



MICHAEL J. DONAHUE
 CHARLES F. TUCKER
 ROBERT D. CIANDELLA
 LIZABETH M. MACDONALD
 JOHN J. RATIGAN
 DENISE A. POULOS
 ROBERT M. DEROSIER
 CHRISTOPHER L. BOLDT
 SHARON CUDDY SOMERS
 DOUGLAS M. MANSFIELD
 KATHERINE B. MILLER
 CHRISTOPHER T. HILSON
 JESSICA L. ECKER
 JUSTIN L. PASAY
 ERIC A. MAHER
 PATRICK O. COLLINS

Please Respond to the Exeter Office

December 31, 2013

OF COUNSEL
 NICHOLAS R. AESCHLIMAN

RETIRED
 ROBERT B. DONOVAN

ROBERT A. BATTLES
 (1951-2010)

Via Electronic Mail and U.S. Mail
 Shaun Mulholland, Town Administrator
 Town of Allenstown
 16 School Street
 Allenstown, NH 03275
smulholland@allenstownnh.gov

Re: Petition Warrant Article /Child and Family Services

Dear Shaun:

This follows on your request of December 24, 2013 that I review a warrant article regarding funding for Child and Family Services. Please note that the language of the warrant article references the years 2014 and 2015 and that it is styled as a statement of support for funding rather than a request to raise and appropriate funding. Since the Town is only authorized to enact a budget for calendar year 2014, the language of the petition if passed would have no force and effect. Moreover, a statement of support if passed would have no binding effect on budget expenditures.

In spite of these facts, my recommendation is to have the Selectmen place the petition warrant article on the warrant. During deliberative session, an amendment could then be made to clarify that the relevant year is 2014, and to clarify that what is being sought is an appropriation in the town budget for same.

If you have any further questions on this warrant article, please contact me.

Very truly yours,

DONAHUE, TUCKER & CIANDELLA, PLLC


 Sharon Cuddy Somers
ssomers@dtclawyers.com

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 DONAHUE, TUCKER & CIANDELLA, PLLC

Exeter Office: 225 Water Street, P.O. Box 630, Exeter, NH 03833, 603-778-0686
 Portsmouth Office: 111 Maplewood Avenue, Suite D, Portsmouth, NH 03801, 603-766-1686
 Meredith Office: 56 NH Route 25, P.O. Box 214, Meredith, NH 03253, 603-279-4158
www.dtclawyers.com