

## TOWN WARRANT – 2008

### TOWN WARRANT 2008 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 5, 2008 at 7:00 PM;** the second session to be held at the **Memorial Elementary School**, in said Newton, **on Tuesday, the eleventh 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 petition of 25 or more legal voters in the Town of Newton to amend the Newton Zoning Ordinance as follows?

We the undersigned, being registered voters in Newton, New Hampshire, request that the following change to the zoning articles be adopted. To amend by eliminating the first paragraph of Section XXX (Elderly Housing), Part II (General Standards), paragraph B which states: The total number of elderly housing units in the Town of Newton shall not exceed ten percent of the total dwelling units then existing in the Town of Newton. The number of existing elderly housing units shall not be included in the calculation of this ten percent. Removing this paragraph will help to create more housing opportunities and choices for our older citizens and also leave more open space while doing so.

#### **THE PLANNING BOARD DOES NOT RECOMMEND THIS ARTICLE**

3. Are you in favor of the adoption of **Amendment No. 2** as proposed by petition of 25 or more legal voters in the Town of Newton to amend the Newton Zoning Ordinance as follows?

We the undersigned, being registered voters in Newton, New Hampshire, request that the following change to the zoning articles be adopted. To change the zoning of parcel, noted as map 000006 lot 000005, (belonging to Keith Hart), from Residential to Commercial/Residential. This would allow this parcel to be used in better harmony with the property directly behind it, which is already commercial, and abuts the railroad tracks.

#### **THE PLANNING BOARD DOES NOT RECOMMEND THIS ARTICLE**

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?

Add to Definitions:

Motor Vehicle: Any self-propelled vehicle, including boats.

Amend Section XVIII (General Provisions) as follows:

1. No junkyard or place for the storage of discarded machinery, vehicles, junk, or other scrap materials shall be maintained in any zone. Violations of this ordinance shall be subject to fines and penalties as outlined in RSA 676:17.
4. No occupant or owner of land shall have or shall cause to have on their property or permit more than one (1) motor vehicle **which is not registered or inspected**, unless **such vehicle** is stored in a legally permitted structure. This shall include vehicles or appurtenances no longer intended for legal use on the highways, or used parts or materials from which, taken together, include in bulk one or more vehicles. Violations of this ordinance shall be subject to fines and penalties as outlined in RSA 676:17.

**THE PLANNING BOARD DOES RECOMMEND THIS ARTICLE**

5. Are you in favor of the adoption of **Amendment No. 4** as proposed by the Department of Building Safety for the Town of Newton Zoning Ordinance as follows?

To adopt the new building codes:

- a) 2006 International Residential Building Code,
- b) 2006 International Plumbing Code,
- c) 2006 International Mechanical Code,
- d) 2006 National Electrical Code (IEC) (NFPA 70),
- e) 2006 National Fuel Gas Code (NFPA 54) All interior gas piping shall be black iron pipe
- d) 2006 International Energy Code
- e) All construction, demolition, or work covered by the scope and purpose of these codes that is performed without permits shall be subject to a \$100.00 stop work order plus the permit fee. If the work is completed, then the \$100.00 shall be a non-compliance penalty, plus the permit fee.
- f) Continued use of properties or structures that are not in compliance with the zoning ordinance and are not considered to be “grandfathered”, are subject to fines of \$30.00 per day per violation.

**THE PLANNING BOARD DOES NOT RECOMMEND THIS ARTICLE**

6. Are you in favor of the adoption of **Amendment No. 5** as proposed by the Department of Building Safety for the Town of Newton Zoning Ordinance as follows?

a) All domestic potable hot water supplied to all plumbing fixtures and equipment shall not exceed 130 degrees F, a master thermostatic mixing valve complying with ASSE 1017 shall be installed at the energy source.

**THE PLANNING BOARD DOES RECOMMEND THIS ARTICLE**

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7. “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 **\$2,766,624.00**?

**THE BOARD OF SELECTMEN DOES RECOMMEND THIS ARTICLE**

Should this article above be defeated, the default budget shall be \$2,687,025.00, 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.**

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8. “Shall the Town vote pursuant to RSA 41:25 & RSA 41:33 to **authorize the Board of Selectmen to establish the rate and amount of compensation, to be paid to the Town Clerk/Tax Collector** for his/her services?

*NOTE: If this article passes, this will allow the way the Town Clerk/Tax Collector is compensated, which will be established by a vote of the registered voters at the 2009 Town Meeting. The Town Clerk/Tax Collector DOES RECOMMEND this article.*

**THE BOARD OF SELECTMEN DOES RECOMMEND THIS ARTICLE**

9. To see if the Town will vote to raise and appropriate, as proposed by the Board of Selectmen, the sum of **\$9,824** for the purpose of **hiring a part-time secretary** to assist with the clerical duties for the Board of Selectmen, Assessor, Department of Building Safety and any other duties, as needed.

*(If this article is approved, this position will become part of the next years operating budget)*

**THE BOARD OF SELECTMEN DOES RECOMMEND THIS ARTICLE**

10. 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** 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**

11. To see if the Town will vote to raise and appropriate, as proposed by the Gale Library Board of Trustees, the sum of **\$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**

12. To see if the Town will vote to raise and appropriate, as proposed by the Board of Selectmen, the sum of **\$25,000** to be placed in the existing Capital Reserve Fund known as the **“TOWN BUILDINGS FUND”** created in 2006.

**THE BOARD OF SELECTMEN DOES RECOMMEND THIS ARTICLE**

13. 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 **\$25,000** 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**

14. To see if the Town will vote, as proposed by the Board of Selectmen, to raise and appropriate the sum of **\$20,000** to be paid toward the **2008 SOLID WASTE DISPOSAL BUDGET** and to authorize the withdrawal of \$20,000 from the Transfer Station/Recycling 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**

15. To see if the Town will vote, as proposed by the Board of Selectmen, to raise and appropriate the sum of **\$20,000** for **“Site Improvements” at the Newton Transfer Station**, in an effort to help with the layout and operation of the facility, and to authorize the withdrawal of \$20,000 from the Transfer Station/Recycling 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**

16. To see if the Town will vote, as proposed by the Police Chief, to raise and appropriate the sum of **\$49,000** which includes benefits, for a new position of a **Full-Time Police Officer**. The approval of this article would bring the total number of Full-Time Police Officers to six (6).

**THE BOARD OF SELECTMEN DOES RECOMMEND THIS ARTICLE**

17. To see if the Town will vote, as proposed by the Board of Selectmen, to raise and appropriate the sum of **\$25,000.00** to begin to develop a set of **Digital Parcel Maps** that will assist in a more accurate property assessment process and will be compatible with the Town's Assessing software.

**THE BOARD OF SELECTMEN DOES RECOMMEND THIS ARTICLE**

18. To see if the Town will vote to raise and appropriate the sum of **\$38,873.00** for the following **Community Services**:

A SAFE PLACE	\$ 1,250.00
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	1,200.00
NHSPCA	550.00
ROCKINGHAM COUNTY COMMUNITY ACTION	6,748.00
RVNA-HOSPICE	5,678.00
THE SAD CAFÉ	5,000.00
SEACARE HEALTH SERVICES	2,000.00
VIC GEARY CENTER	<u>2,700.00</u>
	\$ 38,873.00

**THE BOARD OF SELECTMEN DOES RECOMMEND THIS ARTICLE**

19. To see if the Town will **adopt the provisions of the 2006 NFPA Life Safety Code 24.3.5.1** which states: "All new, one and two family dwellings shall be protected throughout by an approved automatic sprinkler system in accordance with Code 24.3.5.2". The system shall be installed in accordance to 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. This warrant article shall not apply to renovations, upgrades or additions to dwellings existing prior to the date of approval of this warrant article.

**THE BOARD OF SELECTMEN DOES RECOMMEND THIS ARTICLE**

Given under our hands and seal this 15<sup>th</sup> day of January in the year of our Lord Two Thousand and Eight.

John P. Ulcickas, Chairman

Robert S. Donovan, Jr.  
BOARD OF SELECTMEN

Trisha J. McCarthy

(Note: This warrant was amended at the Deliberative Session on February 5, 2008)