

TOWN OF CENTER HARBOR  
TOWN MEETING  
March 8, 2011

Ballot Clerks Barbara Lauterbach, Helen Heiner, Sandra Condojani, Rachel Small, Jennifer Hanson, Rhonda Cost, Kathleen Viens, Harry Viens, were sworn in and it was announced that the time for accepting absentee ballots would be 1:00 P.M.

The March eighth, two thousand eleven Town Meeting was called to order at ten of the clock in the morning by Moderator John Kimball II, who announced the polls to be open to act upon Article 1.

At 1:00 P.M. the absentee ballots were accepted. The polls closed at 6:00 P.M. and the ballots were tallied.

Article 1-A. All town offices and school board members for the year ensuing were voted on with the following results:

Selectman for 3 years:	
David Hughes	202 votes
Richard Drenkhahn	173 votes
Library Trustee for 3 years:	
Helen Heiner	284 votes
Karin Karagozian	14 votes
Ruth Bell	9 votes
Library Trustee for 2 years:	
Karin Karagozian	63 votes
Ruth Bell	42 votes
Kent Warner	5 votes
Bess Hanson	1 vote
Janet Hooper	1 vote
Trustee of Trust Funds for 3 years:	
Kent Warner	71 votes
Keith Fitzgerald	47 votes
Karin Karagozian	2 votes
Bob Beem	2 votes
John Merrill	1 vote
Joseph Hulkow	1 vote
Robert Wichland	1 vote
Everett Bennett	1 vote
Moderator for School District for 1 year:	
Lee Quimby	322 votes

John Kimball	3 votes
Robert Rowan	1 vote

Member-At-Large for 3 years:

Richard E. Hanson	241 votes
Mark B. Billings	126 votes

Member of School Board for 3 years – Resident of Sandwich:

Howard Cunningham	279 votes
Declan O’Connell	1 vote

Article 1-B. To see if the Town will vote to put the following wetland into State Prime Wetlands Status:

Center Harbor Designated Wetland #70: The Snake River Wetlands Complex

YES 262

NO 71

At 7:40 The Town Meeting was reconvened in the Fire Station to act upon Article 2 through Article 35. The Moderator, John Kimball II, called the meeting to order with the Pledge of Allegiance. Mr. Kimball welcomed all those present and announced the results of the Town Election and the School District Election. Mr. Kimball then explained that the number of people present exceeded the fire code. Mr. Kimball said that all non-registered voters could leave, the meeting could be postponed to the following evening so that the Selectmen could rent tents to accommodate the people or the bay doors could be opened and those who did not have seats could stand outside. Liz Aquilla suggested that non-voters could go outside or into the Cary Mead Room. The bay doors were opened and the meeting began. Mr. Kimball asked everyone present to make sure that all of their remarks were verifiable facts and pertain specifically to the article. Be courteous to those speaking. Act on the facts.

Article 2. It was moved by Richard Drenkhahn and seconded by Charley Hanson to raise and appropriate the sum of \$1,275,000 for the construction and original equipping of a new Police Station, including the purchase of the “McCahan” property (TML 8-34) and to authorize the issuance of not more than \$1,200,000 of bonds or notes in accordance with the provisions of the Municipal Finance Act (RSA 33) and to authorize the Board of Selectmen to issue and negotiate such bonds or notes and to determine the rate of interest thereon; furthermore, to authorize the withdrawal of \$75,000 from the Public Safety Facility Capital Reserve Fund created for this purpose. The Selectmen recommend this appropriation. (2/3 ballot vote required). Charley Hanson thanked everyone for coming. We are considering the building of a new police station on a piece of property on Route 25. Mr. Hanson gave a brief history on how we arrived at this point. In 2002 the Town contracted with Municipal Resources Inc. to review the police operations and management. The Report was not a facilities or a space needs report; it did mention that additional space needs be addressed in the future. In 2006 the Town formed a Space Needs Committee to review the space needs of all departments throughout the Town. The Committee made a number of recommendations to address the issues for different departments but the number one space needs issue was for the police department. In 2008 the

Town formed a Building Committee that was charged with coming up with a proposal to take to the voters for a new police facility. They toured other police facilities to learn what was needed to perform operations, and what worked and what didn't. The Building Committee hired an architect and a construction manager to arrive at a plan and cost. The Committee was told to use existing town property to save money and to provide a fully functioning police facility for consideration by the voters. The Building Committee looked at the Town House property, the land behind the Church, later the Town Garage, the Municipal Building, and the Brooks property. The Committee recommended putting the police station on the Brooks property and a portion of the Morrill Park. This proposal was taken to Town Meeting last year and failed to get a 2/3 majority vote. Due to a close vote the Board decided to bring the proposal forward this year. The Board continued to pursue allowing the building on a portion of Morrill Park, but eventually decided to consider other potential sites due to increasing court costs. The Board decided to pursue an option for property on Route 25 owned by Ann McCahan. A moderate re-design was performed to provide the most cost effective structure for the facility. At this time Mr. Hanson deferred to Chief Chase. Chief Chase said that there have been a lot of questions regarding why there are some of the rooms in this building. There are three populations that the police have to deal with. There is the public, the employees/staff and the people in custody. Those populations should not mingle with each other. When people come with concerns and want to meet with the Chief of Police to talk about problems that are going on in their lives they want to come in, come to a room, sit down, without being interrupted; currently they cannot do that. Right now there is only one room and evidence is kept under the Fire Chief's Office. Chief Chase said that he also needs safety for his employees and the public as well. Administrative space is also needed. The police are required to keep records for up to seven years and sometimes longer; we need a place to keep those records secure. By law, juvenile records need to be kept and locked separately. Currently we store files three or four places in town. We are in a crisis, and this crisis has been ignored. When it comes to evidence, it needs to be stored properly, and people in custody should be walked in through a separate entrance, not where the public is. Chief Chase said that they have to store weapons for domestic violence cases securely. Chief Chase said that the officers have made great sacrifices, and they will do everything that they can to help you, but now we are asking you to help us with a facility to do the job that we need to do. We will always be there for you whatever you decide, but we are asking you to give us the tools we need to protect you. John Schoenbauer said that he is in favor. He said that if you refer to the Frequently Asked Questions and the Chief's presentation it really comes down to a number of things for consideration. Mr. Schoenbauer said that there is a need for a safe environment here in Center Harbor and there is a need for the police department to insure that. Mr. Schoenbauer said that he has lived here since 1976 and he has had four break-ins in that time; about ten years ago there was a murder around the corner from his house. Looking at the Police Report for this year there were two forcible rapes. This is not Boston but it is certainly not crime free. Mr. Schoenbauer said that if you look at the cost of the facility, the maximum cost as indicated by the Selectmen is \$1,275,000. If you translate into an annual tax rate per thousand it is fifteen cents per thousand; on a \$300,000 house it would be \$45.00 a year. According to the Department of Justice recommendations we are adequately staffed as far as police are concerned. Mr. Schoenbauer said that he is definitely in favor of it and encouraged all those who want a safe environment for themselves and their families to vote for it. Derek Kline said that this vote is not about supporting the police department or supporting the Selectmen but this is a vote about improper development. There is no doubt that the police department needs

space. But while considering these objectives we must consider the future prosperity of our town. Mr. Kline feels that the old way of doing things is fiscally unstable. Mr. Kline said that the police station proposal is very attractive but this plan is to build a twentieth century structure while we are striving to prosper in the twenty-first century. We need to take a step back and realize the permanent reality of this proposal. Mr. Kline said that we have an opportunity to be creative with this building that we are all in today, we can improve all town services and construct a building for far into the future. Infrastructure improvements will be needed to make this successful it will be a lesser cost than the cost of the residential property proposed here. Mr. Kline feels that we can utilize green energy grants to fund energy efficiency and renewable energy initiatives available through State and Federal governments. There is a State law that mandates that New Hampshire become twenty-five per cent reliant on renewable energy by 2025. Mr. Kline asked those present to vote no. Kent Warner thanked those who voted for him. Mr. Warner said that there is a high level of emotion attached to this police station issue. Mr. Warner said that he has spoken to David Hughes and Mr. Hughes said that while we needed the police station the options for location and planning have not received enough attention. Mr. Warner said that anyone who has known what has been going on around here for the last six years would realize that there have been numerous studies as to the needs and as to the building that is being proposed. There have been two volunteer citizens committees that have studied a number of potential sites. The one chosen over here (Morrill Park) was opposed by a vocal group of citizens. The cost of borrowing and the cost of construction is probably as low as it will ever be. Mr. Warner said that he is sure that we all want our police protection and services to keep up with the growing needs of society here in Center Harbor. We need to vote "Yes" to give the police a facility to enable them to deliver these services most effectively now and in the future. Steve Condojani wanted to thank the Board of Selectmen for giving him the opportunity to be on the Building Committee. The Building Committee started in 2008, there were a lot of meetings; they toured a lot of facilities to find out what some of the good things were and what some of the bad things in those facilities were. The Committee got fourteen proposals for architectural work. Prices are available at the best rate that we are going to get for a long time. People look at the design and say it is huge but we started out with a lot more, there was a lot of cutting down on this. We had 15 meetings before anyone from the town showed up. The Construction Management Company, Bonnett, Page and Stone is a local company from Laconia and have guaranteed the construction cost on this project. There has been a lot of emotion in this; we have tried to take into account your concerns. There is a new location, the building has been downsized. There have been an awful lot of letters to the Editor; consider the source, what is their agenda? We need to be civil and don't make personal attacks. Mr. Condojani said that he feels that this is a good proposal, and cost effective. Jan Hooper asked the architects if a little more green could be incorporated into the building. Architect Gary Goudreau said that to the point of energy efficiency we have to meet the minimum State of New Hampshire Energy Code. We have energy efficient windows, sufficient insulation in the walls and the ceilings and the slab. So there is no issue in the specifications relative to the energy efficiency; relative to green technology there is a contingency to allow as the bids come in, if we realize a savings, than we can entertain doing those things. Mr. Goudreau said that they started by setting a goal for the project and we have cut back to address issues of cost. We will do green technology if we can afford it. For the construction management contract the cost you see tonight is the maximum. When the bids come back if there is savings realized that comes back to the town. It is money that could come back to the voters or be used toward issues that were

mentioned tonight by Mr. Kline. Bernie Volz said that he was on the Town Energy Committee and one of the things that they are considering is a solar voltaic system. Mr. Volz said that the lights in the fire station and the new fire station doors came from things that the Energy Committee did this past year. Mary Alice Warner said that she volunteers at the jail and many of the inmates tell her that when they are arrested they are pretty out of control. Mrs. Warner said that she feels that the police should be safe. She wants to support the professionals and especially Mark Chase for all their good work. Randy Mattson took this opportunity to thank Steve Condojani and the members of the Building Committee, members of the Space Needs committee, the members of the Energy Committee and all of the different groups who have volunteered their service to work on this project. Many nights they were out to meetings, they traveled around and they did a lot of research. They should be commended for their service to our community. Ms. Mattson said that it is exciting to see so many people here and she hoped that this is a sign that in the future when we are looking for people to service on these committees and groups some of the people here will step forward and take their turn at community service. The result of the vote was: "No" votes 151, "Yes" votes 138, 2 votes were illegible. The Article failed.

Article 3. It was moved by Randy Mattson and seconded by David Hughes to authorize the Selectmen to enter into a lease-purchase agreement in the amount of \$330,000, payable over a term of ten (10) years to purchase a 2011 fire engine for the Fire Department and to raise and appropriate \$50,000 for the down payment with \$25,000 to come from the Fire Department Engine or Rescue Vehicle Capital Reserve Fund and the remaining \$25,000 from general taxation. The first payment of \$34,008 will be due in 2012. The Selectmen recommend this appropriation (2/3 ballot vote required). Scott Davis said that the proposed truck is about \$125,000 more than the last truck and wanted the Fire Chief to explain the differences. Fire Chief John Schlemmer said that they were proposing to buy a custom fire engine; it is a six man cab. It will have a bigger fire pump than the existing fire truck. It will also carry about 670 gallons more water than the previous trucks that we have owned. Chief Schlemmer said that three and a half years ago we replaced Engine 1 because it was not in service; that was a 1979 truck, now we are replacing the 1988. We have gone from 4 engines to 2 engines. The goal is to have additional water on the one truck, and to have 2 dependable trucks, one for each side of town. Chief Schlemmer said that in January we received a new ISO rating and everyone should be talking to their insurance companies to get a better rate. Chief Schlemmer said that Engine 2 has a magnitude of issues. It will probably get through the inspection in March but probably won't pass inspection in the Fall. Chief Schlemmer said that the only tax money this year would be the \$25,000. The other \$25,000 for the down payment would come from the Capital Reserve. The first payment of approximately \$33,500 would be due in 2012. As of today we have an interest rate of 3.396%. Delivery would probably be in October or November. Gary Toczko asked why we weren't taking the full \$50,000 out of the Capital Reserve Fund. Chief Schlemmer said that we could do that but he is afraid that if we deplete the Capital Reserve we will be coming back in 4 or 5 years looking for more money. He would like to see a level funding without any big spikes. The Article carried.

Article 4. It was moved by Charley Hanson and seconded by Kent Warner to raise and appropriate \$713,495 to defray the Town charges for the ensuing year. (\$714,114 appropriated in 2010). The vote to approve this Article was unanimously in favor.

Article 5. It was moved by Richard Drenkhahn and seconded by Pat Mohan to raise and appropriate \$20,000 to be placed in the existing Town Buildings Repairs and Maintenance Expendable Trust Fund for the purpose of repairing and maintaining municipally owned buildings. (\$20,000 appropriated in 2010). The Selectmen recommend this appropriation. (Majority vote required). The vote to approve this Article was unanimously in favor.

Article 6. It was moved by Randy Mattson and seconded by Kent Warner to raise and appropriate \$20,000 to be placed in the existing Energy Conservation & Improvements Expendable Trust Fund for the purpose of implementing the recommendations from the energy audit and future evaluations as may be performed on municipally owned buildings and grounds. (\$20,000 appropriated in 2010). The Selectmen recommend this appropriation. (Majority vote required). The vote to approve this Article was unanimously in favor.

Article 7. It was moved by Charley Hanson and seconded by Janet Kimball to raise and appropriate the sum of \$13,176 for Phase II of updating the Town's Master Plan. The Selectmen recommend this appropriation. (Majority vote required). Bonnie Burgess asked, "What is Phase II of the Master Plan?" Mr. Hanson explained that the Master Plan needs to be updated every ten years; this is to complete the Master Plan for the Town. Mr. Hanson said that a survey was sent out, the Planning Board broke the update into two pieces and this appropriation would be to complete the remaining chapters. The motion carried.

Article 8. It was moved by Richard Drenkhahn and seconded by Kent Warner to raise and appropriate the sum of \$500 for the purpose of supporting the Coalition Communities. The Selectmen recommend this appropriation. (Majority vote required). David Schimke asked, "What is the 'Coalition Communities'?" Mr. Hanson explained that it represents a group of "donor" towns. This would be to help stop bringing back "donor" towns. The motion carried.

Article 9. It was moved by Randy Mattson and seconded by Pat Mohan to raise and appropriate the sum of \$337,272 for the maintenance of Town Highways and Bridges, including sidewalks and dead tree removal. This appropriation to be offset with estimated \$40,357 from State Highway Block Grant Aid and the balance of \$296,915 to be raised by Taxes. (\$343,847 appropriated in 2010). Kathleen Hill asked if the \$40,357 from the State Highway Block Aid is money that is still in the Governor's proposed budget because a lot of the things that the State used to pay for is up for grabs. Ms. Hill is concerned that perhaps we will not get this money. Mr. Hanson said that there is never a guarantee but this is the figure that the Selectmen received in the last month. The vote to approve this Article was unanimously in favor.

Article 10. It was moved by Charley Hanson and seconded by Janet Kimball to raise and appropriate the sum of \$60,000 for the purpose of road surface management. (\$60,000 appropriated in 2010). The vote to approve this Article was unanimously in favor.

Article 11. It was moved by Richard Drenkhahn and seconded by Bernie Volz to raise and appropriate the sum of \$30,000 to be added to the Highway Department Truck or Equipment Capital Reserve Fund previously established. (\$30,000 appropriated in 2010). The Selectmen recommend this appropriation. (Majority vote required). Kent Warner asked how much was in

the Fund now. Ms. Mattson said that there was \$90,000 as of December 31, 2010. The motion carried.

Article 12. It was moved by Randy Mattson and seconded by Peter Loudon to raise and appropriate the sum of \$255,844 for the operation of the Police Department. (\$249,787 appropriated in 2010). The vote to approve this Article was unanimously in favor.

Article 13. It was moved by Charley Hanson and seconded by Peter Loudon to raise and appropriate the sum of \$20,000 to be placed in the existing Capital Reserve Fund for the purpose of purchasing a fully equipped police cruiser. (\$20,000 appropriated in 2010). The Selectmen recommend this appropriation. (Majority vote required). The motion carried by majority vote.

Article 14. It was moved by Richard Drenkhahn and seconded by John Schlemmer to raise and appropriate the sum of \$154,137 for the maintenance of the Center Harbor Fire Department. (\$141,903 appropriated in 2010). The vote to approve this Article was unanimously in favor.

Article 15. It was moved by Randy Mattson and seconded by Janet Kimball to table Article 15 until we have the results of the vote for Article 3. The vote was unanimously in favor.

Article 16. It was moved by Charley Hanson and seconded by John Schlemmer to raise and appropriate the sum of \$5,000 for the purchase of a pump for the Fire Department. The Selectmen recommend this appropriation. (Majority vote required). The vote to approve this Article was unanimously in favor.

Article 17. It was moved by Richard Hanson and seconded by Gregory Hime to raise and appropriate the sum of \$5,000 to be placed in the existing Capital Reserve Fund for the purpose of purchasing Self-Contained Breathing Apparatus (S.C.B.A.). (\$5,000 appropriated in 2010). The Selectmen recommend this appropriation (Majority vote require). John Schlemmer said that three or four years ago he bought twelve SCBAs. The plan is that in probably 15 years we will have to replace them all so if we put \$5,000 away each year we should be able to replace them without asking for more tax dollars. The vote to approve this Article was unanimously in favor.

Article 18. It was moved by Randy Mattson and seconded by Janet Kimball to table this Article until we have the results of the vote for Article 2. The vote was unanimously in favor to table this Article until the results of the vote for Article 2 are known.

Article 19. It was moved by Charley Hanson and seconded by Richard Drenkhahn to establish a Public Safety Detail Services Revolving Fund pursuant to RSA 31:95-h. The money received from fees for Police Department and Fire Department outside special detail services shall be allowed to accumulate from year to year, and shall not be considered to be part of the Town's general fund unreserved fund balance. The Town Treasurer shall have custody of all monies in the fund, and shall pay out the same only upon order of the Board of Selectmen (no further Town Meeting approval required). These funds may be expended only for the purpose of costs associated with providing outside special detail services by the Police Department and Fire

Department and no expenditure shall be made in such a way as to require the expenditure of other town funds that have not been appropriated for that purpose. Gary Toczko wanted to know more about this, why it would be coming off of the books and the accounting of it. Charley Hanson said that this was created because we currently carry special detail line items in the budget for police and fire, we don't know what will come up during the year and that makes it hard to budget for it. We have to show the expenditure as well as the revenue. This is a way to take it out, by transferring the money, and pay directly for those detail services, without affecting either the police or the fire. Mr. Toczko asked for an example. Mr. Hanson said that if there was some construction work being done on the highway a police officer would go down and instead of the pay coming through the police department budget it would go directly into this fund and the officer would be paid directly out of that. A fire department detail would be the same principle. The vote to approve this Article carried by a majority vote.

Article 20. It was moved by Richard Drenkhahn and seconded by Kent Warner to raise and appropriate the sum of \$54,904 for the purpose of providing ambulance service to the Town. (\$54,088 appropriated in 2010). The vote to approve this Article was unanimously in favor.

Article 21. It was moved by Randy Mattson and seconded by Gregory Hime to vote to raise and appropriate the sum of \$168,207 for the disposition of Solid Waste. (\$157,748 appropriated in 2010). The vote to approve this Article carried by majority vote.

Article 22. It was moved by Charley Hanson and seconded by Pat Mohan to raise and appropriate the sum of \$83,966 for the operation of the James E. Nichols Memorial Library. (\$81,721 appropriated in 2010). The vote to approve this Article was unanimously in favor.

Article 23. It was moved by Richard Drenkhahn and seconded by Kent Warner to raise and appropriate the sum of \$55,250 for Parks and Recreation. (\$56,250 appropriated in 2010). The vote to approve this Article was unanimously in favor.

Article 24. It was moved by Randy Mattson and seconded by Stephen Brem to raise and appropriate the sum of \$21,800 for Patriotic Purposes including Fourth of July activities. (\$21,550 appropriated in 2010). The vote to approve this Article carried by a majority vote.

Article 25. It was moved by Charley Hanson and seconded by Janet Kimball to raise and appropriate the sum of \$11,090 for the Center Harbor Town Band Concerts. (\$9,200 appropriated in 2010). The vote to approve this Article was unanimously in favor.

Article 26. It was moved by Richard Drenkhahn and seconded by Gregory Hime to raise and appropriate the sum of \$25,000 for Direct Welfare. (\$25,000 appropriated in 2010). The vote to approve this Article was unanimously in favor.

Article 27. It was moved by Randy Mattson and seconded by John Schlemmer to raise and appropriate the sum of \$1,200 for the support of Emergency Management. (\$1,750 appropriated in 2010). The vote to approve this Article was unanimously in favor.

Article 28. It was moved by Charley Hanson and seconded by Pat Mohan to raise and appropriate the sum of \$1,000 for Center Harbor's share of the operation of the Red Hill Tower. (\$1,050 appropriated in 2010). The vote to approve this Article was unanimously in favor.

Article 29. It was moved by Richard Drenkhahn and seconded by Gregory Hime to raise and appropriate the sum of \$500 for the Centre Harbor Historical Society. (\$500 appropriated in 2010). The vote to approve this Article was unanimously in favor.

Article 30. It was moved by Randy Mattson and seconded by Richard Harlow to raise and appropriate the sum of \$38,927 for the support of the following health and welfare agencies. (\$38,753 appropriated in 2010):

<u>Agency</u>	<u>2011 Request</u>	<u>2010 Appropriation</u>
Meredith Public Health	\$12,872	\$12,201
Winnepesaukee Wellness Center	\$ 6,000	\$ 6,000
Community Action Program	\$ 8,400	\$ 8,400
Child & Family Services	\$ 3,500	\$ 3,500
Inter-Lakes Day Care	\$ 4,662	\$ 4,662
New Beginnings	\$ 1,000	\$ 1,000
American Red Cross	\$ 492	\$ 492
Genesis	\$ 1,500	\$ 1,500
CASA	\$ 500	\$ 500
Center Harbor Soup Kitchen	\$ 1	\$ 500
Total	\$38,927	\$38,753

Mary Alice Warner amended the amount of the Center Harbor Soup Kitchen from \$1.00 to \$500.00. Mrs. Warner explained that the Soup Kitchen is open every Tuesday night at the Center Harbor Congregational Church. The food is provided by the churches in the area and is free to anyone coming in. The vote to amend the amount for the Center Harbor Soup Kitchen from \$1.00 to \$500.00 was unanimously in favor. The motion carried as amended.

Article 31. It was moved by Charley Hanson and seconded by Diane Drenkhahn to raise an appropriate the sum of \$199,000 for the purchase of property located on Tax Map 8, Lot 34. This article shall be null and void if Article 2 passes. The Selectmen recommend this appropriation. (Majority vote required). Pam Markley asked why we are buying the land. Charley Hanson said this is the property that we would have put the proposed police station on and it is still a good deal. David Hughes said that he is speaking out against this article, he does not think that the town needs to buy this property; he thinks that there are a lot of options for the police station. Barry Borella said that having defeated the motion to build the police station he seconds what Mr. Hughes said. Bob Beem said he wondered if David Hughes and/or Barry Borella could be more specific about what available parcels of land there would be in the downtown area. Mr. Beem said that there is only one that he knows about and it would cost more to develop it than the price of the McCahan land. That would be the one that would be accessed from here or by the Dybros property. Mr. Beem asked them to be specific because

there are other pieces of available land in other parts of town. Mr. Beem asked if the police station should be in the geographical center of town or in the business section of town. John Kimball asked Mr. Beem what piece he was talking about. Randy Mattson said that she thought Mr. Beem was speaking about the piece of property behind the Congregational Church; it is a thin piece of land that can be accessed from the parking lot. Ms. Mattson said that the Building Committee rejected it because a two hundred foot road would have to be put in for access, it would put the building away from the infrastructure that is here and it would put the Police Department in a place where it would not be visible and that was something that was mentioned in the MRI Report that was done in 2002. That Report said that the Police Department should be visible. It was also rejected because the distance the police would have to travel to get onto road would be significant. Kent Warner said to David Hughes that they had discussed this and at that time you (David Hughes) suggested that the way to do that would be to swap the land on the far side of the Church property with the land behind the Church property. Mr. Warner said that as one of the Church Trustees and a long time member of the Church, we use that land. Mr. Warner said that he could not speak for the Church but he thought that the Church would have trouble trying to use the land that Mr. Hughes proposed to swap. David Hughes said that, "Mr. Warner has attempted to quote some of the discussions, and options, and ideas that were discussed the other day; he took a lot of items I discussed with him out of context. Point made." Mr. Hughes said that the land belongs to the town; the town has decided not to build the facility at this time. Mr. Hughes said that he thinks we should defeat this article. Pam Markley wanted to point out to everyone that in the Building Committee Minutes on 12-18-2008, TML #9-26 was the Building Committee's first choice. Dennis Murphy spoke in favor of this Article. Mr. Murphy said that no matter what the view was on Article 2, on the Police Station. This town has some long term facility concerns and needs. Here is an opportunity to acquire a piece of land right by the village, this kind of opportunity is probably not going to arise again in an awfully long time, it is a favorable price and it is worth the Town acquiring it even if we sit on it for a great number of years before we do anything with it; while we assess the overall needs for space for all of our facility needs. Mr. Murphy feels that we will regret it if we miss this opportunity. Bob Beem said that he agrees with Mr. Murphy. Mr. Beem also said to refer to Mrs. Markley's reading from the Minutes and remember at that time the Committee was only looking at Town owned land so the first choice was the piece behind here because the Town owned it, the second choice was the Park piece that we went through last year. Mr. Beem feels that the McCahan property is the best piece of land in Town for anything like this; he feels that we will miss an opportunity. Mr. Beem encouraged those present to purchase it. Mr. Beem said that at the time Mrs. Markley is referring to this wasn't even under consideration. The Committee was told not to put it on the list. Danae Kline asked if all Center Harbor properties been looked at for creative solutions? Charley Hanson said that we have town owned properties, this piece of property came up and was an opportunity at the time, and so no other properties only town owned properties were looked at. Bernie Volz said that even if we don't use this property for a police station this is a good opportunity to buy this land and even if the town sits on it for many years, this is a great opportunity to gets some land at a very good price in the area of town. This motion was defeated.

Article 32. It was moved by Richard Drenkhahn and seconded by David Schimke to allow a discount of two (2) percent on taxes paid within twenty-two (22) days of issue of tax bills by the Tax Collector. This motion carried.

Article 33. It was moved by Bonnie Burgess and seconded by Gene Burgess to direct the Selectmen to A) Solicit bids for building a 1000 sq. ft. to 1500 sq. ft addition to the existing town office building to meet the needs of the Police Department as outlined in the MRI report. B) To engage a contractor on a fixed price not to exceed \$350,000 to design and build the required facilities and or addition to the Town Office Building. C) To discontinue work on any other expansion or location for a proposed police station other than the one anticipated in this article. By petition. The Selectmen do not recommend this appropriation. (Majority vote required). Bob Beem amended this Article, "To see if the Town will vote to raise and appropriate no funds, and to direct the Selectmen to A) Solicit bids for building a 1000 sq. ft. to 1500 sq. ft. addition to the existing town office building to meet the needs of the Police Department as outlined in the MRI report. B) To engage a contractor on a fixed price not to exceed \$350,000 to design and build the required facilities and or addition to the Town Office building. C) To discontinue work on any other expansion or location for a proposed police station other than the one anticipated in this article." Dennis Schofield seconded this amendment. Bob Beem said that, "There has been some confusion or disagreement as to whether this Article actually raises and appropriates any money. It refers to an amount, I have been told by the people who petitioned it that they weren't really intending to raise money. It's unclear, it is going to leave it open to some kind of fights or litigation. If it is unclear it cannot be made clear to raise money, only if it is clear to raise money can it raise it. In my years of being involved in Town government the last 35 years or so I have never seen a money article that didn't start with, 'To see if the Town will vote to raise and appropriate blah, blah, blah. The only way to make this clear is to make it very clear that it does **not** raise and appropriate any money; otherwise it is just an unclear disagreed upon article. If the Petitioners have a different interpretation from what they told me, if they want it to raise money could they let us know that? I think that an article should be clear and the only way this could be clear and legal is to approve my amendment; whether you are in favor of the article or not, however the article ends up being voted on or further amended." The Selectmen were told that it does talk about raising funds, if so they would have to raise those funds all in one year. Randy Mattson said that Bob was in to talk to the Selectmen about the wording of this. This Warrant article along with all of the Warrant Articles was sent to the Department of Revenue Administration and their opinion was that this Article if it was considered would be a valid article. We asked them a second time to make sure after Bob brought this question to the Board about the fact that it doesn't say "raise and appropriate". The Town's advisor at the DRA said if this article passed they would consider that the Town had appropriated \$350,000. Bernie Volz said that he would take that to be the meaning as well because it does say design and build. If you are going to build something you are going to pay for it. Mr. Volz said that the only objection that he would have, and he didn't know if it should be a separate amendment or not, is it says contractor to design and build. Typically we do not have the same person do both the design and building. Mr. Volz feels that we should also fix that. He thinks that should be an amendment to the amendment. Bonnie Tower asked if Mark Chase would speak to that. Chief Mark Chase said that as much as he appreciates the recognition that we need some space and this would address some space concerns, he recommends not voting for this because there is no plan, just a number with no thought or discussion on needs. Chief Chase said that he does not think that this is a wise way to spend money; we would be better off to come back next year with a plan. Chris Williams said that he wanted to reinforce what Chief Chase said. He feels that it would be a mistake to say you were going to do "X" number of square feet for "X" number of

dollars on a facility that has not had sufficient study done on it. Steve Condojani said that we have just voted down an article because we want to look at other alternatives, this limits us to only doing one thing and that is adding on to this building. You have been talking about looking at other locations and doing other things. This ties our hands completely. If you really want flexibility this should be voted down. Gene Burgess said we have had this discussion, let's do what the police need, let's try to co-operate with people we will get more done. This fighting is getting nothing done. Bob Beem said he thinks that we are getting mixed up with talking about the article and his amendment. Right now we are only supposed to be deciding whether it says or should say or not say whether to raise money. Randy Mattson said that she appreciates what Gene Burgess said. You are the legislative body and you decide, and you have decided. This needs study and we need to start over again and figure out what we are going to do that everyone at this legislative body can agree with. This article is not the way to do it. Gary Toczko is for the amendment if it wipes out this ridiculous article but from what the State says, it does say that we would have to raise and appropriate \$350,000, then how would your amendment be a contradiction within the article. Mr. Toczko said that he is definitely against this article, it is absurd. Bob Beem said that if the article is voted down he doesn't care if the amendment is in there or not; it doesn't matter. But you can always vote to not raise funds if it is not clear and somebody might challenge it you can't decide to raise funds when it wasn't properly warn it. To approve this Article without the amendment is dangerous. The vote for the amendment was unanimously in favor. David Schimke said that he wanted to simplify this. If we vote no on this amended thing it is over and done with; if we vote yes for it we are going to perpetuate it. Steve Brem said as amended it is a bid and a contractor will put a time limit on it. There is no money involved, it would be just a bid. Don Thibeault said that if you vote in favor you dictate the size and way the process will take place to create the building. Mr. Thibeault feels it would be voted down. The motion as amended was voted down.

At this time Charley Hanson asked the Moderator to take Article 18 off the table. This was seconded by Marty LeRoy. The Moderator reread the article. Charley Hanson amended Article 18 to, "To see if the Town will vote to raise and appropriate the sum of \$25,000 to be placed in the existing Capital Reserve Fund for the purpose of design and construction of a Public Safety Facility. This amendment was seconded by Diane Drenkhahn. Dennis Schofield said that last year we appropriated \$50,000 if \$50,000 was good last year it would be good this year. Bernie Volz seconded that. Charley Hanson withdrew his amendment and submitted a new amendment in the amount of \$50,000. Diane Drenkhahn seconded this amendment. The amendment carried. Article 18 as amended carried.

Article 34. It was moved by Charley Hanson and seconded by Marty LeRoy that the Scenic designation of Center Harbor Neck Road be extended to include Center Harbor Neck Road in its entirety. Diane Drenkhahn asked, "Why?" John Kimball explained that a scenic road designation allows the restriction of the removal of trees from right-of-ways and private property without permission from the property owners. This motion carried.

Article 35. It was moved by Randy Mattson and seconded by Diane Drenkhahn to choose agents or committees in relation to any article of the Warrant and hear reports of any heretofore chosen. The motion carried.

At this time it was moved by Richard Drenkhahn and seconded by Charley Hanson to take Article 15 off the table. . It was moved by Randy Mattson and seconded by Pat Mohan to raise and appropriate the sum of \$1.00 to be placed in the existing Capital Reserve Fund for the purpose of purchasing a Fire Department engine or rescue vehicle. (\$25,000 appropriated in 2010). The Selectmen recommend this appropriation. (Majority vote required). The motion carried.

At this time John Kimball thanked all of the elected and appointed officials for their efforts. He also thanked the legislative body for speaking their minds and making the decisions that will affect all of people of Center Harbor. Mr. Kimball asked everyone to pick up a copy of the Town Report and look at all the work that has gone into it. He asked that everyone look at the Dedication of this year's Report to Diane Kline and Roger Kelley; both officials and hard workers in this Town for many years.

Randy Mattson thanked Selectman Drenkhahn for his service for the last three years on the Board of Selectmen.

Bess Hanson thanked the entire Drenkhahn family for all of the volunteer work that they do year after year.

The Moderator dissolved the 2011 Town Meeting at 11:40 P.M.

Respectfully submitted by,

Sheila Mohan  
Town Clerk