

TOWN WARRANT  
2010  
The State of New Hampshire

THE POLLS WILL BE OPENING FROM 8:00 A.M. TO 8:00 P.M.

To the inhabitants of the Town of Newton, N.H. in the County of Rockingham, in said State, qualified to vote in Town Affairs; you are hereby notified to meet for the first session of the annual meeting, which shall be for the explanation, discussion and debate of each warrant article and the transaction of all business other than voting by official ballot to be held at the **Sanborn Regional Middle School on Tuesday, February 2, 2010 at 7:00 PM**; the **second session to be held at the Newton Town Hall**, in said Newton, **on Tuesday, the ninth day of March next, at eight o'clock in the forenoon, to choose all necessary Town officers** for the ensuing year by official ballot, and to vote on all issues before the Town of Newton on the official ballot; the polls to be open at eight o'clock in the forenoon and to close not earlier than eight o'clock in the evening.

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 the Planning Board for the Town of Newton Zoning Ordinance as follows?

Amend DEFINITIONS as follows:

DEFINITIONS

Amend Section V Residential A Zone Area Regulations paragraph 2, Section VII Residential B Zone Area Regulations paragraph 2, and Section XI Commercial Zone Area Regulations paragraph 4 as follows:

Lot Area:

Every lot shall be a minimum of one hundred twenty-five (125) feet wide at all locations measured from the frontage in a continuous line back one hundred (100) feet toward the rear of the lot along the side lot lines. All measurements are to be taken inside of the lot boundary lines. *In a case in which the frontage is curved, such as along a cul-de-sac, the lot shall be a minimum of one hundred twenty-five (125) feet wide at all locations measured from a line tangent to the frontage curve in a continuous line back one hundred (100) feet toward the rear of the lot.*

**THE PLANNING BOARD DOES RECOMMEND THIS ARTICLE 5-0**

3. To see if the Town will vote to raise and appropriate, as proposed by the Newton Police Chief, the sum of **One Million, Two Hundred, Sixty Eight Thousand Dollars (1,268,000.00)** for the design, engineering, site preparation, building construction and renovation, equipment and furnishing of the Newton Police Department. Said construction, renovation and related references are proposed for the current Police Station location at 2 Amesbury Road, and to further authorize the issuance of not more than One Million, Two Hundred, Sixty Eight Thousand Dollars (1,268,000.00) in the form of bonds and/or notes under and in compliance with the provisions of the Municipal Finance Act, NH RSA 33 as amended. To authorize the Selectmen to apply for, obtain and accept federal, state or other aid, if any, which may be available for said project and to comply with all laws applicable to said project; and to authorize the Selectmen to issue, negotiate, sell and deliver said bonds and/or notes, and to determine the rate of interest thereon and the maturity, and other terms thereof.  
(3/5 ballot vote required)

**THE BOARD OF SELECTMEN DOES RECOMMEND THIS ARTICLE 3-0**

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4. “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 **\$2,921,213.00?**”

Should this article above be defeated, the default budget shall be \$2,875,861.00, 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.”

**NOTE: This operating budget warrant article does not include appropriations contained in ANY other warrant articles.**

**THE BOARD OF SELECTMEN DOES RECOMMEND THIS ARTICLE 3-0**

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5. To see if the Town will vote to raise and appropriate, as proposed by the Board of Selectmen, the sum of **\$65,000.00 for a full-time Building Inspector / Code Enforcement Officer**, including payroll taxes and benefits and to eliminate the current part-time positions of Building Inspector and Code Enforcement Officer. **(All permit fees will revert back to the Town.)** This money raised is for a partial year beginning in April 2010.  
*(If this article is approved, this position will become a part of next year’s operating budget.)*

**THE BOARD OF SELECTMEN DOES RECOMMEND THIS ARTICLE 3-0**

6. To see if the Town will vote to raise and appropriate, as proposed by the Board of Selectmen, the sum of **\$12,000.00 including payroll taxes, for a part-time Permit Clerk for the Department of Building Safety.**  
This money raised is for a partial year beginning in April 2010.  
*(If this article is approved, this position will become a part of next year’s operating budget.)*

**THE BOARD OF SELECTMEN DOES NOT RECOMMEND THIS ARTICLE 0-3**

7. To see if the Town will vote to **change the office of Town Treasurer from an elected position to an appointed position**, per RSA 41:26-e. Such appointment shall be made in accordance with RSA 669:17-d by the Board of Selectmen. Such appointment shall be made in writing and shall include the compensation to be paid. *(Should this article pass, the elected Treasurer will hold office until the first town election following the discontinuance of the office at which time the elected Treasurer's term shall terminate.)*

**THE BOARD OF SELECTMEN DOES RECOMMEND THIS ARTICLE 2-1**

8. To see if the Town will vote to raise and appropriate, as proposed by the Board of Selectmen & the Town Administrator, the sum of **\$10,000.00 including payroll taxes**, for the purpose of **hiring a Part-Time Secretary** to assist the Board of Selectmen. This money raised is for a partial year beginning in April 2010.  
*(If this article is approved, this position will become a part of next year's operating budget.)*

**THE BOARD OF SELECTMEN DOES RECOMMEND THIS ARTICLE 2-1**

9. To see if the Town will vote, as proposed by the Board of Selectmen, to raise and appropriate the sum of **\$20,000.00 to offset the disposal costs** of the **2010 SOLID WASTE DISPOSAL BUDGET** and to authorize the withdrawal of \$20,000 from the Transfer Station/Recycling Special Revenue Fund created in 2003 for this purpose.  
*[Intent: This proposed article will result in no increase in the amount to be raised by taxes.]*

**THE BOARD OF SELECTMEN DOES RECOMMEND THIS ARTICLE 3-0**

10. To see if the Town will vote, as proposed by the Board of Selectmen, to raise and appropriate the sum of **\$15,000.00** for the purpose of a **"Fee Free Solid Waste Disposal Weekend" in 2010** and further to authorize the withdrawal of \$15,000 from the Transfer Station/Recycling Special Revenue Fund created in 2003 for this purpose.  
*[Intent: This proposed article will result in no increase in the amount to be raised by taxes.]*

**THE BOARD OF SELECTMEN DOES RECOMMEND THIS ARTICLE 3-0**

11. To see if the Town will vote, as proposed by the Board of Selectmen, to raise and appropriate the sum of **\$20,000** for a **"10' High Fence"** at the Newton Transfer Station, in an effort to **replace the existing fence, add new fencing along Dugway Road down to the Fire Pond and to include a gate at the Fire Pond Entrance**, and to further authorize the withdrawal of \$20,000 from the Transfer Station/Recycling Special Revenue Fund created in 2003 for this purpose.  
*[Intent: This proposed article will result in no increase in the amount to be raised by taxes.]*

**THE BOARD OF SELECTMEN DOES RECOMMEND THIS ARTICLE 3-0**

12. To see if the Town will vote to raise and appropriate, as proposed by the Recreation Commission and the Board of Selectmen, the sum of **\$5,000.00** for **recreational programs and trips for senior citizens**.

**THE BOARD OF SELECTMEN DOES RECOMMEND THIS ARTICLE 3-0**

13. 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 **\$66,392.00** for **Phase II of the installation of a “SPRINKLER SYSTEM”** in the Newton Town Hall and to further withdraw \$1,523.00 from the Sprinkler Capital Reserve fund created in 1997. This will be a non-lapsing appropriation per RSA 32:7, VI and will not lapse until the sprinkler system is completed or by December 31, 2015, whichever is sooner. *(Per Selectmen’s Bid Policy)*

**THE BOARD OF SELECTMEN DOES RECOMMEND THIS ARTICLE 3-0**

14. If article 13 above fails: 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 **\$31,500.00** to be placed in the existing **“SPRINKLER SYTEM” Capital Reserve Fund** for the Town Hall Sprinkler System. *(Per Selectmen’s Bid Policy)*

**THE BOARD OF SELECTMEN DOES RECOMMEND THIS ARTICLE 3-0**

15. To see if the Town will vote to raise and appropriate, as proposed by the Board of Selectmen and the Road Agent, the sum of **\$15,000.00** to be placed in the existing Capital Reserve Fund called **“ROAD SYSTEMS IMPROVEMENT FUND”** created in 2001 for the purpose of maintenance, repairs and construction.

**THE BOARD OF SELECTMEN DOES RECOMMEND THIS ARTICLE 3-0**

16. To see if the Town will vote to raise and appropriate **\$93,881.00 for the repair and maintenance of town roads** and to authorize the use of the NH Highway Block Grant in the amount of **\$93,881.00** to offset this appropriation. This is a non-lapsing warrant article and will not lapse until December 31, 2015 or until the project is completed, whichever comes first. *[Intent: This proposed article will result in no increase in the amount to be raised by taxes.]*

**THE BOARD OF SELECTMEN DOES RECOMMEND THIS ARTICLE 3-0**

17. To see if the Town will vote to raise and appropriate, as proposed by the Board of Selectmen, the sum of **\$10,000** to be placed in the Expendable Trust Fund created in 2009, known as the **EMERGENCY OPERATIONS CENTER EXPENDABLE TRUST FUND for the continuation of town services during an emergency**. This sum is to come from the unreserved fund balance (surplus) and no amount to be raised from taxation. *[Intent: This proposed article will result in no increase in the amount to be raised by taxes.]*

**THE BOARD OF SELECTMEN DOES RECOMMEND THIS ARTICLE 3-0**

18. To see if the Town will vote to establish a Revolving Fund pursuant to RSA 31:95-h, for the purpose of **Ambulance Services**. All revenues received for ambulance transports 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 general fund unreserved fund balance. 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 for the purchase of an ambulance and/or for medical equipment and supplies for the Fire Department.

*[Intent: This proposed article will result in no increase in the amount to be raised by taxes.]*

**THE BOARD OF SELECTMEN DOES RECOMMEND THIS ARTICLE 2-1**

19. To see if the Town will vote to raise and appropriate, as proposed by the Fire Chief, the sum of **\$30,000.00** for the purchase of a certified **Cardiac Life Support Monitor**.

*(Per Selectmen's Bid Policy)*

**THE BOARD OF SELECTMEN DOES RECOMMEND THIS ARTICLE 3-0**

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 **\$50,000.00** to be placed in the existing **Capital Reserve Fund** called the "**FIRE APPARATUS AND EQUIPMENT FUND**" created in 2005.

**THE BOARD OF SELECTMEN DOES RECOMMEND THIS ARTICLE 3-0**

21. To see if the Town will vote to raise and appropriate the sum not to exceed **\$19,706.00**, to provide a **2½ percent Cost of Living Wage Increase** for non-elected employees of the Town of Newton; said increases to become effective April 4, 2010.

**THE BOARD OF SELECTMEN DOES RECOMMEND THIS ARTICLE 3-0**

22. Shall the Town pursuant to RSA 31:39-n, adopt the Town of Newton "**NOISE ORDINANCE**"? Copies of the Ordinance are available at the Selectmen's Office, Town Clerk's Office and Town Library and on the Town Website at [www.newton-nh.gov](http://www.newton-nh.gov).

**THE BOARD OF SELECTMEN DOES RECOMMEND THIS ARTICLE 2-1**

23. To see if the Town will vote to raise and appropriate, as proposed by the Emergency Management Director and the Board of Selectmen, the sum of **\$12,000.00 for the operation of the Newton Emergency Management Agency**. The funds raised will allow the Emergency Management Director and Deputy Directors to obtain the required Federal Emergency Management Agency and State of New Hampshire Certifications and the purchase and replacement of necessary equipment.

**THE BOARD OF SELECTMEN DOES RECOMMEND THIS ARTICLE 3-0**

24. To see if the Town will vote to raise and appropriate, as proposed by the Emergency Management Agency, the sum of **\$9,250.00 to purchase emergency equipment for the Agency, and office supplies and training materials needed to start Newton's new voluntary "Citizens Emergency Response Corp."**

**THE BOARD OF SELECTMEN DOES RECOMMEND THIS ARTICLE 3-0**

25. To see if the Town will vote to raise and appropriate, as proposed by the Recreation Commission, the sum of **\$11,000.00 including payroll taxes**, for the purpose of **hiring a part-time Recreation Director** who would report to the Recreation Commission.

This money raised is for a partial year beginning in April 2010.

*(If this article is approved, this position will become a part of next year's operating budget.)*

**THE BOARD OF SELECTMEN DOES NOT RECOMMEND THIS ARTICLE 1-2**

26. To see if the Town will vote to raise and appropriate, as proposed by the Gale Library Trustees, the sum of **\$24,967.00** which includes benefits, **making the Gale Library Director position full-time**. This money raised is for a partial year beginning in April 2010.

*(If this article is approved, this position will become a part of next year's operating budget.)*

**THE BOARD OF SELECTMEN DOES RECOMMEND THIS ARTICLE 3-0**

27. To see if the Town will vote to raise and appropriate, as proposed by the Board of Selectmen, the sum of **\$5,000.00 to revise the 1987 "Pay and Classification Study"** (MATRIX) for the Town of Newton employees.

**THE BOARD OF SELECTMEN DOES RECOMMEND THIS ARTICLE 3-0**

28. To see if the Town will vote to raise and appropriate the sum of **\$2,000.00 for A SAFE PLACE** to continue free and confidential Domestic Violence Support Services, counseling, emergency shelter services and community educational outreach.

**THE BOARD OF SELECTMEN DOES RECOMMEND THIS ARTICLE 3-0**

29. To see if the Town will vote to raise and appropriate the sum of **\$3,800.00 to AREA HOMECARE & FAMILY SERVICES** for the purpose of helping to defray the cost of in-home services for Newton's elderly and people with disabilities, so they may stay in their homes for as long as possible.

**THE BOARD OF SELECTMEN DOES RECOMMEND THIS ARTICLE 3-0**

30. To see if the Town will vote to raise and appropriate the sum of **\$2,000.00 for the CHILD ADVOCACY CENTER** to assist the Newton Police Department in the coordination and investigation of child abuse cases.

**THE BOARD OF SELECTMEN DOES RECOMMEND THIS ARTICLE 3-0**

31. To see if the Town will vote to raise and appropriate the sum of **\$2,000.00** for **DRUGS ARE DANGEROUS INC. (D.A.D.)** and to continue the “Natural High” experiences to our children, youth and families.

**THE BOARD OF SELECTMEN DOES RECOMMEND THIS ARTICLE 3-0**

32. To see if the Town will vote to raise and appropriate the sum of **\$5,947.00** for the purpose of continued funding for **FAMILY MEDIATION & JUVENILE SERVICES**, a non-profit organization since 1983, to continue to provide the following services: Parent-Child Mediation, Peer Mediation Training, Community Service, Restitution, Youth and Parent Anger-Management Courses, Youth and Parent Substance Abuse Awareness Courses, Stop Shoplifting Courses, Tobacco Education, and individually-tailored juvenile diversion contracts.

**THE BOARD OF SELECTMEN DOES RECOMMEND THIS ARTICLE 3-0**

33. To see if the Town will vote to raise and appropriate the sum of **\$1,400.00** for **LAMPREY HEALTH CARE** to continue to provide primary care & preventive health services and the senior transportation program.

**THE BOARD OF SELECTMEN DOES RECOMMEND THIS ARTICLE 3-0**

34. To see if the Town will vote to raise and appropriate the sum of **\$750.00** for **NH SOCIETY FOR THE PREVENTION OF CRUELTY TO ANIMALS (NHSPCA)** to continue providing animal care and sheltering services, humane education and community services and cruelty investigations.

**THE BOARD OF SELECTMEN DOES RECOMMEND THIS ARTICLE 3-0**

35. To see if the Town will vote to raise and appropriate the sum of **\$7,102.00** for **ROCKINGHAM COUNTY COMMUNITY ACTION** to continue their outreach program and the broad range of services they provide.

**THE BOARD OF SELECTMEN DOES RECOMMEND THIS ARTICLE 3-0**

36. To see if the Town will vote to raise and appropriate the sum of **\$1,121.00** to support **ROCKINGHAM NUTRITION and MEALS ON WHEELS PROGRAM**, providing meals for older, homebound and disabled Newton residents.

**THE BOARD OF SELECTMEN DOES RECOMMEND THIS ARTICLE 3-0**

37. To see if the Town will vote to raise and appropriate the sum of **\$5,678.00** for **ROCKINGHAM VISITING NURSE ASSOCIATION & HOSPICE**, a community-based, non-profit Home Health Agency that provides patient and family centered care and support to assist with terminal care at home to the adult population of Rockingham County.

**THE BOARD OF SELECTMEN DOES RECOMMEND THIS ARTICLE 3-0**

38. To see if the Town will vote to raise and appropriate the sum of **\$5,000.00** for **THE SAD CAFÉ** to provide thousands of area teens with a safe, substance free, youth friendly environment, giving a positive alternative for discretionary recreational hours.

**THE BOARD OF SELECTMEN DOES NOT RECOMMEND THIS ARTICLE 0-3**

39. To see if the Town will vote to raise and appropriate the sum of **\$2,000.00** for **SEACARE HEALTH SERVICES** to provide access to healthcare to uninsured individuals who live in the Town of Newton.

**THE BOARD OF SELECTMEN DOES RECOMMEND THIS ARTICLE 3-0**

40. To see if the Town will vote to raise and appropriate the sum of **\$2,700.00** for **VIC GEARY CENTER** to provide a safe gathering place for senior citizens to congregate, share a nutritious noon meal, participate in social and recreational activities and to provide many clinics such as blood pressure, foot care, hearing, sight, home safety and tax preparation.

**THE BOARD OF SELECTMEN DOES RECOMMEND THIS ARTICLE 3-0**

41. On a petition of 25 or more legal voters of the Town of Newton, to see if the Town will direct the Board of Selectmen to convey to Robert L. White a twenty (20') foot wide right of way down the center of the old railroad bed, commonly referred to as the Peanut Trail, for a distance of 750 feet from Route 108 for access to and from his property described by Tax Map 11, Block 7, Lot 15-1, with all drafting and recording costs for said right of way to be paid for by Robert L. White and not the taxpayers of the Town of Newton.

**THE BOARD OF SELECTMEN DOES NOT RECOMMEND THIS ARTICLE 0-3**

42. On a petition of 25 or more legal voters of the Town of Newton, to see if the Town will vote **to plow snow and sand, as necessary on the Rights-of-Way in Marcoux Grove** with an estimated length of approximately 150 yards.

**THE BOARD OF SELECTMEN DOES RECOMMEND THIS ARTICLE 3-0**

43. On a petition of 25 or more legal voters of the Town of Newton, to see if the Town will vote to approve the following resolution to be forwarded to our State Representative(s), our state Senator, the Speaker of the House, and the Senate President.

**Resolved:** The citizens of New Hampshire should be allowed to vote on an amendment to the **Newton Hampshire Constitution that defines “marriage”**.

**THE BOARD OF SELECTMEN DOES RECOMMEND THIS ARTICLE 3-0**

**44.** On a petition of 25 or more legal voters in the Town of Newton pursuant to RSA 37:15, do you favor **adoption of the Town Manager Plan** as provided in Chapter 37 of the Revised Statutes Annotated.

**THE BOARD OF SELECTMEN DOES RECOMMEND THIS ARTICLE 3-0**

Given under our hands and seal this 19<sup>th</sup> day of January in the year of our Lord Two Thousand and Ten.

Trisha J. McCarthy, Chairman

Raymond D. Thayer  
BOARD OF SELECTMEN

Robert S. Donovan, Jr.