

## **2018 Town Meeting Minutes**

**Town of Sanbornton**

**State of New Hampshire**

**March 14, 2018**

Town Moderator Tim Lang opened the meeting at 7:05 p.m. and recognized Pastor, Ruth Martz to give the invocation. Bill North was recognized to lead in the Pledge of Allegiance. Mr. North asked that all of the Veterans in attendance stand to be recognized after the Pledge

Members of the Budget Committee introduced themselves. Chairman Ralph Rathjen, Craig Davis, Justin Barriault, Craig Weisman, Earl Leighton and John Vorel.

Tim Lang introduced those sitting at the Board of Selectmen's table. Eric Maher - Attorney, Katie Ambrose - Town Administrator, Karen Ober - Selectman, Katy North - Selectman, Marla Davis - Town Clerk/Tax Collector, Audry Barriault - Secretary - Courtney Plamondon, Deputy Tax Collector. He also announced that the Assistant Town Moderators for the night will be Doug Rasp and Dick Gardner.

Chair Ober spoke about the Town Report being dedicated to Tom Salatiello. Selectman North presented proclamations to Chair Ober, Earl Leighton and Sandy Leighton. Joel Smith of the Recreation Commission presented a proclamation to Tracy Wood.

Moderator Lang announced the results of the Town & School District ballot voting results from yesterday and noted that the proposed Planning Board ordinance also passed.

**Moderator Lang read Article #1 as follows:**

## **Article 01: Bond for Reconstruction of Lower Bay Road**

To see if the Town will vote to raise and appropriate the sum of \$1,903,283 (gross budget) for the reconstruction of portions of Lower Bay Road in Sanbornton from Bay Road to Upper Smith Road with \$1,903,283 of such sum to be raised through the issuance of bonds or notes under and in compliance with the Municipal Finance Act (RSA 33); to authorize the Selectmen to apply for, obtain and accept federal, state or other aid, if any, which may be available for said project, including, but not limited to, State Highway Aid reimbursement in the amount of 80% of project costs and to comply with all laws applicable to said project; to authorize the Selectmen to issue, negotiate, sell and deliver such bonds or notes and to determine the date, rate of interest, maturity, denominations, place of payment, and other details, as the Selectmen determine to be in the Town's interest; to further raise and appropriate the additional sum of \$51,480 for the first year payment on the bond; and to authorize the Selectmen to take any other action necessary to carry out this vote or to pass any other vote relative thereto.

(2/3 Ballot Vote Required)

This Warrant Article is designated as a Special Warrant Article.

Recommended by the Selectmen - Recommended by the Budget Committee

**Moderator Lang recognized Selectman Katy North for the purpose of a motion. Second by Selectman Karen Ober.**

**Discussion:** Town Administrator Katie Ambrose explained that this project is for the reconstruction of Bay Road to Upper Smith Road. Tim Lang stated that this must be a ballot vote and the ballot box must be open for at least one hour, and he will move on to other articles in the meantime.

Voting open from 7:30-8:33pm.

140 votes total:(93 votes for 2/3 requirement)

131 – Yes

7 – No

2 – Blank

**The vote was in the affirmative - Article #1 passed without amendments.**

**The Moderator read Article #2 as follows:**

**Article 02: Operating Budget - Town**

To see if the Town will vote to raise and appropriate the sum of Three Million Nine Hundred Fifty Four Thousand One Hundred Thirty Four dollars (\$3,954,134) for general municipal operations as recommended by the Budget Committee. The Selectmen recommend \$4,068,914. The Selectmen intend to utilize \$50,109 from the unassigned fund balance to offset increases in town compensation within the approved budget. This article does not include appropriations contained in special or individual articles addressed separately.

(Majority vote required)

<b>DRA Acct. #s</b>	<b>DRA Account Name</b>	<b>Budget Committee Recommendation</b>	<b>Selectmen's Recommendation</b>
4130-4199	General Government	1,376,771	1,416,511
4210	Police	423,816	427,816
4220-4299	Fire & Emergency Mgt.	475,045	484,845
4311-4319	Highways & Streets	892,535	953,773
4321-4329	Sanitation	239,198	239,198
4411-4449	Health & Welfare	106,416	106,416
4520	Recreation	110,476	110,476
4550	Library	137,343	137,343
4583-4589	Other Culture and Patriotic Purposes	3,251	3,251
4611-4659	Conservation	1,824	1,824
4711-4799	Debt Service	187,459	187,459
<b>Total</b>	<b>→</b>	<b>3,954,134</b>	<b>4,068,914</b>

**Moderator Lang recognized Ralph Rathjen for the purpose of a motion. Second by Earl Leighton.**

**Discussion:** Craig Davis spoke to the process of the Budget Committee approving budgets, and also on the underused fuel line that was voted to be reduced by the Budget Committee. Earl Leighton and Craig Weisman explained that the Town has subcontracted snow removal and therefore the BC voted to not fund another Highway Dept employee. Justin Barriault stated that the 6<sup>th</sup> officer for the Police Department was voted in at \$0 by the Budget Committee, and Ralph Rathjen stated that the Medical Insurance line has been historically underspent and that is the reason for the BC voting for a lesser amount for that line than the BOS.

Chair Ober stated that the Budget Committee's handout states that the BOS can overspend and take money from the general fund balance which is not true. Ralph Rathjen responded that the Town can approach the Department of Revenue and request to spend from this if there are unusual circumstances.

Chair Ober made a motion for an amendment to Article 2 to add **\$89,355.00** with distributions to line items as follows, seconded by Selectman North:

- 4155.210 – Medical Insurance - \$39,740
- 4312.636 – Highway Dept Diesel - \$15,000
- 4312.110 – Full-time Truck Driver - \$32,155
- 4312.220 – FICA for Truck Driver - \$1,994
- 4312.225 – Medicare for Truck Driver - \$466

**Discussion:**

Chair Ober stated that vacancies for Town positions have affected the Medical Insurance line and the BOS anticipates an 11% increase in Medical Insurance next year. She stated that \$25,000 for diesel for the Highway Department is not enough since the spend on this line through February 28<sup>th</sup> was \$22,500. She noted that there was work that was not completed because the Highway did not have the additional worker that is being requested.

Andy Sanborn stated that he was on the Highway Dept Privatization Committee and found that it was inconclusive if outsourced trucking saved the Town money. Craig Davis stated that the BC cannot hire or fire employees and the BOS is the department that established using hired trucking. Johnny Van Tassel stated that this is not a new employee, he is just looking to reinstate what was a previous approved and filled position. Chair Ober stated that the BOS have already hired someone for this position.

Lynn Chong stated that the \$50,000 used for pay increases should be on a separate warrant article next year so that it's clearer to the public what the money is for even though it's not raised by taxation.

Justin Howe made a motion for another amendment to Article 2 – Line 4210.00 - \$88,065 to refund the vacant 6<sup>th</sup> police officer position. Cal Di Nitto seconded the motion. Police Chief Hankard stated that many officers have left the department citing low pay as the main reason and it is hard to find a fully trained police officer that can start immediately and not need a year of training. He stated that the higher salary for this position will entice an experienced officer to join the department. Justin Howe explained that police officers starting and then leaving as soon as their contract is up and having to re-train new officers over and over again is not a good use of taxpayer money. Chief Hankard stated that the 6<sup>th</sup> officer position will allow the department to have 24-hour coverage; right now, the State Police cover between the hours of 2:00am and 6:00am.

**Vote was in the affirmative – Article 2 passed with the two amendments for \$89,355 and \$88,065 for a new total operating budget of \$4,131,554.**

**Motion made by Cal Di Nitto to restrict reconsideration of Article #2, second by Selectman Olmstead.**

**The Moderator read Article #3 as follows:**

**Article 03: Discontinue the Fire Department Rescue Vehicle CRF**

To see if the Town will vote to discontinue the Fire Department Rescue Vehicle Capital Reserve Fund established in 1997 for the purpose of repair and replacement of Fire Department rescue vehicles. The Fund has a current balance of Ten Thousand Forty One and 24/100 dollars (\$10,041.24) and said funds, and all accumulated interest to date of withdrawal, are to be transferred to the Town's general fund.

(Majority Vote Required)

Recommended by the Selectmen - Recommended by the Budget Committee

**Moderator Lang recognized Selectman John Olmstead for the purpose of a motion.  
Second by Selectman Katy North.**

**Discussion:** Fire Chief Paul Dexter explained that the Fire Department will use these funds for a multi-purpose vehicle rather than one dedicated solely to rescue.

**The vote was in the affirmative - Article #3, passed without amendments.**

**The Moderator read Article #4 as follows:**

**Article 04: Transfer to the Fire Truck CRF**

To see if the Town will vote to raise and appropriate the sum of Ten Thousand Forty One and 00/100 dollars (\$10,041.00) for the payment to the Fire Truck Capital Reserve Fund. This sum to come from the unassigned fund balance with no amount to be raised by taxation.

(Majority Vote Required)

This Warrant Article is designated as a Special Warrant Article.

Recommended by the Selectmen - Recommended by the Budget Committee

**Moderator Lang recognized Selectman John Olmstead for the purpose of a motion.  
Second by Selectman Katy North.**

**Discussion:** Selectman Olmstead explained that this article is related to moving the discontinued Rescue Vehicle CRF to the general fund and now moving out of the general fund into the Fire Truck CRF.

**The vote was in the affirmative - Article #4, passed without amendments.**

**The Moderator read Article #5 as follows:**

**Article 05: Capital Outlay**

To see if the Town will vote to raise and appropriate the sum of Six Hundred Twenty Six Thousand Nine Hundred Ninety Five dollars (\$626,995) for the following Capital Outlay purposes:

<b>DRA Acct. #s</b>	<b>DRA Account Name</b>	<b>Budget Committee Recommendation</b>	<b>Selectmen's Recommendation</b>
4902	Machinery, Vehicles & Equip:		
	-DPW-Truck 5	21,051	21,051
	Lease Payment		
	-Police – Pickup Truck Lease	5,944	5,944
	Payment (formerly referred to as SUV)		
Sub-Total →		<u>26,995</u>	<u>26,995</u>
4909	Improvements Other Than Buildings		
	-Town Roads	<u>600,000</u>	<u>600,000</u>
Total for All Capital Outlays → (Majority Vote Required)		626,995	626,995

Recommended by the Selectmen - Recommended by the Budget Committee

**Moderator Lang recognized Selectman Katy North for the purpose of a motion. Second by Selectman John Olmstead.**

**Discussion:** Selectman North stated that this is recommended by both the BOS and BC and that page 88 of the Town Report outlines the roads to be paid for with account 4909.

**The vote was in the affirmative - Article #5, passed without amendments.**

**The Moderator read Article #6 as follows:**

**Article 06: Police Cruiser**

To see if the Town will vote to raise and appropriate the sum of Thirty Four Thousand dollars (\$34,000) for the purchase and set up of a Police Cruiser. This cost includes: updating any equipment needed, installation of existing equipment, decommissioning a cruiser in order to send it to auction or for trade with the funds received to be used to offset the costs of the vehicle.

(Majority vote required)

Recommended by the Selectmen - Recommended by the Budget Committee

**Moderator Lang recognized Chair Ober for the purpose of a motion. Second by Selectman North.**

**Discussion:** Chair Ober explained that sometimes the Police Chief has been able to extend a vehicle another year, saving on the purchase of a new vehicle, but that is not the case this year.

**The vote was in the affirmative - Article #6, passed without amendments.**



**The Moderator read Article #7 as follows:**

**Article 07: Rescind Off-Highway Recreational Vehicle (OHRV) Ordinance**

To see if the Town will vote to rescind the Off Highway Recreational Vehicle (OHRV) Ordinance, initially adopted at Sanbornton Town Meeting on March 6, 1973. Said ordinance prohibits the operation of OHRVs between the hours of 12:00 a.m. and 6:00 a.m. and also prohibits the operation of OHRVs on the property of another without prior express permission and makes a violation of said ordinance punishable by \$25.00 fine

(Majority vote required)

Recommended by the Selectmen

Moderator Lang recognized Selectman Olmstead for the purpose of a motion. Second by Chair Ober.

Discussion: Selectman Olmstead stated that this ordinance predates the State ordinance, and Police Chief Steve Hankard explained that the department does not have the equipment or manpower to enforce OHRV violations and recommends eliminating this ordinance.

**The vote was in the affirmative - Article #7, passed without amendments.**

**The Moderator read Article #8 as follows:**

**Article 08: Transfers to Capital Reserve Funds**

To see if the Town will vote to raise and appropriate the sum of Two Hundred Ninety Thousand dollars (\$290,000) for the payment to the Capital Reserve Funds as follows:

<u>DRA Account Name</u>	Budget Committee	Selectmen's
To Capital Reserve Funds	<u>Recommendation</u>	<u>Recommendation</u>
Fire Truck	80,000	80,000
Fire Truck Repair & Refurbish	10,000	10,000
Road/Bridge Construction	100,000	100,000
Milfoil, Phosphorus Reduction	5,000	5,000
Town Building Improvements	25,000	25,000
Facilities Repair & Refurbish	45,000	45,000
Town Hall Repair & Restoration	<u>25,000</u>	<u>25,000</u>
Total Operating Transfer	290,000	290,000

(Majority vote required)

This Warrant Article is designated as a Special Warrant Article.

Recommended by the Selectmen - Recommended by the Budget Committee

Moderator Lang recognized Selectman North for the purpose of a motion. Second by Selectman Olmstead.

**Discussion:** Lynn Chong asked what the plan is for Old Town Hall maintenance. Steve Ober responded that that information is in the Town Report.

**The vote was in the affirmative - Article #8, passed without amendments.**

**The Moderator read Article #9 as follows:**

**Article 09: Transfer to Capital Reserve Fund for Road Construction**

To see if the Town will vote to raise and appropriate the sum of Three Hundred Fifteen Thousand dollars (\$315,000) to be transferred to the Road/Bridge Construction Capital Reserve Fund for the purpose of repairing a portion of Lower Bay Road from Upper Smith Road to Leavitt Road and to repair Collieson Road, Ellis Farm Road, Leavitt Road, and Skyline Drive. This sum to be transferred from the unassigned fund balance with no amount to be raised by taxation.

(Majority vote required)

This Warrant Article is designated as a Special Warrant Article.

Recommended by the Selectmen - Recommended by the Budget Committee

**Moderator Lang recognized Chair Ober for the purpose of a motion. Second by Selectman North.**

**Discussion:** Chair Ober stated that, with this article, the remainder of the reconstruction of the bayside roads of Sanbornton will finally be completed.

**The vote was in the affirmative - Article #9, passed without amendments.**

**The Moderator read Article #10 as follows:**

**Article 10: Highway Truck Lease/Purchase**

To see if the Town will vote to authorize the Board of Selectmen to enter into a five (5) year lease/purchase agreement for One Hundred Seventy-Five Thousand dollars (\$175,000) for the purpose of replacing Truck 3 for the Highway Department, and to raise and appropriate the sum of Thirty-Five Thousand Dollars (\$35,000) for the first year's payment for that purpose. The vehicle being replaced shall be sent to auction with the funds received to go to the general fund.

This agreement contains a non-appropriation (escape) clause.

(Majority Vote Required)

Recommended by the Selectmen - Recommended by the Budget Committee

Moderator Lang recognized Selectman Olmstead for the purpose of a motion. Second by Chair Ober.

**Discussion:** Selectman Olmstead explained that Truck 3 has repeatedly been out of commission due to repairs and it's becoming costlier to keep than to just buy a new one. Highway Department Director Johnny Van Tassel explained that there are two trucks down currently. Steve Benoit asked if this replacement will be adequate for the Town's needs and Johnny Van Tassel responded Yes. Don Bormes stated that he wants more detail on the cost of repairs and vehicle mileage in the future because it does not seem like buying a new truck at this time is a good value for the Town. Selectman Olmstead explained that the Town spent \$69,000 on vehicle repairs last year.

**The vote was in the affirmative - Article #10, passed without amendments.**

**The Moderator read Article #11 as follows:**

**Article 11: Highway Truck Lease/Purchase**

To see if the Town will vote to authorize the Board of Selectmen to enter into a five (5) year lease/purchase agreement for Seventy Thousand One Hundred Fifty dollars (\$70,150) for the purpose of replacing Truck 4 for the Highway Department, and to raise and appropriate the sum of Fourteen Thousand Thirty Dollars (\$14,030) for the first year's payment for that purpose. The vehicle being replaced shall be sent to auction with the funds received to go to the general fund.

This agreement contains a non-appropriation (escape) clause.

(Majority Vote Required)

Recommended by the Selectmen - Recommended by the Budget Committee

Moderator Lang recognized Selectman Olmstead for the purpose of a motion. Second by Selectman North.

**Discussion:** Selectman Olmstead explained that this vehicle has been repaired frequently, as was Truck 3 in the prior amendments.

**The vote was in the positive - Article #11, passed without amendments.**

**Motion made by Cal Di Nitto to restrict reconsideration of Article #3-11, second by Marla Davis.**

**The Moderator read Article #12 as follows:**

**Article 12: Town Building Concept and Design**

To see if the Town will vote to raise and appropriate the sum of Fifty- Five Thousand dollars (\$55,000) to be transferred to the Facilities Repair and Refurbish Capital Reserve Fund for the purpose of funding a Town building concept and design. This sum to be transferred from the unassigned fund balance with no amount to be raised by taxation.

(Majority Vote Required)

This Warrant Article is designated as a Special Warrant Article.

Recommended by the Selectmen - Recommended by the Budget Committee

**Moderator Lang recognized Selectman North for the purpose of a motion. Second by Chair Ober.**

**Discussion:** Selectman North stated that there are safety issues in Town buildings right now and this concept and design will allow for a building plan that is safe for all employees. Marla Davis echoed this. Mary Ahlgren asked if this includes Old Town hall and Selectman North responded that it does. Steve Benoit asked if this will be a deliverable to the Town and Selectman North responded Yes. She also noted that the Town purchased land behind the library for new Town buildings and she would like to see this used. Don Bormes stated that this has been talked about in the Town for many years and no progress has been made. Chair Ober responded that this is why a concept and design is needed, and that the transition bond for the Highway Garage will be up soon, so those funds could be used for new Town buildings.

**The vote was in the affirmative - Article #12, passed without amendments.**

Motion made by Judy Rich to restrict reconsideration of Article #12, second by Selectman Olmstead.

**The Moderator read Article #13 as follows:**

**Article 13: Other Business**

To transact such other business that may legally come before the Town Meeting.

**Moderator Lang recognized Selectman Olmstead for the purpose of a motion. Second by Chair Ober.**

Steven Benoit explained that he would like to make a multi-part motion dealing with the Town's franchise agreement for cable which expires March 24<sup>th</sup>; he explained that he has worked in this field and believes he can get the \$30,000 cost for cable fees down to \$0.

1. Authorize BOS/Town Administrator to renegotiate franchise agreement
2. Include net neutrality language in the agreement
3. Authorize BOS/Town Administrator to review all other agreements and contracts
4. These need to adhere to all applicable state and federal laws

\*See attached for details

**The vote was in the affirmative - Article #13, passed without amendments.**

Meeting adjourned at 10:07 pm.

Respectfully submitted,  
Audry Barriault  
(for TC/TC Marla Davis)

*Town Record*

## **BUDGET COMMITTEE**

### **2018 ANNUAL REPORT**

The Budget Committee worked to prepare its recommendations "to assist the voters in the prudent appropriations of funds" (RSA 32:1). We prepared the budget based on mandated items, fluctuations in economic variables and the needs of the town of Sanbornton with little or no enlargement of town services.

The current prepared operating budget (before Capital Sections) is up over the prior year. To help mitigate this increase the Budget Committee differed from the Select Board and looked where costs might be reduced. While your town taxes were flat last year the spending of the town increased. Taxes were flat because the assessed valuation of the town increased due primarily to new building within the town.

The budget should reflect what we as a town expect to spend and should not include amounts for every conceivable contingency. The town's retained fund balance provides a source of additional monies should actual expenditures exceed those which have been budgeted.

The following highlights the significant areas where the Budget Committee differed from the Selectmen's request and the reasoning behind the Budget Committee recommendation.

**I. Highway Department:** As part of the recommendations of the Privatization Committee of 2014, the Town has contracted a greater amount of its snowplowing obligations. This has worked exceptionally well and the budget for this purpose has increased from \$8,000 in 2014 to \$44,000 in the current year. In the most recently completed fiscal year (2016-17), the town's highway department has been down nearly a full time employee from its budgeted staff. Contracted snowplowing helped address this lower staffing without an appreciable reduction in services. We again have budgeted \$44,000 for contracted snow plowing and in light of the little noticed staffing shortage, we have chosen to not fund the sixth highway department staff position. If there is subcontracting of snowplowing, this helps to reduce our salary and benefits expense but the significant expense of maintaining a fleet of trucks for seasonal use. We believe this is a way to provide good service and reduce the cost to the town.

Furthermore, the Select Board changed a part time transfer station position to a full time position and changed the DPW Director position title to Highway Director, freeing the DPW department of the transfer station duties.



The Select Board had taken the position to not fund the sixth highway position of the truck driver just as the Budget Committee in their 10/14/2017 meeting

**"Highway Department - 4312** - Selectman North explained that she helped the Operations draft the highway department's proposed budget and they did not fund the position of the truck driver then added those funds to hired trucking based on the number of storms plus hours worked."

The Select Board further reflected the Budget Committee's reasoning in their 11/15/2017 minutes:

"Chair Ober explained that there were two vacant truck driver positions last year, so the Board decided to eliminate one of the positions and move those funds to hired snow removal, so that only one of the "twin" trucks would need to be replaced."

However, later in the meeting at the behest of the Highway Department Head, the Select Board reversed themselves and put funding for the sixth position back into the budget request. To be clear, the Select Board was fully aware of the Budget Committee vote to not fund this truck driver position. In spite of this knowledge, the Select Board chose to hire a sixth employee.

It should be noted that the Highway Department budget as requested by the Select Board is \$949,673 which is up 32% over the FY 14 budget of \$718,709 from five years ago which is nearly a 6% annual increase. With the DPW Lease/Purchase warrant articles of \$69,000 the DPW related expenditures exceed one million dollars.

The Budget Committee also discussed the salt usage with the head of the Highway Department who concurred that a reduction of \$10,000 in budgeted salt provision was appropriate.

**II. Police:** With one noted exception, the six elected budget committee members voted in a unanimous way. The one exception being the nil funding of Officer #3 and #4 versus a funding of \$1.00 with Weisman/Davis/Rathjen/Leighton voting Yes and Ober/Barriault/Vorel voting No

**III. Medical Insurance:** The Selectmen's request for Medical Insurance of \$419,740 is \$165,000 higher than the \$255,172 actual expenditures for the most recently completed fiscal year 2016-17. It is our view that it is impossible to justify this request given the past actual expenditures.

Medical Insurance 4155.210					
		FY 13/14	FY 14/15	FY 15/16	FY16/17
	Budget	329,000	337,000	340,000	340,000
	Actual	232,568	327,299	274,113	255,172
	Difference	96,432	9,701	65,887	84,828

Furthermore, the Select Board failed to revise their request of \$419,740 upward in light of a last minute year end change in medical plans resulting in a \$20,000 increase in premium costs, which would imply that the Selectmen believed there was redundancy in their initial request.

**IV. Fuel (Diesel and Gasoline):** While the budget for fuel has been assigned to individual departments, the Budget Committee decided to look at this in both a department basis and in total as noted below:

<b>Budget History</b>	<b>FY 16</b>	<b>FY 16</b>	<b>FY 17</b>	<b>FY 17</b>	<b>FY 18</b>	<b>FY 2018</b>	<b>FY 19</b>	<b>FY 19</b>
<b>ACCOUNT TITLE</b>	<b>Final</b>	<b>Total</b>	<b>Final</b>	<b>Total</b>	<b>Final</b>	<b>Through</b>	<b>BOS</b>	<b>BC Proposed</b>
	<b>Budget</b>	<b>Exp.</b>	<b>Budget</b>	<b>Exp.</b>	<b>Budget</b>	<b>6 Months</b>	<b>Request</b>	<b>Budget</b>
Gasoline Fuel Executive Administration 4130.635	550	200	550	26	350	32	250	250
Gasoline Police 4210.635	20,000	8,227	20,000	8,216	16,000	4,101	16,000	12,000
Gasoline Fuel Fire 4220.635	4,400	1,667	3,200	1,841	3,000	1,646	2,500	2,500
Gasoline Highway & Streets 4312.635	6,500	1,664	5,000	1,950	3,000	943	4,500	4,500
Diesel Fuel Fire 4220.636	6,000	2,817	6,000	3,026	5,500	2,108	4,200	4,200
Diesel Fuel Highway and Streets 4312.636	50,000	25,228	50,000	27,848	40,000	10,046	40,000	25,000
Diesel Transfer Station 4324.636	725	541	725	663	725	100	725	725
<b>Total</b>	<b>88,175</b>	<b>40,344</b>	<b>85,475</b>	<b>43,570</b>	<b>68,575</b>	<b>18,976</b>	<b>68,175</b>	<b>49,175</b>

We feel the Budget Committee proposal is a better reflection of the actual amounts the town expects to expend for the upcoming fiscal year.

The Budget Committee's work results in a budget recommendation that is reviewed and approved or altered by the voting members present at town meeting.

Ralph Rathjen Chair  
 Earl Leighton Vice Chair  
 John Vorel  
 Craig Davis  
 Craig Weisman  
 Justin Barriault  
 Karen Ober , Selectmen's Representative  
 Audry Barriault, Recording Secretary

Stephen Benoit, March Road

Last week I visited the Town Administrator and asked that she identify the expiration dates of existing town, "Franchise Agreements" for Telecommunications Services. I had questions about our various agreements terms and wanted to begin with Metrocast. After pulling the file, she identified to our mutual surprise that the Metrocast, "Franchise Agreement" is due to expire on March 24<sup>th</sup> of this year.

As there are no Warrant Articles or Infrastructure revision plans presented in the Town Report, I stand to identify that we are now presented with the rare physical opportunity to take the necessary steps to improve our Communications Infrastructure as the contract is set to expire. This also affords us the opportunity to potentially change vendors and/or to negotiate better terms, functions, features and rates for High Definition Cable Television, Broadband Internet, Broadband (Town) Private Networks and Telephony Services for delivery throughout Sanbornton, be that via Metrocast, or some other vendor.

Finally, as a direct result of Governor Sununu's refusal to join the 22 other States now suing the Federal Communications Commission for repealing, "net neutrality" rules and his official stated position that 'net neutrality, "is outside the jurisdiction and expertise of his office", and finally after his December 19, 2017 decision to overrule the expressed desires of all State Congressional Representatives as well as his own executive council and the majority of New Hampshire Citizens, it falls on us to now act specifically protect our own interests in the only manner prescribed by New Hampshire Law, which specifically permits us to define any and all terms and conditions for Services (including 'net neutrality) in our Town Franchise Agreements. As this opportunity presents itself only about every ten years or so, I bring these issues to light here and now.

---

As this is, "Official Town Business" that requires immediate legal attention and also as the taxpayers, businesses and residents alike wish to be presented with 21<sup>st</sup> Century Television and Broadband solutions that have long-term benefits at more economical rates prior to authorizing any, "Franchise Agreement";

I move to authorize and direct the Town Attorney, Town Administrator and Town Select Board to perform their respective contractual and lawfully obligated duties as identified by existing "Franchise Agreements" and in compliance of all applicable Laws of the State of New Hampshire, to perform the following actions, conditionally as defined herein:

- 1) That the Town Administrator conduct a thorough survey of all town personnel and departments and author an assessment summary documenting High Definition Cable Television, Broadband Internet (and Town Private Networks) and Telephony services delivered to all Town facilities and public spaces for the express purpose of identifying and satisfying all unmet and/or previously undefined needs; and concurrently to assess all existing, "Franchise Agreements" to identify each vendors' compliance to the defined Statements of Work and fulfillment of all defined Scopes for promised services (including but not limited to broadcasting functions and/or local channel use rights, the collection and disbursement to the town of taxes and/or fees, fulfillment of right of way, poles and lines responsibilities, satisfaction of Emergency Services features and requirements, etc...) and to report and publish those findings to the Select Board at the earliest possible date.

2) To take all steps prudent and necessary and as defined by existing "Franchise Agreements" and in compliance with all applicable Laws of the State of New Hampshire; to advise Metrocast of our Intention to renegotiate and to immediately solicit, "Initial Proposals" from other Industry Vendors for the purpose of satisfying all requirements identified in Item 1, in addition to the fulfillment of the "normal trade" scopes in the delivery of High Definition Television, Broadband Internet and Telephony Services via Coaxial Cable (CATV), Fiber and/or other medium(s) to all Businesses and Residences within the Borders of the Town of Sanbornton and upon receipt, to present this information in a forum where the public is afforded the opportunity to review and discuss the various Vendor offerings and wherein a consensus may be reached prior to entering into any, "final negotiations" and again prior to finalizing any "Franchise Agreement" defining the delivery of these services.

3) To take all steps necessary and in compliance of all applicable Laws of the State of New Hampshire to revise and immediately enact new, "Terms and Conditions" in all Sanbornton, "Franchise Agreements" to include the, "Sanbornton, New Hampshire 'Net Neutrality clause" as defined:

***Sanbornton, New Hampshire 'Net Neutrality***

***Internet Providers in Sanbornton, New Hampshire are prohibited from:***

- ***Blocking content, applications, services, or non-harmful devices;***
- ***impairing or degrading ("throttling") traffic on the basis of content, application, service, or use of non-harmful device(s);***
- ***favoring some traffic over others in exchange for benefit ("paid prioritization"); or***
- ***unreasonable interference with or disadvantage of certain end user services and choices, or edge providers' ability to provide those services.***

***Internet Providers in Sanbornton, New Hampshire are required to disclose network management practices, performance, rates and terms for all offered services; and may not alter published terms without prior written approval of the Administrator of the Town of Sanbornton, New Hampshire.***

***Upon acceptance, any violation is enforceable under RSA-358-A, "The Consumer Protection Act" and further shall be considered cause for immediate "Franchise Agreement" termination.***