator called for a voice vote. It was too close to determine and a hand count was called.

FAILED BY HAND COUNT – YES–104 NO–116

Butch Thornton made a motion to restrict Article 3 for reconsideration. Seconded.

Moderator called for a voice vote.

PASSED BY VOICE VOTE

ARTICLE 4 To see if the Town will vote to raise and appropriate the sum of Ten Thousand Dollars (\$10,000) to create an Expendable Trust Fund under the provisions of RSA 31:19-a, to be known as the Compensated Absences Expendable Trust Fund for the purpose of covering accrued compensation upon expected or unexpected retirement or termination of any employee and to appoint the Board of Selectmen as Agents to Expend.

The Board of Selectmen recommends this article by a vote of 3 to 0

Moved and seconded.

Selectman Hashem explained the purpose of the fund is to cover the recorded, unfunded liability to the Town. If a Town employee left or retired, they may have earned time due to be paid to them that would not have been budgeted for.

Marge Blanchette asked what happens to the money if it is not spent. Selectman Hashem explained it is in an Expendable Trust Fund and can only be used for the purpose of covering accrued compensation. The purpose of the use of the fund can only be changed at Town Meeting.

Moderator called for a voice vote.

PASSED BY VOICE VOTE

ARTICLE 5 To see if the Town will vote to raise and appropriate the sum of Four Hundred Twenty-four Thousand Nine Hundred Fifty-two Dollars (\$424,952) for General Government:

Executive	\$9,650
Election, Registration & Vital Statistics	26,872
Financial Administration	145,291
Revaluation of Property	22,900
Legal Expenses	8,950
Personnel Administration	49,317
Planning & Zoning	16,142
General Government Buildings	46,940
Cemeteries	12,700
Insurance	86,090
Outside Services (Forester)	100

The Board of Selectmen recommends this article by a vote of 3 to 0

Moved and seconded.

Selectman Cummings reviewed each line item mentioning a 3% raise for office employees and an increase in health insurance costs. No discussion.

Moderator called for a voice vote.

PASSED BY VOICE VOTE

Moderator Janeway clarified Article 5 by included three line items that were not read initially.

Moved and seconded.

No discussion.

Moderator called for a voice vote.

PASSED BY VOICE VOTE

ARTICLE 6. To see if the Town will vote to raise and appropriate the sum of Eleven Thousand Twenty-five Dollars (\$11,025) for the purpose of providing a single person health insurance policy pro-rated for those part-time employees that work a minimum 15 scheduled hours per week.

The Board of Selectmen recommends this article by a vote of 2 to 1

Moved and seconded

Selectman Cummings explained the Warrant Article represents an understanding of commitment moving forward. Fifty percent of the premium for single-person health insurance coverage would be paid for a part-time employee working at least 15 hours weekly and the remaining premium would be prorated from 15-35 hours worked.

There was discussion about other towns and employers that offer health insurance for part-time employees. There is current legislation proposing any benefits offered to full-time employees be offered pro-rated to part-time employees.

Selectman Hashem explained he was the negative vote on the Article and thought the wording of the article was poorly written and unclear.

Wendy Pinkham, Financial Administrator noted no health insurance is paid for any retirees. Retirees can be under the Town's group insurance but they must pay 100% of the premium.

There was discussion of concerns of long-time commitment and how many employees this article affects.

Kim Fortune asked how this applies to the Volunteers Act and if they may be considered as employees. This article would only be for employees with regularly-scheduled, weekly hours of at least 15 hours.

Concerns expressed were about the number of employees that would opt to choose the coverage. Selectman Hashem thought the Warrant Article was open-ended and once the policy is changed, anyone eligible could choose the coverage, which would exceed the budgeted amount.

Moderator called for a voice vote.

FAILED BY VOICE VOTE

ARTICLE 7 To see if the Town will vote to raise and appropriate the sum of Two Hundred Sixteen Thousand Five Hundred Sixty Dollars (\$216,560) for the Police Department:

Police	\$214,560
Police – Special Detail	2,000

The Board of Selectmen recommends this article by a vote of 2 to 1

Moved and seconded

Selectman Cummings explained there was a raise included of 3% for one officer and the chief's is 2%, including alteration in the Chief's weekly hours due to restrictions in hours worked for part-time retirees, which currently is 32 hours per week. There is a 3% raise for the Secretary. The large increase of \$3,500 is for on-call time. The Town is covered daily for all but 5-10 hours by two full-time officers and one part-time chief. There is no liability to the Town for on-call time as far as paying people. The Selectmen consulted the Local Government Center, the Department of Labor and the Fair Labor Standards Acts citing case law supporting that there is no liability to the Town by not paying the officers for on-call time. Also consulted was the law firm of Devine, Millimet and Branch. The consensus was there was no liability to the Town for the on-call time. The Town's Attorney was asked this same question several years ago and he said the Town has nothing to worry about. There is a file at the Town Office regarding this topic containing research as to whether the Town had any liability.

There is no liability or obligation by having the \$3,500 in the budget for on-call time.

Bob Pearson made a motion to amend Warrant Article 7 to read \$0.00 instead of \$214,560.

Moved and seconded.

Selectman Cummings explained if you zero the line it means disbanding the Police Department. Plus we are already three months into 2012 and the money would have to be found in the budget elsewhere.

Bob Pearson spoke to his motion. The budget is approximately \$260,000 if the health insurance and retirement is included. This is greater than it was three years ago with less coverage. Why are we paying more money for less coverage? He also mentioned a problem with the policy of allowing the Police Department Officers to take the three cruisers home when they are not on duty.

Selectman Johnson explained the officers take the cruisers home if they are on call and the chief is allowed to take the car home as part of his contract.

Selectman Hashem mentioned they take the cars home when they are not on call, too. The extra car was not sold when the Town bought a new cruiser because the trade-in value was too low.

Selectman Hashem disagreed with the fact it was in the chief's contract to take the cruiser home.

Selectman Cummings mentioned the trade-off in the on-call time arrangement suggested by Consultant Don Gross was to allow the officers to take the cruisers home. There are times when the other officers may show up even if they are not on call.

Bob Pearson reiterated his question on how much does it cost to bring the cruisers home. By cutting the budget to \$0 the Town can come up with a better Police Department. Salisbury does not have a Police Department. They rely on the State Police.

There was discussion from several residents of their disapproval of the Police Department.

Kim Fortune asked to hear from the two selectmen as to why they supported this article.

Selectman Cummings said the descending vote was due to the on-call time. Selectman Hashem thought the compensation was fair and the raises were not warranted.

Selectman Cummings mentioned the Chief came to him with left over monies in the overtime line and asked if it could be split between the two officers as an appreciation for on-call time. The selectmen voted no. This year's budget added \$3,500 for on-call time. Last year other employees got a raise but the PD did not. The Moderator clarified the question and asked why the support for the PD. Selectman Cummings said he remembered what happened a few years ago and that Salisbury does not have a zero line item. They are experimenting on relying on State Police for coverage.

Selectman Johnson stated he would be voting no on the amendment and is in strong support of the PD. We are not Salisbury and have different needs and wants. People want a quick response time. Webster Police respond within minutes and the State Police response would be longer. Webster also has more children than Salisbury.

MJ Turcotte understood the discussion to be the residents want a different PD.

Bruce Lantman asked Selectman Hashem if he would support the Police Department if we took the on-call pay and raises out. Selectman Hashem said he would not support the Police budget if \$10,000 was taken out for on-call and raises. He objects to the \$3,500 on-call and mentioned the former Board said the officers could take the cruisers home in return for being on call.

Selectman Cummings clarified that the on-call pay and raises came to \$6,019.

Roger Becker urged the Town to think about the consequences of zeroing out the Police budget saying if you call for an ambulance and there is no police the EMTs will not go in. 1st responders in the audience said they would enter regardless of police presence.

Bob Pearson read what Salisbury Selectmen wrote in their Town Report regarding their Police Department.

There was mention of the many children in Town and the number of empty houses. One resident noted a robbery at her home the last time the Police Department budget was cut.

It was questioned how this would affect the chief's contract if the amendment passed? Salisbury did a study over time and had time to review the needs but there has been no opportunity to assess the needs of Webster.

Selectman Johnson urged voters to vote "NO" on the amendment; table disbanding the Police Department and to look at it more carefully, bringing something back to Town Meeting next year.

Butch Thornton supports the amendment and feels the Police Department is overpaid compared to other towns.

Bob Pearson made a motion to move the amendment. Moved and seconded.

Bob Pearson requested a ballot vote on the amendment by presenting a petition to the Moderator to do so.

The meeting "paused" at 11:40 am – voting began at 11:40 am and closed at 12:05 pm.

Moderator Janeway announced the results at 12:19 pm.

AMENDMENT TO ARTICLE 7 FAILED BY BALLOT VOTE YES 119 --- NO 131

Moderator reread Article 7.

Barbara Corliss asked for clarification if there was an extra \$3,500 in the budget for on-call pay. Selectman Cummings explained there was \$6,019 in the budget combining raises and on-call pay.

Selectman Cummings made a motion to amend article 7 to reduce the police budget by \$6,019.

Moved and seconded.

Moderator called for a voice vote on the amendment to reduce the police budget to \$210,541.

AMENDMENT TO ARTICLE 7 PASSED BY VOICE VOTE

When asked if a ballot vote was needed, Moderator Janeway advised that it was not necessary.

Moderator read the amended article and called for a vote.

ARTICLE 7, AS AMENDED, PASSED BY VOICE VOTE

David Collins made a motion to restrict reconsideration of the Article 7.

Moved and seconded.

PASSED BY VOICE VOTE

ARTICLE 8. To see if the Town will vote to raise and appropriate the sum of One Hundred-two Thousand Three Hundred Ninety-one Dollars (\$102,391) for the Fire Department and Emergency Services:

Ambulance	\$25,041
Fire & Medical	74,150
Emergency Management	3,200

The Board of Selectmen recommends this article by a vote of 3 to 0

Moved and seconded.

The new fire truck was on display at Town Meeting. Fire Chief Colin Colby explained that the Capital Reserve account is set up to replace a truck every 20 years. The old truck was 21 years old and due to be replaced. Five different companies for custom-designed trucks were contacted. The final decision resulted in the purchase of a truck costing \$309,425. By using the money from the Capital Reserve account to pre-pay for the truck, the Town received a discount of \$9,000. The same truck at today's cost would be \$350,000. The lifespan of new fire trucks are estimated to be 25 years. The old truck will be sold but for less money than expected because the pump test failed.

Moderator called for a voice vote.

PASSED BY VOICE VOTE

Roy Fanjoy made a motion to restrict reconsideration of Articles 2, 4, 5 and 8.

Moved and seconded.

Moderator called for a voice vote.

PASSED BY VOICE VOTE

ARTICLE 9 To see if the Town will vote to raise and appropriate the sum of Two Thousand Six Hundred Dollars (\$2,600) for the following:

Building Inspection/Septic Reviews	\$2,500
Other Public Safety	100

The Board of Selectmen recommends this article by a vote of 3 to 0

Moved and seconded.

No discussion.

Moderator called for a voice vote.

PASSED BY VOICE VOTE

ARTICLE 10 To see if the Town will vote to raise and appropriate the sum of Three Hundred Seventy-eight Thousand Ninety-six Dollars (\$378,096) for Highways, Streets and Sanitation:

Highways and Streets	\$185,048
Highway Block Grant	63,048
Hopkinton-Webster Landfill Transfer Station	130,000

The Board of Selectmen recommends this article by a vote of 3 to 0

Moved and seconded.

Selectman Cummings mentioned the Highway Block Grant was down \$10,000 thus the difference was put into the Highways and Streets operating budget making it 3% higher than last year.

PASSED BY VOICE VOTE

ARTICLE 11 To see if the Town will vote to raise and appropriate the sum of Fifty-six Thousand One Hundred Seventy-one Dollars (\$56,171) for the following:

Health Department	\$ 325
Health Agencies	3,452
CASA – Court Appointed Special Advocates for Children	250
Welfare Department	5,300
Community Action Program	4,182
Parks & Recreation	3,500
Penacook Community Center	500
Library	34,662
Patriotic Purposes – Old Home Day	3,000
Conservation Commission	500
Agricultural Commission	500

The Board of Selectmen recommends this article by a vote of 3 to 0

Moved and seconded.

No discussion

PASSED BY VOICE VOTE

ARTICLE 12 To see if the Town will vote to raise and appropriate the sum of Fifty-nine Thousand Seven Hundred Seventy-eight Dollars (\$59,778) for repayment of Long Term Debt and TAN interest:

Principal – Long Term Bond	\$40,000
Interest – Long Term Bond	18,778
TAN – Interest	1,000

The Board of Selectmen recommends this article by a vote of 3 to 0

Moved and seconded.

This bond will be paid off in 2022.

Moderator called for a vote.

PASSED BY VOICE

ARTICLE 13 To see if the Town will vote to raise and appropriate the sum of One Hundred Sixty-eight Thousand Five Hundred Dollars (\$168,500) to be added to the following previously established Capital Reserve Funds:

Office Equipment	1,000
Fire Dept. – Air Packs	7,000
Bridge Improvements	20,000
Fire Dept. – Dry Hydrant Repairs	2,000
Reappraisal	1,500
Town Hall Improvements	20,000
Police Cruiser	15,000
Highway Land/Building Fund	35,000
Fire Truck	48,000
Fire Department – Bunker Gear	5,000
Public Safety Building	5,000
Webster/Hopkinton Transfer Station Fund	3,000
Cemetery Improvements Fund	1,000
Police Equipment	2,500
Highway Equipment Capital Reserve	2,500

The Board of Selectmen recommends this article by a vote of 3 to 0

Moved and seconded.

Selectman Cummings explained the Town has been good in saving for expenses over the years. This article is a place to maintain level funding in the budget. He discussed reducing this Article by \$45,000 by cutting several of the line items. After proposing many reductions, the Selectmen recommended reducing the Bridge Improvements line to \$10,000; Town Hall Improvements to \$10,000; Police Cruiser to \$7,500 and the Fire Truck to \$35,000 for a total reduction of \$40,500. No formal amendment was proposed.

Kim Fortune moved the vote. Seconded.

Moderator called for a vote on Article 13 as written.

PASSED VOICE VOTE

Mike Borek requested reconsideration of Article 13 to consider the amendment the Selectmen were recommending. Moved and seconded.

Moderator called a vote to reconsider Article 13.

FAILED BY VOICE VOTE

Marge Blanchette made a motion to restrict reconsideration of Article 13. Moved and seconded.

Moderator called for a vote.

PASSED BY VOICE VOTE

ARTICLE 14 To see if the Town will vote to raise and appropriate the sum of Seventeen Thousand Dollars (\$17,000) to be added to the previously established Expendable Trust Funds:

Police Vehicle Maintenance	2,000
Highway	5,000
Fire Department Equipment	5,000
Highway Building Maintenance	5,000

The Board of Selectmen recommends this article by a vote of 3 to 0

Moved and seconded.

Moderator called for a vote.

PASSED BY VOICE VOTE

ARTICLE 15 Shall the Town vote to authorize the Board of Selectmen to offer for sale, as adopted at the annual Town Meeting of 1994 per RSA 80:42 III and 80:80 III, to abutters only those lots owned by the Town located in the Pillsbury Lake District, with the stipulation that the lots be merged with the existing abutting lot and no further lot-line adjustment will be allowed. The price will be determined by the Board of Selectmen at the time of sale. The property available is as follows:

Map 10-4-63

This Article is recommended by the Board of Selectmen

Moved and seconded.

Moderator called for a vote.

PASSED BY VOICE

ARTICLE 16 To see if the Town will vote to authorize the Board of Selectmen to appoint up to seven (7) members and up to five (5) alternate members of the Agricultural Commission as is permitted under RSA 673:4-b.

This Article is recommended by the Board of Selectmen

Moved and seconded.

Moderator called for a vote.

PASSED BY VOICE

Guy LaRochelle, Chairman of the Agricultural Committee, explained the committee was formed to protect and preserve agricultural lands and support local farmers and farmers markets, saying we are not here to control your rutabagas.

ARTICLE 17 To see if the Town will vote to appoint the Board of Selectmen as agents to expend from the existing Reappraisal Capital Reserve Fund established at the 1975 Town Meeting.

This Article is recommended by the Board of Selectmen

Moved and seconded.

Moderator called for a vote.

PASSED BY VOICE

Selectman Hashem explained that the Town is reappraised every five years. This article allows the money to be spent at any time during the year with the Selectmen as agents to expend.

ARTICLE 18 To see if the Town will vote to appoint the Board of Selectmen and the Police Chief as agents to expend from the existing Police Cruiser Capital Reserve Fund established at the 1983 Town Meeting.

This Article is recommended by the Board of Selectmen

Moved and seconded.

Marge Blanchette asked if this means that the Selectmen and Police Chief can buy a cruiser at any time they wish? Selectman Cummings answered yes. Does this mean they can bring the cruiser home at all times, including the Chief of Police? Selectman Hashem explained it takes control away from the people. Gordon Welch asked for confirmation that the reason for retaining the old cruiser was because the trade-in value was not adequate and it was in the Town's best interest to keep the old cruiser, giving the Town a total of three cruisers. By passing this article does it mean the Selectmen and Police Chief can buy another cruiser?

The question was moved.

Moderator called for a vote. It was too close to determine and a hand count was called.

FAILED BY HAND COUNT YES – 59 NO – 81

Peter Dupont made a motion to restrict reconsideration of Article 18.

Moved and seconded.

Moderator called for a vote.

PASSED BY VOICE VOTE

ARTICLE 19 To see if the Town will vote to adopt, under NH RSAs 72:27-a and 72:62, an exemption from a property's assessed value, for property tax purposes, when the property is

equipped with one or more solar energy systems as defined by NH RSA 72:61. Such exemption shall be for 100% of the amount, if any, by which installation of solar energy systems on the property increases the total assessed value of the property. This exemption will supersede the limited solar exemption last reaffirmed via approval of a “housekeeping article” on the 2010 Town Warrant.

This Article is recommended by the Board of Selectmen

Moved and seconded.

Selectman Cummings explained it is an issue with no dollar value associated with it.

There was discussion on the impact to other tax payers by not including the solar system's value in the assessment of the property and it was also noted that there was value added to the property if it were sold. Jere Buckley explained the purpose of the Article was to encourage homeowners to invest in the solar systems to better their energy use and to be less dependent on energy sources without worrying about their taxes increasing because of the added value to the property. The thought is without the exemption, homeowners will not make the investment in the system thereby not increasing the tax revenue anyway.

Moderator called for a vote.

PASSED BY VOICE VOTE

ARTICLE 20 To transact any other business that may legally come before this meeting.

David Collins encouraged the Town residents to put aside the personal vendettas and stay positive. If you do not agree with something, attend the Selectmen’s meetings.

Mike Jette congratulated Bob Pearson in his election of Moderator and for “taking the high road” in the election campaign.

Jon Pearson asked for an end of the Concerned Citizens of Webster.

Gordon Welch thanked Harold Janeway and George Hashem for their service to the Town.

Faith Anderson was recognized for her time as Supervisor of the Checklist.

Meeting adjourned at 1:16 pm.

Respectfully submitted,

Michele St. Jacques
Town Clerk