

**MINUTES**  
**SELECT BOARD**  
**TOWN OF PETERBOROUGH**

Thursday, March 16 – 5:00pm  
1 Grove Street, Peterborough, New Hampshire

**Present:** Barbara Miller, Ed Juengst, Tyler Ward

**Also Present:** Nicole MacStay, Vanessa Amsbury-Bonilla, Ivy Vann

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Chair Juengst opened the meeting at 5:00 pm.

**Review of the 2017 Town Meeting Warrant**

Chair Juengst began by introducing the articles that would be reviewed in the town warrant, election of officers, zoning amendment, Budget for Fiscal Year 2018.

Ivy Vann asked if the articles were available for amendment, with Article 5 in particular. The purpose of that fund was to be specific to pedestrian and bike path improvements. As it stands, it refers to RSA 261:153 which states it can be used for general road and bridge maintenance. Ms. MacStay said the language could be amended.

*Article 3. Budget for Fiscal Year 2018 - \$14,847,037*

*To see if the Town will vote to raise and appropriate the sum of Fourteen Million Eight Hundred Forty-Seven Thousand Thirty-Seven Dollars (\$14,847,037) for the support of General Government, Water, and Wastewater. This represents the fiscal year 2018 budget period, July 1, 2017 to June 30, 2018. This article does not include appropriations in special or individual articles addressed separately. The Select Board recommends this article.*

**Motion:** Chair Juengst made a motion to approve the budget to be brought forth to the deliberative session.

**Vote:** Mr. Ward seconded. All in favor.

*Article 4. Geographic Information System Capital Reserve Fund - \$10,000*

*To see if the Town will vote to raise and appropriate the sum of Ten Thousand Dollars (\$10,000) to be placed in the previously established "Geographic Information System Capital Reserve Fund" for the purpose of upgrading and maintaining the aerial maps and planimetric data.*

**Motion:** Ms. Miller made a motion to approve Article 4 as stated above.

**Vote:** Mr. Juengst seconded. All in favor.

**Motion:** Ms. Miller made a motion to recommend Article 4 as stated.

**Vote:** Mr. Ward seconded. All in favor.

The Select Board skipped over Article 5 temporarily in order to get the amended language added.

*Article 6. Transfer from Cemetery Fund - \$3000*

*To see if the Town will vote to raise and appropriate the sum of Three Thousand Dollars (\$3,000) to be added to the previously established Cemetery Expendable Trust Fund, and further, to transfer said amount from the Cemetery Trustee's checking account to the Cemetery Expendable Trust Fund. This amount is funded 100% by the sale of deeds for burial lots.*

**Motion:** Mr. Ward moved to approve Article 6 as stated above.

**Vote:** Mr. Juengst seconded. All in favor.

**Motion:** Mr. Ward made a motion to recommend and move Article 6 to be voted upon at the ballot session.

**Vote:** Ms. Miller seconded. All in favor.

*Article 7. Winter Operations Expendable Trust Fund*

*To see if the Town will vote to authorize the establishment of the Winter Operations Expendable Trust Fund per RSA 31:19-a. The purpose of the Trust Fund shall be to support winter operations such as plowing, sanding, salting, snow removal, and other similar activities. This shall be an irrevocable trust fund, in which the principal and the interest may be appropriated and*

*expended; and further to raise and appropriate the sum of Twenty-Three Thousand Five Hundred Dollars (\$23,500) toward this purpose, and to designate the Board of Selectmen as agents to expend.*

**Motion:** Ms. Miller made a motion to recommend Article 7 as stated above.

**Vote:** Mr. Ward seconded. All in favor.

**Motion:** Chair Juengst made a motion to move Article 7 to be voted upon at the ballot session.

**Vote:** Ms. Miller seconded. All in favor.

*Article 8. Discontinue Capital Reserve Funds*

*To see if the Town will vote to discontinue the following Capital Reserve Funds with said funds accumulated interest to date of withdrawal, to be transferred to the municipality's general fund:*

*Union Street Bridge Reconstruction, date of establishment 8/2/2006, approximate balance of Fifty Thousand, Three Hundred Seventy-Six Dollars and Seventy-Two cents (\$50,376.72)*

*Financial Hardware/ Software Upgrade, date of establishment 8/29/12, approximate balance of Zero Dollars (\$0.00)*

**Motion:** Ms. Miller made a motion to move Article 8 to be voted upon at the ballot session.

**Vote:** Mr. Ward seconded. All in favor.

**Motion:** Mr. Ward made a motion to recommend Article 8 as stated above.

**Vote:** Ms. Miller seconded. All in favor.

Ms. Vann moved to amend the language of Article 5 as stated below:

*Article 5. Transportation Improvement Capital Reserve Fund*

*To see if the Town will vote to adopt provisions of RSA 261:153 VI to collect an additional fee for the purpose of supporting a municipal and transportation improvement fund, which shall be a capital reserve fund established for this purpose. The maximum fee shall be \$5; and to see if the Town will authorize the establishment of a Capital Reserve Fund (pursuant to RSA Chapter 35) to be known as the "Transportation Improvement Capital Reserve Fund" for the purpose of bicycle and pedestrian infrastructure improvements, but not to be used for general road improvements, and to designate the Board of Selectmen as agents to expend.*

**Motion:** Ms. Miller made a motion to recommend Article 5 as stated above with the amended language.

**Vote:** Mr. Ward seconded. All in favor.

**Motion:** Mr. Ward made a motion to move Article 5 to the ballot.

**Vote:** Ms. Miller seconded. All in favor.

*Article 9: Resolution to Protect the Rights of Individuals*

*By petition of 25 or more eligible voters of the town of Peterborough, we urge that the town institute the following measure:*

*Article 1: In order to ensure that (Peterborough) is a safe and welcoming community for all, employees of the town of Peterborough shall not inquire about, report, or act upon any person's immigration status under any circumstances while performing their duties.*

Mr. Juengst asked the Select Board if they wanted to take a position on this article. Ms. Miller stated that she did not want to officially state a position, but to leave it in the hands of the voters. Mr. Juengst explained his issue with the language that states "or act upon any person's immigration status under any circumstances" and that even if it passed it would not be enforceable. It was discussed how it could be amended at the deliberative session.

*Article 10: Resolution to Protect the Rights of Individuals*

*By petition of 25 or more eligible voters of the town of Peterborough, we urge that the town institute the following measure:*

*Article 2: The town of (Peterborough) affirms its commitment to the rights ensured by the First and Fourth Amendments to the Constitution of the United States of America and declares that in the town of (Peterborough) no person shall be required to declare their religious or philosophical belief or affiliation, nor to sign a registry for any belief or affiliation.*

*Article 11: In order to ensure that Peterborough remain a safe and welcoming community for immigrants and be a Sanctuary City, the Town will direct that police officers and other town officials, in the performance of their routine duties in Peterborough will not ask any person about his or her immigration status and will refuse to share such information regarding any person with*

*the United States Immigration and Customs(ICE) except in cases involving violent criminal activity or for violation of NH felony laws*

*The objective of this Town policy is to:*

- a) *Reserve resources of local law enforcement to the functions properly assigned to them.*
- b) *Encourage cooperation with law enforcement personnel by victims, witnesses and suspects of criminal activity, irrespective of their immigration status.*
- c) *Serve the interests of economic development of our Town.*
- d) *Preserve our diverse local cultural characteristics.*
- e) *Avoid undermining community relationships and family breakups.*

Stella Steinberg Keller mentioned that voting is a choice, and urged the select board to take a stand on this article. Amy Miller and Mary Kaplan both urged the select board to take a stand on this article. Hope Taylor asked if it is illegal to be in the country undocumented and wouldn't it put the select board in jeopardy to support this issue and stated that the issue belongs at the federal level. Steven Graves addressed the criminal question, expressing that it is not a crime to be undocumented. It is a civil infraction and the petition is asking town employees not to enforce the executive order which go against human rights. Chair Juengst responded that the Select Board is not in a position to take a position on this article or jeopardize or delay federal funding. Mr. Graves responded by saying he did not want to put the bridge before the civil rights. Ms. Kaplan agreed that it is good practice that we are using the town attorney to make these decisions and hopes that the Select Board believes in people's rights as much as the fiduciary responsibility to the town. Ms. Vann expressed that she did not want the town doing the job of federal agents.

*Article 12. Renovations and Improvements to the Town House - \$1,000,000*

*To see if the Town will vote to raise and appropriate the sum of One Million Dollars (\$1,000,000) for the purpose of designing, engineering, constructing renovations and improvements to the Town House and to authorize the issuance of not more than \$1,000,000 of bonds or notes for such purpose in accordance with the provisions of the Municipal Finance Act (RSA 33) and to authorize the Select Board to issue, negotiate, sell and deliver such bonds and/or notes and to determine the rate of interest thereon and the maturity and other terms thereof and to authorize the Select Board to apply for, obtain and accept Federal, State, or any and all other aid, grants, gifts or revenue source that may be or may become available for said project and to comply with all laws applicable to said project and to take any and all action necessary to carry out any vote hereunder or take any other action relative thereto. Without impairing the general obligation nature of the bonds and/or notes, it is intended that this appropriation will be supported by LCHIP funds.*

*By ballot vote (Requires 2/3 vote).*

Ms. Macstay confirmed this goes to the open session.

**Motion:** Ms. Miller made a motion for Article 12 to be moved to open session.

**Vote:** Mr. Ward seconded. All in favor.

*Article 14. Sidewalk Tractor Lease Purchase - \$110,000*

*To see if the Town will vote to authorize the Select Board to enter into a lease purchase agreement for One Hundred Ten Thousand Dollars (\$110,000) for the purpose of lease purchasing a replacement sidewalk tractor for the Highway Department, and to raise and appropriate the sum of Thirty Thousand Dollars (\$30,000) for the first year's payment for that purpose. (Two-Thirds Ballot Vote Required).*

**Motion:** Mr. Ward made a motion for Article 14 to be moved to the Open Session.

**Vote:** Ms. Miller seconded. All in favor.

*Article 15. Self-Contained Breathing Apparatus Lease Purchase - \$270,000*

*To see if the Town will vote to authorize the Select Board to enter into a lease purchase agreement for Two Hundred Seventy Thousand Dollars (\$270,000) for the purpose of lease-purchasing Self-Contained Breathing Apparatus Fire Rescue Department, and to raise and appropriate the sum of Sixty Thousand Dollars (\$60,000) for the first year's payment for that purpose.*

*(Two-Thirds Ballot Vote Required)*

**Motion:** Chair Juengst made a motion for Article 15 to be moved to the Open Session for vote.

**Vote:** Mr. Ward seconded. All in favor.

*Article 16. Police Department Cruiser Lease Purchase - \$32,086*

*To see if the Town will vote to authorize the Select Board to enter into a two-year lease purchase agreement for Thirty-Two Thousand Eighty-Six Dollars (\$32,086) for the purpose of lease purchasing a replacement cruiser for the Police Department, and to raise and appropriate the sum of Sixteen Thousand Forty-Three Dollars (\$16,043) for the first year's payment for that purpose. This lease agreement contains a non-appropriation clause.*

The Budget committee has not yet voted on this article.

**Motion:** Ms. Miller made a motion to recommend Article 16 as stated above.

**Vote:** Mr. Ward seconded. All in favor.

**Motion:** Ms. Miller made a motion to move Article 16 to be voted upon at the Open Session.

**Vote:** Mr. Juengst seconded. All in favor.

*Article 17. Use of Marshall-Thomas Recreation Facility (Cunningham Pond)*

*To see if the Town will vote to authorize the Recreation Committee, with concurrence from the Select Board, to regulate the use of the Marshall-Thomas Recreation Facility by non-residents to include rules, regulations, and fees.*

**Motion:** Ms. Miller moved to recommend Article 17 as stated above.

**Vote:** Mr. Ward seconded. All in favor.

**Motion:** Ms. Miller made a motion to move Article 17 to be voted upon at the Open Session.

**Vote:** Mr. Ward seconded. All in favor.

Ms. Miller made a recommendation to send a letter on their position regarding sanctuary cities as a letter to the editor or as a press release. Ms. Miller asked to remove the last sentence in the letter as drafted that urges voters to vote no on any warrant article that calls directly or indirectly for Peterborough to be considered a Sanctuary City. The Select Board discussed taking out the word 'indirectly.' Ms. Miller believes in taking a position on using the language 'Sanctuary City.' Mr. Ward would be in favor of the letter if the words 'directly or indirectly' were removed from the last sentence. It was decided to remove the phrase 'directly or indirectly' and send the letter as amended without this language.

**Motion:** Chair Juengst moved to send the letter to the newspaper as a letter to the editor around March 28<sup>th</sup>, as amended.

**Vote:** Ms. Miller seconded. All in favor.

Ms. Miller mentioned that the newspaper made an error recently with regard to the budget and asked if the town could request that correction. Ms. Macstay responded that those figures will be addressed at the deliberative session and the correct numbers will be clear. Ms. Macstay recommended making a statement closer to the voting date as a follow-up press release outlining the ballot as a reminder of the actual percentages. Chair Juengst urged a brief article to be publicized before the deliberative session.

**Reappointment of John Kerrick to the Conservation Commission**

**Motion:** Mr. Ward made a motion to reappoint John Kerrick to the Conservation Commission.

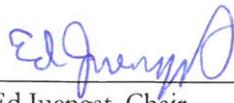
**Vote:** Ms. Miller seconded.

Ms. Macstay reminded the Select Board that the franchise agreement with Comcast will expire in April of 2019 and needs to be renegotiated. The franchise agreement covers cable TV as that is the primary focus and asked the Select Board to agree that this is a necessary step.

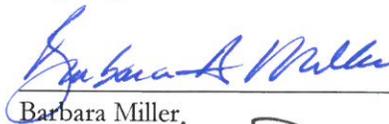
As there was no more business to discuss, Mr. Juengst made a motion to adjourn at 6:07pm and move into the non-public session. Mr. Ward seconded. Motion carried. Meeting adjourned.

Respectfully Submitted,  
Vanessa Amsbury-Bonilla, Department Assistant

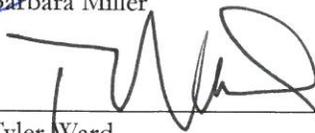
SELECT BOARD:



Ed Juengst, Chair



Barbara Miller



Tyler Ward

**ACTION ITEM PENDING LIST**

- 1.

