

ANNUAL TOWN ELECTION

MARCH 12, 2013

BOARD OF SELECTMEN

(1 for 3 yrs.)

Trisha McCarthy 334
Robert S. Donovan, Jr. 416 X
(write-in)

TRUSTEE OF TRUST FUNDS

(1 for 3 yrs.)

Mary M. Allen 611 X
(write-in)

TRUSTEE OF GALE LIBRARY

(1 for 3 yrs.)

Diane Morin 631 X

CEMETERY TRUSTEE

(1 for 3 yrs.)

William G. Landry 621 X
(write-in)

PLANNING BOARD

(2 for 3 yrs.)

Fred P. Gabriel 395 X
James L. Doggett 505 X
(write-in)
(write-in)

X denotes winner

1. To elect all necessary Town Officers for the ensuing year.
2. Are you in favor of the adoption of **Amendment No. 1** as proposed by Planning Board for the Town of Newton Zoning Ordinance as follows?
Delete from Section XXVIII Aquifer-Watershed Protection Ordinance:

d. Conditional Uses (Amended March 2004)

1. The Planning Board may grant approval for those uses listed above in d, 1 (previous Section d, 1 deleted by March 2004 vote) only after it is determined that all of the following conditions have been met:
 - a. the use will not detrimentally affect groundwater quality, nor cause a significant long term reduction in the volume of water contained in the aquifer or in the storage capacity of the aquifer;
 - b. the use will discharge no wastewater on-site other than that typically discharged by domestic wastewater disposal systems;
 - c. the proposed use complies with all other applicable provisions of this Section.

d. the land owner must prove that the standard of 4.d, 2(a) (Section 4.d, 2(a) renumbered 4.d 1(a) by March 2004 vote) will be met and that provisions for continuous perpetual compliance are in place to insure protection of the aquifer and recharge area through substantial and credible evidence submitted to the Planning Board and reviewed in accordance with Site Plan Review process, including review of submitted materials by a qualified hydro geologist, environmental engineer or other professional consultant.

2. All conditional uses shall be subject to inspections by the Building Inspector or other agent designated by the Selectmen. The purpose of these inspections is to ensure continued compliance with the conditions under which approvals were granted. Failure to insure and maintain constant compliance with this ordinance will result in revocation of the Conditional Use Permit in accordance with RSA 676:4-a.

THE PLANNING BOARD DOES RECOMMEND THIS ARTICLE 6-0

YES 465 NO 272

3. Are you in favor of the adoption of **Amendment No. 2** as proposed by the Planning Board for the Town of Newton Zoning Ordinance as follows?

Amend Section XV Residential A Zone Area Regulations and Section XVII Residential B Zone Area Regulations with changes in **BOLD** as follows:

3. Location on Lot: No building or structure, with exception to both tanks and leaching beds of a septic system, which is subject to the permitting requirements set forth in the current State of New Hampshire Building Code, shall be within 65 feet of the centerline of the street. If the lot is a corner lot, the 65-foot distance will be calculated from the numbered side of the house. (Amended March 1995) Side and rear setbacks shall be 25 feet from lot lines. Side and rear setbacks may be reduced to not less than five feet (5 ft.) for one (1) accessory storage structure less than 120 square feet in size. (Amended March 2000) **Other accessory buildings and structures (i.e. decks of all sizes, storage sheds larger than 120 square feet in size, playhouses, carports, swimming pools, or similar type of construction) shall meet the above mentioned setback requirements.**

THE PLANNING BOARD DOES RECOMMEND THIS ARTICLE 6-0

YES 436 NO 303

4. Are you in favor of the adoption of **Amendment No. 3** as proposed by the Planning Board for the Town of Newton Zoning Ordinance as follows?

Amend Section XXV Light Industrial/Commercial Zone Area Regulations with changes in **BOLD** and ~~struck-out~~ as follows:

1. Location on Lot:

- a. Side yard 200 **foot** structural setback with a minimum 50 foot undisturbed natural buffer **when abutting any other zone.** ~~and Any additional buffer that may be required by the Planning Board up to but not exceeding 1,500 feet on any side that abuts any other Zone for a side yard that abuts any other zone.~~
- b. Rear yard 200 **foot** structural setback with a minimum 50 foot undisturbed natural buffer **when abutting any other zone.** ~~and Any additional buffer that may be required by the Planning Board up to but not exceeding 1,500 feet where it abuts any other Zone for a rear yard that abuts any other zone,~~ plus adequate provision for off-street parking as determined by the Planning Board.
- c. No building shall be set within 75 feet of the centerline of the street ~~and~~ **nor** within 50 feet of any lot line **within the Light Industrial/Commercial Zone.**

THE PLANNING BOARD DOES RECOMMEND THIS ARTICLE 6-0

YES 476 NO 256

5. "Shall the Town of Newton raise and appropriate as an operating budget, not including appropriations by special warrant articles and other appropriations voted separately, the amounts set forth on the budget posted with the warrant or as amended by vote of the first session, for the purposes set forth therein, totaling **\$2,903,310.00**? Should this article be defeated, the default budget shall be \$2,936,389.00, which is the same as last year, with certain adjustments required by previous action of the Town of Newton or by law; or the governing body may hold one special meeting, in accordance with RSA 40:13, X and XVI, to take up the issue of a revised operating budget only." **If warrant article 18 passes, the operating budget will be reduced by \$23,400.00.**
This proposed article will result in a decrease on the tax rate by \$0.07 cents per thousand.

THE BOARD OF SELECTMEN DOES RECOMMEND THIS ARTICLE 3-0

YES 600 NO 164

6. To see if the Town will vote annually, pursuant to RSA 80:80 to authorize the Board of Selectmen to transfer tax liens within the two (2) year redemption period, and further authorize the Board of Selectmen to transfer title to any real estate taken by Tax Collector Deed; and in addition to statutory methods of sale, the Selectmen are authorized to dispose of a lien or town-owned tax deed property as justice may require.

THE BOARD OF SELECTMEN DOES RECOMMEND THIS ARTICLE 3-0

YES 500 NO 226

7. To see if the Town will vote to **establish a Revolving Fund** pursuant to RSA 31:95-h, for the purpose of providing **Cable Access for public, educational or governmental use.** The amount of revenues received, as stated in the cable contract for cable access, including Franchise Fees will be deposited into the fund, and the money in the fund shall be allowed to accumulate from

year to year, and shall not be considered part of the town's unassigned fund balance. Further to raise and appropriate \$2,429.00 from the unassigned fund balance created from the discontinued Expendable Trust Fund in warrant article 8. The Town Treasurer shall have custody of all moneys in the fund and shall pay out the same only upon order of the governing body and no further approval is required by the legislative body to expend. Such funds may be expended only for the purpose for which the fund was created. If warrant article 8 fails, no funds will be raised and appropriated into this fund from the Unassigned Fund Balance. **If this warrant article passes, warrant article 9 is null and void.** *This proposed article will result in no increase in the amount to be raised in taxes.*

THE BOARD OF SELECTMEN DOES RECOMMEND THIS ARTICLE 3-0

YES 475 NO 259

8. To see if the Town will vote to discontinue the **Newton Cable Equipment Expendable Trust Fund created in 2001**. Said funds, with accumulated interest to date of withdrawal, are to be transferred to the municipality's general fund. *(As of 12/31/12, account has \$2,428.77)* **If warrant article 7 fails, this article is null and void.** *This proposed article will result in no increase in the amount to be raised in taxes.*

THE BOARD OF SELECTMEN DOES RECOMMEND THIS ARTICLE 3-0

YES 547 NO 188

9. To see if the Town will vote to raise and appropriate \$31,787.00 to be deposited into the **Newton Cable Equipment Expendable Trust Fund created in 2001**, with such sum to come from the Unassigned Fund Balance from cable revenues received in 2012. **If warrant article 7 passes, this article is null and void.** *This proposed article will result in no increase in the amount to be raised in taxes.*

THE BOARD OF SELECTMEN DOES RECOMMEND THIS ARTICLE 3-0

YES 407 NO 329

10. On a petition of 25 or more legal voters of the Town of Newton "Are you in favor of **increasing the Board of Selectmen to 5 members**"? (RSA 41:8-b)

THE BOARD OF SELECTMEN DOES RECOMMEND THIS ARTICLE 2-1

YES 459 NO 311

11. To see if the Town will vote to raise and appropriate \$90,842.00 for the **repair and maintenance of town roads to be offset by the NH Highway Block Grant**. This is a non-lapsing appropriation and will not lapse until the completion of the project or until December 31, 2018, whichever is sooner. *This proposed article will result in no increase in the amount to be raised in taxes.*

THE BOARD OF SELECTMEN DOES RECOMMEND THIS ARTICLE 3-0

YES 652 NO 125

12. To see if the Town will vote to **change the position of the Highway Foreman** from a permanent part-time position to a full-time position effective April 1, 2013 and further to raise and appropriate **\$8,100.00** for the additional costs in salary and benefits. If approved, this appropriation will be included in the operating budget in coming years.

This proposed article will result in an increase on the tax rate by \$0.02 cents per thousand.

THE BOARD OF SELECTMEN DOES RECOMMEND THIS ARTICLE 2-1

YES 340 NO 424

13. To see if the Town will vote, as proposed by the Board of Selectmen, to raise and appropriate the sum of **\$60,000.00** to be paid toward the **2013 SOLID WASTE DISPOSAL BUDGET as an offset to the disposal costs** and to authorize the withdrawal of \$60,000.00 from the Transfer Station/Recycling Special Revenue Fund created in 2003 for this purpose. *(As of 12/31/12, account has \$307,627.33.) This proposed article will result in no increase in the amount to be raised in taxes.*

THE BOARD OF SELECTMEN DOES RECOMMEND THIS ARTICLE 3-0

YES 590 NO 188

14. To see if the Town will vote, as proposed by the Board of Selectmen, to raise and appropriate the sum of **\$35,000.00** to hold a **HAZARDOUS WASTE DAY for Newton Residents only** and to authorize the withdrawal of \$35,000.00 from the Transfer Station / Recycling Special Revenue Fund created in 2003 for this purpose. *This proposed article will result in no increase in the amount to be raised in taxes.*

THE BOARD OF SELECTMEN DOES RECOMMEND THIS ARTICLE 3-0

YES 610 NO 169

15. To see if the Town will vote, as proposed by the Board of Selectmen, to raise and appropriate the sum of **\$52,500.00** to **install a Security Fence at the Transfer Station** in an effort to make the facility safe and protect the Town from liability; and to further authorize the withdrawal of \$52,500.00 from the Transfer Station/Recycling Special Revenue Fund created in 2003 for this purpose. *This proposed article will result in no increase in the amount to be raised in taxes.*

THE BOARD OF SELECTMEN DOES RECOMMEND THIS ARTICLE 3-0

YES 389 NO 373

16. To see if the Town will vote to raise and appropriate the sum of **\$29,920.00** for the following **Community Services:**

This proposed article will result in an increase on the tax rate by \$0.06 cents per thousand.

A SAFE PLACE	2,000.00
AREA HOMECARE & FAMILY SERVICES	3,800.00
CHILD ADVOCACY CENTER	2,000.00
DRUGS ARE DANGEROUS	2,000.00
FAMILY MEDIATION	5,947.00

LAMPREY HEALTH CARE	1,800.00
NHSPCA	750.00
ROCKINGHAM COUNTY COMMUNITY ACTION	5,000.00
ROCKINGHAM NUTRITION MEALS ON WHEELS	1,373.00
SEACARE HEALTH SERVICES	2,000.00
SEXUAL ASSAULT SUPPORT SERVICES (SASS)	550.00
VIC GEARY CENTER	<u>2,700.00</u>
	\$ 29,920.00

THE BOARD OF SELECTMEN DOES RECOMMEND THIS ARTICLE 3-0

YES 513 NO 260

17. To see if the Town will vote to raise and appropriate, as proposed by the Recreation Commission the sum of **\$3,500.00 for Recreational Programs and Trips for Senior Citizens**. *This proposed article will result in an increase on the tax rate by \$0.007 cents per thousand.*

THE BOARD OF SELECTMEN DOES RECOMMEND THIS ARTICLE 3-0

YES 501 NO 272

18. To see if the Town will vote to authorize the Board of Selectmen to enter into a three (3) year lease / purchase agreement for \$70,000.00 for the purpose of leasing a new, 4 x 4, 1 Ton, **Dump Truck** with a sander and plow for the Highway Department, and to raise and appropriate the sum of **\$23,400.00** for the first year's payment. This lease agreement contains an escape clause. **If this article passes, the operating budget will be reduced by \$23,400.00.** *This proposed article will result in an increase on the tax rate by \$0.05 cents per thousand.*

THE BOARD OF SELECTMEN DOES RECOMMEND THIS ARTICLE 3-0

YES 364 NO 407

19. To see if the Town will vote to **change the position of Director of the Gale Library** from part-time to full-time effective April 1, 2013 and further to raise and appropriate **\$9,146.00** for the additional costs in salary and benefits. If approved, the appropriation will be included in the operating budget in coming years. *This proposed article will result in an increase on the tax rate by \$0.02 cents per thousand.*

THE BOARD OF SELECTMEN DOES RECOMMEND THIS ARTICLE 3-0

YES 373 NO 385

20. To see if the Town will vote to raise and appropriate, as proposed by the Board of Selectmen and the Fire Chief, the sum of **\$35,000.00** to be placed in the existing **Fire Sprinkler Capital Reserve Fund** created in 1997 for the Town Hall Building Sprinkler System. *This proposed article will result in an increase on the tax rate by \$0.07 cents per thousand.*

THE BOARD OF SELECTMEN DOES RECOMMEND THIS ARTICLE 3-0

YES 332 NO 417

21. To see if the Town will vote to **modify the Elderly Exemptions** from property tax in the Town of Newton, based on assessed value, for qualified taxpayers, to be as follows: for a person 65 years of age up to 74 years of age **\$65,000**; for a person 75 years of age up to 79 years of age **\$85,000**; for a person 80 years of age or older **\$110,000**. To qualify, the applicant must have resided in this state for at least 3 consecutive years, own the real estate individually or jointly, or if the real estate is owned by such person's spouse, they must have been married for at least 5 years. In addition, the taxpayer must have a net income of not more than **\$25,000** or, if married, a combined net income of less than **\$35,000**; and own net assets not in excess of **\$65,000** excluding the value of the person's residence.

THE BOARD OF SELECTMEN DOES RECOMMEND THIS ARTICLE 3-0

YES 533 NO 210

22. To see if the town will vote to authorize the Selectmen to enter into a long term lease/purchase agreement to purchase a **Tank Truck** for the Fire Department at a cost of \$330,000.00 and further to raise and appropriate **\$246,000.00** and authorize the withdrawal of **\$246,000.00** from the Fire Apparatus & Equipment Capital Reserve Fund for a down payment to lower the agreement amount to \$84,000.00 payable over a term of 5 years at a rate of \$16,800.00 annually and further to raise and appropriate **\$16,800.00** for the first year's payment. This agreement does not contain an escape clause. (3/5 majority vote required for passage) *This proposed article will result in an increase on the tax rate by \$0.04 cents per thousand.*

THE BOARD OF SELECTMEN DOES RECOMMEND THIS ARTICLE 2-1

YES 390 NO 359

23. To see if the town will vote to raise and appropriate the sum of \$1.00 for the purpose of maintenance, repair or installation of the town-owned fire wells, dry hydrants and cisterns. *This proposed article will result in no increase in the amount to be raised in taxes.*

THE BOARD OF SELECTMEN DOES RECOMMEND THIS ARTICLE 3-0

YES 607 NO 142

24. To see if the Town will vote to **establish an Expendable Trust Fund** pursuant to RSA 31:19a, **for the purpose of the Emergency Operating Center**. The funds will be used for emergency operations, including but not limited to equipment, office supplies, and payroll for emergency services as a result of unusual or weather related events and further to name the Board of Selectmen as agents to expend from this fund.

THE BOARD OF SELECTMEN DOES RECOMMEND THIS ARTICLE 3-0

YES 404 NO 331

25. To see if the Town will vote to authorize the Board of Selectmen to apply the proceeds from the sale of the former Police Station at 2 Amesbury Road, as an offset, to the 10-year, 0% interest mortgage and promissory note for the present Police Station at 8 Merrimac Road voted in 2012?

THE BOARD OF SELECTMEN DOES RECOMMEND THIS ARTICLE 3-0

YES 678 NO 69

A true copy attest:
Mary-Jo McCullough
Newton Town Clerk

TOWN CLERK'S REPORT

January 1, 2013 – December 31, 2013

Remitted to the Treasurer:

Motor Vehicle Permits	\$781,608.95
State Fees – Autos	16,462.50
Boat Registrations	2,074.14
State Fees - Boats	730.00
Title Fees	2,312.00
E-REG fees	912.65
Dog Licenses	6,494.50
Dog License Penalties	439.00
Dog Fines	1,800.00
Dog License Replacement tag	5.00
Certified Copies	1,755.00
Marriage Licenses	1,125.00
Dredge & Fill Permits	10.00
Filing Fees	15.00
TOTAL REMITTED TO TREASURER	\$815,743.74

Number of Motor Vehicle Permits issued	6,917
Number of Boat Registrations issued	146
Number of Dog Licenses issued	1,060
Number of Certified Copies issued	135
Number of Marriage Licenses issued	25

Respectfully submitted,
Mary-Jo McCullough
Town Clerk