

2019 TOWN MEETING, TOWN OF BOW, NEW HAMPSHIRE

MARCH 13, 2019

Moderator Peter Imse called the 2019 Town Meeting to order at 7:00 a.m. on Tuesday, March 12, 2019 at the Bow Memorial School. After the Pledge of Allegiance, the ballot box was inspected by the Moderator and Supervisor of the Checklist to verify it was empty and voting commenced. At 7:00 p.m. the polls were closed and the meeting adjourned until Wednesday, March 13, 2019 at 6:30 p.m.

Town and School Election Results:

WARRANT ARTICLE #1 - TOWN AND SCHOOL OFFICES

Office	Vote for not more than	... Year Term	Candidate (in Ballot Order)	Results/Winner*
SELECTMEN	Two	Three	Robert Blanchette, Jr. Colleen S. Hunter Chris Nicolopoulos	199 384* 312*
BUDGET COMMITTEE MEMBER	Two	Three	Katherine Garfield Jeffrey Knight	394* 353*
TRUSTEE OF TRUST FUNDS	One	Three	Mary Beth Walz	411*
LIBRARY TRUSTEE	One	Two	Eric Anderson	469*
SCHOOL BOARD MEMBER	Two	Three	Jenna Reardon Eric Shulman	435* 418*

WARRANT ARTICLE #2 - ZONING AMENDMENTS

A. Are you in favor of the adoption of ZONING AMENDMENT A as proposed by the Planning Board vote of January 10, 2019 to create a new zone district titled “South Bow Mixed Use District” which shall include the following parcels of land: Block 2, Lots 134-A, 134-B, 135, 137, 139, 140, 141-B, 141-B1, 146, 147, 148, 150, 150-A, 151 and 151-A? The amendment has been on file at the Municipal Building since Tuesday, January 15, 2019.

(Recommended by the Planning Board by a vote of 7-0)

YES/NO

430/63

B. Are you in favor of the adoption of ZONING AMENDMENT B as proposed by the Planning Board vote of January 10, 2019 to revise Section 14.03(A) and require a certified plot plan for all new residences? The amendment has been on file at the Municipal Building since Tuesday, January 15, 2019.

(Recommended by the Planning Board by a vote of 7-0)

YES/NO

C. Are you in favor of the adoption of ZONING AMENDMENT C as proposed by the Planning Board vote of January 10, 2019 to add Section 7.01(B)(5) to clarify access and road frontage requirements for Open Space Residential Developments? The amendment has been on file at the Municipal Building since Tuesday, January 15, 2019.

(Recommended by the Planning Board by a vote of 7-0)

YES/NO

420/67

D. Are you in favor of the adoption of ZONING AMENDMENT D as proposed by the Planning Board vote of January 10, 2019 to amend the definition of Vernal Pool in Section 3.02, to provide a current reference? The amendment has been on file at the Municipal Building since Tuesday, January 15, 2019.

(Recommended by the Planning Board by a vote of 7-0)

YES/NO

411/79

E. Are you in favor of the adoption of ZONING AMENDMENT D as proposed by the Planning Board vote of January 10, 2019 to add Section 12.04(H) to require a Natural Heritage Bureau report for all conditional use permits for wetland or wetland buffer impacts? The amendment has been on file at the Municipal Building since Tuesday, January 15, 2019.

(Recommended by the Planning Board by a vote of 7-0)

YES/NO

392/99

Call to Order

The Town meeting reconvened on Wednesday, March 13, 2019 at 6:30 p.m. by Town Moderator Peter Imse. The Moderator read the opening paragraph of the 2019 Town Meeting Warrant.

Presentation of Colors and National Anthem. The Colors were presented by the Bow Girl Scout Troop 12553, Troop Leaders: Kari Fontaine and Kate Leonard and we were led in the Pledge of Allegiance by: Sophie Brooks, Makenzie Curtis, Liliane Fontaine, Natalie Fontaine, Anne-Marie Fay, Imogen Lamarche, Isabelle Lee, Sophia Lee, Kaylee Leonard and Madelynn Trudeau. Bow High School Student Allison Leger sang the National Anthem.

Introductions

Town Moderator Imse recognized the head table. Selectmen: Christopher R. Nicolopoulos, Chairman; Colleen S. Hunter, Vice Chairman; Harold T. Judd; Matthew Poulin; and Michael Wayne. Also present were: Town Manager David Stack, Finance Director Geoff Ruggles; Town Counsel Justin Pasay, Esq.; Town Clerk/Tax Collector Mridula Naik; Administrative Secretary Tonia Lindquist and Recording Secretary Wendy Gilman. Moderator Imse thanked Bob Jaques, in the sound booth who is recording this meeting and also thanked his deputized Moderators. Moderator Imse announced that starting in 2020, elections will be held in the Community Center.

Citizen of the Year and Recognitions

Mr. Rich Oberman, President of the Bow Men's Club, presented the Citizen of the Year Award to Mr. Glenn Dugas.

Mr. Dugas is a long time resident of Bow, coaching soccer for 20 years and baseball and softball for 7 years. He gave freely of his expertise as a contractor by serving on the Public Safety Building Committee and was one of three members who reviewed all proposals, interviewed bidders and recommended the finalist. Glenn has also served on the Capital Improvements Committee. The Town of Bow owes Glenn for his dedication and service.

Moderator Imse reviewed the 'Moderator's Rules of Procedures' as referenced in the 2018 Town and School Annual Report. Moderator Imse entertained a motion to adopt the above mentioned rules as the town's rules for this meeting. Janice Cook moved to adopt the rules of procedures and Mr. Heise seconded. Chair Imse asked for any comments. Sensing none, he called for a vote. The rules are adopted by majority vote.

Moderator Imse read the Public Notice for the Town Meeting into the record and announced the results of the March 12, 2019 town ballots.

WARRANT ARTICLE #3 – OPERATING BUDGET moved by Mr. Heise and seconded by Mr. Arnold.

To see if the Town will vote to raise and appropriate the Budget Committee's recommended sum of \$11,782,324 for general municipal operations. The Selectmen recommend \$11,782,324. This article does not include appropriations contained in special or individual articles addressed separately. (Majority Vote Required)

Recommended by Selectmen 5-0)
(Recommended by Budget Committee 8-0)

Selectman Nicolopoulos made an announcement regarding an error in the Treasurer's Report on page 111. The report states that the Heritage Commission Fund has approximately \$400,000 when it really has \$14,000. The corrected page is available as a handout. Selectman Nicolopoulos then spoke to the Article. It was the Board of Selectmen's goal to bring a level funded budget to the Taxpayers. After working diligently with all departments and examining costs the Board couldn't control, the Select Board was able to present a budget to the Budget Committee that was approximately \$100,000 more than last year's or approximately 1%. The Budget Committee made almost no adjustments to that budget and it has the full support of the Board of Selectman and the Budget Committee. Tax impact is \$6.75. Moderator Imse asked for comments on the Article #3. Sensing none, he called for a vote. **Article #3 PASSED by majority vote.**

Moderator Imse recognized Mr. John Martin, the Petitioner of Warrant Article #19. Mr. Martin moved to hear petitioned Warrant Article #19 after Article #4. Motion was seconded by Mr. Chuck Douglas. **Motion to hear Article #19 after Article #4 PASSED by majority vote.**

PETITIONED WARRANT ARTICLE #19 was moved by Mr. Heise and seconded by Mr. Knight.

To see if the town will vote to adopt the provisions of SB 341, An Act relative to the veterans' tax credit for service-connected disability, Approved on May 25, 2018 with an effective date of January 1, 2019. The bill, an amendment to RSA 72:35, Ia, will allow the town to raise the tax credit limit to \$4,000. The optional tax credit for service-connected total disability shall replace the standard tax credit in its entirety and shall not be in addition thereto.

Prior to introducing the Article Mr. Martin further moved to amend the language in petitioned Article #19 to clarify the language. It doesn't change the Warrant Article. Motion was seconded by Mr. Lucente. The Moderator called for discussion on the motion. Sensing none, he called for a vote. **Motion to amend Article #19 PASSED by majority vote.**

Mr. Martin spoke to Petitioned Article #19, as amended. The Article applies to permanently and 100% disabled Veterans who have given selflessly of themselves for their country some being deployed over 10 times into various war zones. According to the Veteran's Administration, less than 10% of veterans meet the threshold of permanently and 100% disabled. The Town of Bow currently generously gives a \$500.00 tax credit to veterans, while some towns

give none. This Article requests raising the tax credit to \$4,000.00, which is meant to serve as a buffer for those Veterans in times of dire need.

Moderator Imse asked for discussion on Article #19, as amended. Sensing none, he called for a vote. **Article #19, as amended, PASSED by majority vote.**

WARRANT ARTICLE #4 moved by Mr. Heise and seconded by Mr. Arnold.

To see if the Town will vote to raise and appropriate the sum of \$675,000 to purchase a fire engine for the Fire Department and to authorize the withdrawal of up to \$675,000 from the Fire Truck Capital Reserve Fund for this purpose. (Majority Vote Required)

(Recommended by Selectmen 5-0)
(Recommended by Budget Committee 8-0)

Prior to introducing Article #4, Selectman Judd stated that Fire Chief Harrington wasn't present at this meeting because he was at an award ceremony being recognized as one of New Hampshire's Outstanding 40 Under 40. Selectman Judd then spoke to Article #4. The Article is to purchase a fire engine which will replace 2 of the current vehicles in the Fire Department's fleet. It will carry 1,400 gallons of water, equipment and four firefighters. The fleet will be consolidated from two pumper and two tankers to two pumper and one tanker. Because the funds are coming from a capital reserve fund, there is no tax impact.

Moderator Imse called for discussion on Warrant Article #4. Sensing none, he called for a vote. **Warrant Article #4 PASSED by majority vote.**

WARRANT ARTICLE #5 moved by Mr. Heise and seconded by Mr. Arnold.

To see if the Town will vote to raise and appropriate \$548,000 and authorize payment into existing capital reserve funds in the following amounts for the purpose for which such funds were established:

Bridge and Highway Construction	\$120,000
Public Works Equipment	\$180,000
Fire Department Equipment	\$37,000
Police Equipment	\$30,000
Recreation Improvements	\$16,000
Municipal Buildings and Grounds	\$65,000
Fire Truck	\$100,000
Total	\$548,000

(Recommended by Selectmen 5-0)
(Recommended by Budget Committee 8-0)

Selectman Hunter spoke to the Article and gave a brief summary of the Capital Improvements (CIP) Committee review process. The CIP Committee's process starts in late spring with a review of large capital projects as well as large vehicles and equipment purchases. From there a purchase schedule is developed. The Committee makes its

recommendations on the amount to contribute to each capital reserve fund in order to fully fund the purchase within the scheduled time period and without causing a spike in taxes. Over the last two years there have been cuts to the capital reserve contributions but this year they are able to be fully funded. The projects can be found on pages 89 – 93 in the Town Report. The tax impact of the warrant article is \$0.47.

Moderator Imse called for discussion on Warrant Article #5. Sensing none, he called for a vote. **Warrant Article #5 PASSED by majority vote.**

WARRANT ARTICLE #6 moved by Mr. Heise and seconded by Mr. Arnold.

To see if the Town will vote to raise and appropriate the sum of \$370,000 for the reconstruction and paving of the roads listed in the Capital Improvements Plan (page 21). This will be a non-lapsing appropriation per RSA 32:7, VI and will not lapse until the project is completed or by December 31, 2021, whichever is sooner. (Majority Vote Required)

(Recommended by Selectmen 5-0)
(Recommended by Budget Committee 8-0)

Selectman Poulin spoke to the Article. Roads to be paved are: Abbey Lane, Colby Lane, Arnold Street, Knox Road (Dow to Robinson), Merrill Crossing and Stoneybrook Road. The tax impact is \$0.31.

Moderator Imse called for discussion on Warrant Article #6. Sensing none, he called for a vote. **Warrant Article #6 PASSED by majority vote.**

WARRANT ARTICLE #7 moved by Mr. Heise and seconded by Mr. Arnold.

To see if the Town will vote to raise and appropriate the sum of \$104,893 to be added to the Employee Health Maintenance Fund. (Majority Vote Required)

(Recommended by Selectmen 5-0)
(Recommended by Budget Committee 8-0)

Selectman Nicolopoulos spoke to the Article. Article #7 is to replenish the town's Health Maintenance Plan. Finance Director Ruggles is present to answer questions.

Moderator Imse called for discussion on Warrant Article #7. Sensing none, he called for a vote. **Warrant Article #7 PASSED by majority vote.**

WARRANT ARTICLE #8 moved by Mr. Heise and seconded by Mr. Knight.

To see if the Town will vote to raise and appropriate the sum of \$90,000 for drainage installation and paving of the Municipal Building parking lot, and to authorize the withdrawal of up to \$90,000 from the Municipal Buildings & Grounds Capital Reserve Fund for this purpose. (Majority Vote Required)

(Recommended by Selectmen 5-0)
(Recommended by Budget Committee 8-0)

Selectman Wayne spoke to the Article. Article #8 is for the installation of sub-surface drainage where needed and the reclamation and paving of the driveways and parking lots at the Municipal Building. Total area is approximately 44,300 square feet and includes repointing and sealing of the brick foundation. The project is fully funded by the Capital Reserve Fund so there is no tax impact.

Moderator Imse called for discussion on Warrant Article #8. Sensing none, he called for a vote. **Warrant Article #8 PASSED by majority vote.**

WARRANT ARTICLE #9 moved by Mr. Heise and seconded by Mr. Lucente.

To see if the Town will vote to raise and appropriate the sum of \$67,000 to purchase a utility truck for the Public Works Department and to authorize the withdrawal of up to \$67,000 from the Public Works Department Equipment Capital Reserve Fund for this purpose. (Majority Vote Required)

(Recommended by Selectmen 5-0)
(Recommended by Budget Committee 8-0)

Selectman Hunter spoke to the Article. The Article is to purchase a new 1-ton/350 utility truck to replace a 2004 F-150 Ford Pickup with 86,000 miles on it. The new vehicle will be used for road construction season and plowing numerous town buildings and intersections. The purchase is to be funded from the Public Works Capital Reserve Fund so there is no tax impact.

Moderator Imse called for discussion on Warrant Article #9. Sensing none, he called for a vote. **Warrant Article #9 PASSED by majority vote.**

WARRANT ARTICLE #10 moved by Mr. Heise and seconded by Mr. Knight.

To see if the Town will vote to raise and appropriate the sum of \$60,000 to perform engineering studies and design work for the proposed River Road/Route 3A intersection reconstruction project and to authorize the withdrawal of up to \$60,000 from the Bridge & Highway Construction Capital Reserve Fund for this purpose. (Majority Vote Required)

(Recommended by Selectmen 5-0)
(Recommended by Budget Committee 8-0)

Selectman Judd spoke to the Article. The Article is for River Road/Route 3A Intersection Engineering in support of redevelopment along Route 3A. The project will include reconstruction of the intersection to improve turning radiiuses, improve visibility and provide a safer entry for vehicles and trucks heading onto Route 3A. The Town will apply for State Highway Aid for this project. The funds will come from capital reserves so there is no tax impact.

Moderator Imse called for comments. Mr. Bryan Westover, 63 Robinson Road, asked if the Article concerned the northerly or southerly interchange of River Road and 3A. In response, Selectman Judd stated it was the southerly section.

The Moderator called for any additional comments. Sensing none, he called for a vote. **Warrant Article #10 PASSED by majority vote.**

WARRANT ARTICLE #11 moved by Mr. Heise and seconded by Mr. Arnold.

To see if the Town will vote to raise and appropriate the sum of \$38,892 to purchase radios and equipment for the Police Department and to authorize the withdrawal of up to \$38,892 from the Police Equipment Capital Reserve Fund for this purpose. (Majority Vote Required)

(Recommended by Selectmen 5-0)
(Recommended by Budget Committee 8-0)

Selectman Poulin spoke to the Article. The Article concerns the purchase of seventeen portable radios carried by officers and 7 mobile radios in the cruisers. The Police Department is converting from Motorola to Kenwood brand for better compatibility with other departments. The Department will also be adding Repeaters to improve reception in dead spots and large buildings. There is no tax impact since the funds are coming from the capital reserves.

Moderator Imse called for comments. Sensing none, he called for a vote. **Warrant Article #11 PASSED by majority vote.**

WARRANT ARTICLE #12 moved by Mr. Heise and seconded by Mr. Arnold.

To see if the Town will vote to raise and appropriate the sum of \$20,000 to be added to the Library Maintenance Capital Reserve Fund previously established. (Majority Vote Required)

(Recommended by Library Trustees 5-0)
(Recommended by Budget Committee (8-0)

Chairman of the Library Trustees, Christine Carey, introduced the Article. The Article is to add funding to the Library Maintenance Capital Reserve Fund. Last year a warrant article to fund the replacement of the air conditioners and handlers didn't pass but the crisis hasn't ceased. The Trustees worked with the Budget Committee and the Select Board to come up with a plan to replace the air conditioners and handlers through the maintenance capital reserve fund with deposits over four years. This is the first deposit to that fund.

Moderator Imse called for discussion on Warrant Article #12. Sensing none, he called for a vote. **Warrant Article #12 PASSED by majority vote.**

WARRANT ARTICLE #13 moved by Mr. Heise and seconded by Mr. Lucente.

To see if the Town will vote to raise and appropriate the sum of \$8,000 to be added to the Library Emergency Capital Reserve Fund previously established. (Majority Vote Required)

(Recommended by Library Trustees 5-0)
(Recommended by Budget Committee 8-0)

Library Trustee Chair Carey spoke to the Article. The Library has an emergency capital reserve fund already in place which they try to maintain at a certain level. This Article looks to fully fund it at that level. If there is an issue with the air handlers prior to the four-year replacement schedule, this fund will be used to address the issues. The Trustees are authorities to expend funds.

Moderator Imse called for discussion on Warrant Article #13. Sensing none, he called for a vote. **Warrant Article #13 PASSED by majority vote.**

WARRANT ARTICLE #14 moved by Mr. Heise and seconded by Mr. Lucente.

To see if the Town will vote to establish the South Bow Tax Increment Financing District ("South Bow TIF District") in accordance with RSA 162-K for the area bounded to the north by River Road, bounded to the west by Interstate 93, bounded to the east by the Merrimack River, and bounded to the south by the Hooksett Town Line, and to further see if the Town will adopt the Development Program for the proposed South Bow TIF District in accordance with RSA

162-K:6 and the Financing Plan for the South Bow TIF District in accordance with RSA 162-K:9 (copies of the Tax Increment Financing District Map, the Development Program, and the Tax Increment Financing Plan are available at the Town Offices). (Majority Vote Required)

Selectman Poulin introduced Community Development Director Matt Taylor who gave a presentation relative to establishing a Tax Increment Financing (TIF) District. A TIF District is a way to fund infrastructure needed for new development without placing a burden on the existing tax base or current taxpayers. Towns may set aside revenue generated from the increase in property values within a district for specific purposes. The proposed South Bow TIF District extends from the intersection of Vaughn and River Roads north to the city line. It includes land recently rezoned at a total of 422 acres which is about 2% of the Town's total land area. The objectives of establishing a TIF District are: to bring public water and sewer to South Bow to support existing businesses and spur new development; to provide an incentive for property owners and developers to convert current land uses to help expand the Town's tax base; to work cooperatively with the Town of Hooksett to interconnect the two towns' respective water and sewer systems for the benefit of both towns'; to improve safety and access to Route 3A and accommodate economic development along the Route 3A Corridor; and to improve the operation of the municipal water system by adding to the customer base and putting it on a path to self-sufficiency. A TIF District does not change zoning requirements or affect property rights or increase taxes within or outside of its boundaries. The adoption of a TIF Plan is a non-monetary warrant article that does not require any expenditure by the Town. A firm commitment from a developer to build will be required with a guarantee that public improvements will be fully funded with increased tax revenue, private funds or grants. There is no tax impact to the taxpayers. Once improvements are paid for, all future revenue will go into the general fund.

Moderator Imse called for comments. Ms. Lisa Cohen, Brown Hill Road, asked who the owners of the properties were and if the proposed District consisted of mostly gravel pits. Mr. Taylor replied that the owner of the largest parcel is Continental Paving. There have been some discussions with the company laying the groundwork for what could happen in the future. Mr. David Gazaway, 3 Pheasant Drive, wanted to know if there were any increases in valuation of properties in the proposed district, would those funds go into the TIF fund? Mr. Taylor responded the increases in valuation would go into the fund. There was some further conversation regarding the interest of other property owners in the proposed district and if there was any indication when the largest parcel would be "mined" and timeline for potential development. Locations of potential water and sewer lines were mentioned.

There being no further discussion, the Moderator called for a vote. **Warrant Article #14 PASSED by majority vote.**

WARRANT ARTICLE #15 moved by Mr. Heise and seconded by Mr. Arnold.

To see if the Town will vote to designate the Board of Selectmen as the District Administrator of the South Bow TIF District in accordance with RSA 162-K:13 and to authorize the Board of Selectmen to appoint a five-member Advisory Board for the South Bow TIF District in accordance with RSA 162-K:14. (Majority Vote Required)

Selectman Poulin spoke to the Article. Article #15 is to designate the Board of Selectmen as the District Administrator of the South Bow TIF District.

Moderator Imse called for discussion on Warrant Article #15. Sensing none, he called for a vote. **Warrant Article #15 PASSED by majority vote.**

WARRANT ARTICLE #16 moved by Mr. Heise and seconded by Mr. Arnold.

To see if the Town will vote to adopt an ordinance defining and regulating conflicts of interest for local officers and employees, whether elected or appointed, per the provisions of RSA 31:39-a, said ordinance being titled the "Town of

Bow Ethics Standards" (a copy of the Town of Bow Ethics Standards is available at the Town Offices). (Majority Vote Required)

Selectman Judd spoke to the Article. If adopted, the Bow Ethics Standards Ordinance will be in force until rescinded at another Town Meeting.

Moderator Imse called for discussion on Warrant Article #16. Sensing none, he called for a vote. **Warrant Article #16 PASSED by majority vote.**

WARRANT ARTICLE #17 moved by Mr. Heise and seconded by Mr. Arnold.

To see if the Town will vote to authorize the Board of Selectmen to convey an easement, license, and/or leasehold interest in the land identified as Tax Map 14, Block 4, Lot 71, presently owned by the Town of Bow, for a period not to exceed 30 years for the purposes of constructing, installing, and operating solar generation facilities, under such terms and consideration as the Board of Selectmen, in its discretion, deems suitable, and to further authorize the Board of Selectmen to execute such related contracts and agreements related to such solar generation facilities, such authority shall be non-lapsing and shall remain effective until December 31, 2020. (Majority Vote Required)

Selectman Wayne spoke to the Article. Last year up to 15year lease was approved by the voters. In speaking with solar professionals, the Selectmen found the companies needed an up to 30 year lease in order to obtain and secure financing for these projects.

The Moderator called for comments. Paul Burkett, 41 Ridgewood Drive, wanted to know if the 30year term was the legal limit, because the trend in the market is to go out further. He also asked about extending the non-lapsing authority beyond December 31, 2020. Selectman Wayne stated the Select Board would look into the 30 year term question and post any information on the town website. As to the date of December 31, 2020, he indicated they were going to try and get the project done by that date.

The Moderator called for any further discussion. Sensing none, he called for a vote. **Warrant Article #17 PASSED by majority vote.**

WARRANT ARTICLE #18 moved by Mr. Heise and seconded by Mr. Arnold.

To see if the Town will vote to authorize the Board of Selectmen to convey an easement, license, or leasehold interest on the roof of the Town-owned facility known as the Public Safety Building, located on Tax Map 15, Block 5, Lot 68, presently owned by the Town of Bow, for a period not to exceed 30 years for the purposes of constructing, installing, and operating solar generation facilities, under such terms and consideration as the Board of Selectmen, in its discretion, deems suitable, and to further authorize the Board of Selectmen to execute such related contracts and agreements related to such solar generation facilities, such authority shall be non-lapsing and shall remain effective until December 31, 2020. (Majority Vote Required)

Selectman Wayne spoke to the Article. The Article concerns constructing, installing and operating solar generation facilities on the roof of the Bow Safety Center with a 30 year period.

Moderator Imse called for discussion on Warrant Article #18. Sensing none, he called for a vote. **Warrant Article #18 PASSED by majority vote.**

WARRANT ARTICLE #19 (By Petition) was taken out of order after Warrant Article #3. See above.

A motion to adjourn was made by Mr. Heise and was seconded by Mr. Luente. The 2019 Bow Town Meeting was adjourned at 7:32 PM. by Moderator, Peter Imse.

Respectfully submitted,

Mridula Naik. Town Clerk/Tax Collector
Recorded and Prepared by Wendy Gilman, Recording Secretary.