

RECORDS OF TOWN MEETING

Deliberative Session – February 8, 2005

Sanborn Regional Middle School 7:00 p.m.

Moderator Robert Dezmelyk called the meeting to order at 7:05 p.m.

Mr. Dezmelyk introduced the Board of Selectmen, Town Administrator, Town Clerk, And the Supervisors of the Checklist. He also thanked the cable committee for coming.

In attendance was Jeffrey Jensen, one our dedicated servicemen and Mr. Dezmelyk had Mr. Jensen lead the body in the pledge of allegiance. The body stood and gave Jeff a round of applause for all that he has done for our Country.

Mr. Dezmelyk spoke of the lack of candidates and asked the body to circulate names to run for some of the empty spots.

There were only 36 voters in attendance.

Moderator Dezmelyk read the warrant and warned the people of the actual election to be held on March 8th, 2005 at the Memorial School in Newton Junction, and urged everyone to get out and vote.

Planning Board questions are not discussed at the deliberative session, but Mr. Dezmelyk asked the voters to make sure they read them before going to the polls so they can get a better understanding of what they mean to the Town of Newton.

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?

To adopt the following new Building Codes:

- a) International Residential Building Code (IRC) 2000,
- b) International Plumbing Code (IPC) 2000,
- c) International Mechanical Code (IMC) 2003,
- d) National Electrical Code (IEC) (NFPA 70) 2005 &
- e) National Fuel Gas Code (NFPA 54) 2002 – All interior gas piping shall be Black Iron Pipe.

THE PLANNING BOARD DOES RECOMMEND THIS ARTICLE

Moved and seconded. Article 2 will appear on ballot as written.

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?

To add to the zoning ordinance the following definition of “Conditional Use”.

Conditional Use: A use that, because of special requirements or characteristics, may be allowed in a particular zoning district only after review by the Planning Board and granting of conditional use approval imposing such conditions as necessary to make the use compatible with other uses permitted in the same zone or vicinity?

THE PLANNING BOARD DOES RECOMMEND THIS ARTICLE

Moved and seconded. Article 3 will appear on ballot as written.

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?

To establish the entire Town of Newton as a Water District and authorize the Board of Selectmen, pursuant to New Hampshire RSA Chapter 38, to establish a municipal water utility, to accept future dedications of water utility infrastructure and to acquire those portions of existing water utility infrastructure, plant and property which the Selectmen judge to be suitable for establishing a municipal water utility, with the further understanding that any agreement to accept or acquire such plant or infrastructure shall either be paid for from monies appropriated for general government purposes, or alternately, in the Selectmen's discretion, any agreement to acquire or a determination of acquisition price shall be presented to a future Newton Town Meeting for approval and ratification prior to final acquisition of water utility property?

THE PLANNING BOARD DOES RECOMMEND THIS ARTICLE

Moved and seconded. Article 4 will appear on ballot as written.

5. Are you in favor of the adoption of **Amendment No. _4_** as proposed by the Planning Board for the Town of Newton Zoning Ordinance as follows?

To adopt the definitions of Manufactured Housing and Pre-site Built Housing as stated in State of New Hampshire RSA 674:31, 31-a and 32.

THE PLANNING BOARD DOES RECOMMEND THIS ARTICLE

Moved and seconded. Article 5 will appear on ballot as written.

6. Are you in favor of the adoption of **Amendment No. _5_** as proposed by the Planning Board for the Town of Newton Zoning Ordinance as follows?

To adopt the State of New Hampshire RSA 231:157 and RSA 231:158 and designate the following as Scenic Roads per the Master Plan:

- a) Gale Village Road
- b) Currierville Road
- c) Maple Avenue
- d) Goulds Hill Road
- e) Heath Street
- f) Bartlett Street
- g) Thornell Road

THE PLANNING BOARD DOES RECOMMEND THIS ARTICLE

Moved and seconded. Article 6 will appear on ballot as written.

7. Are you in favor of the adoption of **Amendment No. 6** as proposed by the Planning Board for the Town of Newton Zoning Ordinance as follows?

To require any accessory structures as defined in the zoning ordinance over 12,000 square feet to receive Planning Board approval prior to issuance of a building permit?

THE PLANNING BOARD DOES RECOMMEND THIS ARTICLE

Motion to correct typo, changing 12,000 to 1,200 square feet. Motion seconded and carried. Article 7 will appear as corrected.

8. Are you in favor of the adoption of **Amendment No. 7** as proposed by the Planning Board for the Town of Newton Zoning Ordinance as follows?

To adopt the language of RSA 482-A-2, X as the definition of wetlands in the zoning ordinance as summarized herein: "Wetlands" means an area that is inundated or saturated by surface water or groundwater at a frequency and duration sufficient to support, and that under normal conditions does support a prevalence of vegetation typically adopted for life in saturated soil conditions.

THE PLANNING BOARD DOES RECOMMEND THIS ARTICLE

Moved and seconded. Article 8 will appear on ballot as written.

9. Are you in favor of the adoption of **Amendment No. 8** as proposed by the Planning Board for the Town of Newton Zoning Ordinance as follows?

To add: The Planning Board is authorized to require preliminary subdivision review. The subdivision regulations regarding the requirements of such review are to be prepared and adopted by the Planning Board.

THE PLANNING BOARD DOES RECOMMEND THIS ARTICLE

Moved and seconded. Article 9 will appear on ballot as written.

10. Are you in favor of the adoption of **Amendment No. 9** as proposed by the Board of Selectmen for the Town of Newton Zoning Ordinance as follows?

To see if the Town will vote to amend Article XXV of the Zoning Ordinance (Impact Fee Ordinance for Public School Facilities) to (1) reflect recent changes to RSA 674:21, V with respect to the timing of assessment; and (2) to authorize the Board of Selectmen, subject to a public hearing, to adopt changes in the method of calculating school impact fees and to implement revised school impact fee schedules.

Moved and seconded. Article 10 will appear on ballot as written.

11. On petition of twenty-five (25) or more registered voters to see if the Town will vote to amend Newton Zoning Ordinance, Section XVIII, General Provisions, paragraph 9, by removing the words, “unearthed tree stumps”.

Paragraph 9 would then read:

“There shall be no burial of demolition or construction material in any zone in the Town of Newton”.

THE PLANNING BOARD DOES NOT RECOMMEND THIS ARTICLE

Moved and seconded. Article 11 will appear on ballot as written.

12. “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 **\$2,381,619.00**?

THE BOARD OF SELECTMEN DOES RECOMMEND THIS ARTICLE

Should this article above be defeated, the default budget shall be \$2,337,418.00, 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.”

Moved and seconded. Article 12 will appear on ballot as written.

13. On a petition of 25 or more legal voters of the Town of Newton, shall we adopt a **“EXEMPTION FOR THE DISABLED”** under the provisions of RSA 72:37-B as follows: the **exemption from assessed value for qualified taxpayers shall be \$85,000**. To qualify, the person must be eligible under Title II or Title XVI of the Federal Social Security Act, must occupy the property as his principle place of abode, must own the property individually or jointly, or if owned by a spouse, they must have been married to each other for at least five (5) consecutive years, had in the calendar year preceding April 1st a net income from all sources, of not more than \$24,000 if single and \$38,000 if married, own net assets not in excess of \$55,000, excluding the value of the persons actual residence and up to two (2) acres or the minimum single family residential lot size specified in the local zoning ordinance.

THE BOARD OF SELECTMEN DOES RECOMMEND THIS ARTICLE

Motion to amend article to read “On a petition of 25 or more legal voters of the Town of Newton, shall we adopt a “EXEMPTION FOR THE DISABLED” under the provisions of RSA 72:37-B as follows: the exemption from assessed value for qualified taxpayers shall be \$85,000. To qualify, the person must be eligible under Title II or Title XVI of the Federal Social Security Act, must occupy the property as his principal place of abode, must own the property individually or jointly, or if owned by a spouse, they must have been married to each other for at least five (5) consecutive years, had in the calendar year preceding April 1st a net income from all sources, of not more than \$32,000 if single and \$ 45,000 if married, own net assets not in excess of \$60,000, excluding the value of persons actual residence and up to two (2) acres or the minimum single family residential lot size specified in the local zoning ordinance.

Seconded and carried. Article 13 will appear on ballot as amended.

14. To see if the Town will adopt an Ordinance, as proposed by the Fire Chief, to read as follows: “A certified sprinkler system to be installed in all new commercial and industrial buildings and/or units thereof which have a square foot area of 5,000 feet or over in accordance with NFPA 13, Installation of Sprinkler Systems”, to be effective immediately upon approval of this article.

Moved and seconded. Article 14 will appear on ballot as written.

15. To see if the Town will adopt an Ordinance, as proposed by the Fire Chief, to read as follows: “A certified sprinkler system to be installed in, as defined in the Newton Zoning Ordinance, all new Senior and Elderly Housing Units. The system shall be installed in accordance with NFPA 13R, (Sprinkler Systems in Residential Occupancies up to and including four stories in height) and/or NFPA 13D, (Sprinkler Systems in One and Two Family Dwellings and Manufactured Homes)”, to be effective, immediately, on approval of this article.

Moved and seconded. Article 15 will appear on ballot as written.

16. To see if the Town will vote, as proposed by the Fire Chief and Police Chief, to **establish a Capital Reserve Fund** under the provisions of RSA 35:1, to be known as the **“SAFETY COMPLEX BUILDING FUND”** for the purpose of engineering and building a new Safety Complex and to raise and appropriate the sum of **fifty thousand dollars (\$50,000)** to be placed in this fund and to name the Board of Selectmen as Agents.

THE BOARD OF SELECTMEN DOES RECOMMEND THIS ARTICLE

Moved and seconded. Article 16 will appear on ballot as written.

17. To see if the Town will vote, as proposed by the Board of Selectmen and the Fire Chief, **to establish a Capital Reserve Fund** under the provisions of RSA 35:1, for the future purchase of **“FIRE APPARATUS and EQUIPMENT”** and to raise and appropriate the sum of **fifty thousand dollars (\$50,000)** to be placed in this fund, and to name the Board of Selectmen as Agents.

THE BOARD OF SELECTMEN DOES RECOMMEND THIS ARTICLE

Moved and seconded. Article 17 will appear on ballot as written.

18. To see if the Town will vote, as proposed by the Fire Chief, to raise and appropriate the sum of **sixteen thousand dollars (\$16,000)** to purchase a **new automatic CPR Board**.

THE BOARD OF SELECTMEN DOES RECOMMEND THIS ARTICLE

Moved and seconded. Article 18 will appear on ballot as written.

19. To see if the Town will vote to raise and appropriate, as proposed by the Fire Chief, the sum of **three thousand, two hundred and fifty dollars (\$3,250.00)** for the purpose of assisting the Newton Junction Baptist Church in **repaving the driveway** at the Horace Williams Building, also known as the **Newton Junction Fire Station**.

THE BOARD OF SELECTMEN DOES RECOMMEND THIS ARTICLE

Moved and seconded. Article 19 will appear on ballot as written.

20. To see if the Town will vote, as proposed by the Board of Selectmen, **to establish a Capital Reserve Fund** under the provisions of RSA 35:1 for the purpose of **“DEVELOPMENT AND IMPLEMENTATION OF A TAX MAPPING PROGRAM”** and to raise and appropriate the sum of **twenty-five thousand dollars (\$25,000)** to be placed in this fund, and to name the Board of Selectmen as Agents.

THE BOARD OF SELECTMEN DOES RECOMMEND THIS ARTICLE

Moved and seconded. Article 20 will appear on ballot as written.

21. To see if the Town will vote to raise and appropriate the sum of **four thousand dollars (\$4,000)** for disease surveillance of **“Eastern Equine Encephalitis (EEE)”** to provide an early detection system for the public.

THE BOARD OF SELECTMEN DOES NOT RECOMMEND THIS ARTICLE

Moved and seconded. Article 21 will appear on ballot as written.

22. To see if the Town will vote to raise and appropriate, as proposed by the Gale Library Board of Trustees, the sum of **ten thousand dollars (\$10,000)** to be placed in the existing Capital Reserve Fund called the “**Gale Library Building Fund**” created in 1982.

THE BOARD OF SELECTMEN DOES RECOMMEND THIS ARTICLE

Moved and seconded. Article 21 will appear on ballot as written.

23. To see if the Town will vote to raise and appropriate, as proposed by the Board of Selectmen, the sum of **two thousand two hundred and forty dollars (\$2,240.00)** for the purpose of establishing a **Town Website** on which minutes of meetings and other public notices will be posted.

THE BOARD OF SELECTMEN DOES RECOMMEND THIS ARTICLE

Moved and seconded. Article 23 will appear on ballot as written.

24. On a petition of 25 or more legal voters of the Town of Newton, to see if the Town would like to have the Certificate of Occupancy Permit changed to allow a Signature Block for the Planning Board Designee to sign and to add verbiage as decided by the Planning Board to reflect the changes in Land Use that have taken place over the past few years.

Motion made to amend article 24 to read, “ On a petition of 25 or more legal voters of the Town of Newton, to see if the Town will vote not to change the Certificate of Occupancy Permit to allow a Signature Block for the Planning Board Designee to sign and to add verbiage as decided by the Planning Board to reflect the changes in Land Use that have taken place over the past few years.

Motion seconded and carried. Article will appear on ballot as amended.

25. To see if the Town will vote, as proposed by the Planning Board, to raise and appropriate the sum of **twelve thousand dollars (\$12,000)** to complete the **Vision Chapter and update the Land Use Chapter and to Update the Capital Improvements Plan**. The Board will apply for matching Targeted Block Grants from Rockingham Planning Commission to help offset these costs. This is required by the State of New Hampshire per RSA 674:2(a).

THE BOARD OF SELECTMEN DOES RECOMMEND THIS ARTICLE

Moved and seconded. Article will appear on ballot as written.

26. To see if the Town will vote to raise and appropriate the sum of **thirty-one thousand, three hundred and eighteen dollars (\$31,318)** for the following **Community Services**:

A SAFE PLACE	\$ 1,250.00
AREA HOMECARE & FAMILY SERVICES	3,800.00
DRUGS ARE DANGEROUS	2,000.00
FAMILY MEDIATION	5,947.00
LAMPREY HEALTH CARE	2,000.00
NHSPCA	550.00
ROCKINGHAM COUNTY COMMUNITY ACTION	6,093.00
RVNA-HOSPICE	5,678.00
SEACARE HEALTH SERVICES	2,000.00
VIC GEARY CENTER	<u>2,000.00</u>
	\$ 31,318.00

THE BOARD OF SELECTMEN DOES RECOMMEND THIS ARTICLE

Moved and seconded. Article will appear on ballot as written.

27. On a petition of Steppingstone Music Opportunities Inc., d/b/a **The Sad Café** and 25 or more voters of the Town of Newton, to see if the Town will vote to raise and appropriate the sum of **five thousand dollars (\$5,000)** to help sustain current and future researched based prevention programs serving the needs of local children, youth and families in the Sanborn and Timberlane Regional School Districts.

THE BOARD OF SELECTMEN DOES RECOMMEND THIS ARTICLE

Moved and seconded. Article will appear on ballot as written.

28. On a petition of 25 or more legal voters in the Town of Newton, to see if the town will vote to **increase the Town Clerk / Tax Collector's salary** from \$9,000 a year to fifteen thousand dollars (\$15,000) a year and to take effect on April 1st, 2005.

THE BOARD OF SELECTMEN DOES RECOMMEND THIS ARTICLE

A motion was made to amend Article 28 to read, "On a petition of 25 or more legal voters in the Town of Newton, to see if the town will vote to increase the Town Clerk/Tax Collector's salary from \$9,000 a year to \$15,000 a year and to take effect on April 1st, 2005, to be pro-rated for the first year. The increase of \$6000 will be equally split, increasing the Town Clerk salary from \$2,000 to \$5,000, and the Tax Collector salary from \$7,000 to \$10,000.

Seconded and carried. Article 28 will appear on ballot as amended.

Motion to accept last year's report as written. Passed by voice vote.

Moderator Dezmelyk adjourned meeting at 8:55 PM, to reconvene on March 8, 2005 at Newton Memorial School at 8:00 to vote on the above warrant articles.

A true copy attest:
Raymond D. Thayer, Town Clerk