

RECORDS OF TOWN MEETING

DELIBERATIVE SESSION MINUTES

FEBRUARY 4, 2012

NEWTON TOWN HALL

Moderator Pro-tem, James L. Doggett, opened the meeting at 9:30 a.m., starting with the Pledge of Allegiance. Introductions followed: those in attendance in an official capacity were Members of the Board of Selectmen; Larry Foote, Tricia McCarthy, and Chairman Raymond Thayer, Town Administrator Nancy Wrigley, Office Manager Mary Winglass, Town Clerk/Tax Collector, Mary-Jo McCullough, and Deputy, Cheryl Saunders. Also in attendance: the Supervisors of the Checklist, Lisa Fortin and Barbara White.

Mr. Doggett informed the legislative body that the Moderator, Robert Dezmelyk, was unable to attend this session because of a family commitment. He asked that those wishing to speak, use the microphone provided and to state their name and address for the record. He then went on to read the warrant.

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 **Newton Town Hall on Saturday, February 4, 2012 at 9:30 AM; the second session to be held at the Newton Town Hall, in said Newton, on Tuesday, the thirteenth 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?

Make minor edits to the Town of Newton Zoning Ordinance language to correct previous editorial mistakes. The corrections do not change the meaning of any particular ordinance. The purpose is to make the zoning ordinances more organized and more accurately reflect the past decisions of the townspeople.

The corrections are as follows:

- a. Edit Section XIII, subsection 5 as follows:

Delete: "a. Definition – Mobile home is defined as a structure of vehicular portable design built on a chassis and designed to be moved from one site to another and to be used with permanent foundation."

Reference definition found in definition section.

Change numbering of section accordingly.

- b. Edit Section XIII, subsection 5, paragraph (e) as follows:

Change: "e. Before placement of a mobile home on a lot, the lot owner must obtain a Conditional Permit from the Building Inspector. Such a permit will be issued upon satisfaction of the following conditions:

- i. A Conditional ninety (90) day temporary permit shall be issued upon:
 - 1) Delivery to the Building Inspector of an approved (by the NH Water Supply and Pollution Control Division) septic system design.
 - 2) A certification by the manufacturer that the mobile home is either BOCA certified or meets or exceeds the federal standards issued for mobile home construction issued under and pursuant to 24 CFR 201.520, not earlier than twelve (12) months prior to the date such a temporary permit is issued.

The Conditional Permit shall not serve as an Occupancy Permit but will enable the lot owner to begin placement of the mobile home on the lot.

ii. A Final Occupancy Permit shall be issued for the mobile home in question upon satisfaction of the following conditions:

- 1) The installation of a cement or cement block enclosed foundation upon which the mobile home rests.
- 2) Proper anchorage and tie down of the unit to the foundation.
- 3) Inspection by the Building Inspector, Road Agent, Health Officer, and Fire Chief to ensure proper construction and installation of the foundation, septic disposal system, plumbing and electrical wiring.

In the event a Final Occupancy Permit is not obtained prior to the expiration of the ninety (90) day Conditional Permit, the Selectmen may, any time thereafter, upon thirty (30) days, have a written notice sent by certified mail, return receipt requested, to the holder of the Conditional Permit, commence action in Rockingham County Superior Court to remove said mobile home from said lot. (Added March 1984)"

To: "d. Before placement of a mobile home on a lot, the lot owner must obtain a Conditional Permit from the Building Inspector. The Conditional Permit shall not serve as an Occupancy Permit but will enable the lot owner to begin placement of the mobile home on the lot. A Conditional ninety (90) day temporary permit shall be issued upon:

- 1) Delivery to the Building Inspector of an approved (by the NH Water Supply and Pollution Control Division) septic system design.
- 2) A certification by the manufacturer that the mobile home is either BOCA certified or meets or exceeds the federal standards issued for mobile home construction issued under and pursuant to 24 CFR 201.520, not earlier than twelve (12) months prior to the date such a temporary permit is issued.

e. An Occupancy Permit must be obtained prior to the expiration of the ninety (90) day Conditional Permit. In the event an Occupancy Permit is not obtained prior to the expiration of the ninety (90) day Conditional Permit, the Selectmen may, any time thereafter, upon thirty (30) days, have a written notice sent by certified mail, return receipt requested, to the holder of the Conditional Permit, commence action in Rockingham County Superior Court to remove said mobile home from said lot. (Added March 1984) An Occupancy Permit shall be issued for the mobile home in question upon satisfaction of the following conditions:

- 1) The installation of a cement or cement block enclosed foundation upon which the mobile home rests.
- 2) Proper anchorage and tie down of the unit to the foundation.
- 3) Inspection by the Building Inspector, Road Agent, Health Officer, and Fire Chief to ensure proper construction and installation of the foundation, septic disposal system, plumbing and electrical wiring."

c. Edit Section XXXV, subsection X.A.9, paragraph (a) as follows:

Change: "a) Intersection Alignment. If a proposed driveway cannot meet the requirements of Section 1, above,"

To: "a) Intersection Alignment. If a proposed driveway cannot meet the requirements of Section 4, above,"

d. Edit Definitions section as follows:

Change: "SITE PLAN: A site development plan for non-residential multi-family uses (rental units, condominiums and condominium conversions) and expanded home occupations"

To: "SITE PLAN: A site development plan for non-residential, multi-family (rental units, condominiums and condominium conversions) and expanded home occupation uses"

e. Edit Definitions section and Section XXVI, subsection 2 as follows:

Change: "Aquifer: For the purpose of this Ordinance, aquifer means a geologic formation, group of formations, or part of a formation that is capable of yielding quantities of groundwater usable for municipal or private water supplies." AND "Aquifer: For the purpose of this Ordinance, aquifer means a geologic formation, group of formations, or part of a formation that is capable of yielding quantities of groundwater usable for municipal or public water supplies."

To: "Aquifer: For the purpose of this Ordinance, aquifer means a geologic formation, group of formations, or part of a formation that is capable of yielding quantities of groundwater usable for municipal, private, or public water supplies."

f. Edit Section X, subsection 4 as follows:

Change: "Discontinuance of the occupancy or non-conforming use for twelve consecutive months with no ongoing attempts to sell or lease the property for its non-conforming use; or Failure to resume the non-conforming use within eighteen months, even though there may be ongoing efforts to sell or lease the property for its non-

conforming use."

To: " a. Discontinuance of the occupancy or non-conforming use for twelve consecutive months with no ongoing attempts to sell or lease the property for its non-conforming use or

b. Failure to resume the non-conforming use within eighteen months, even though there may be ongoing efforts to sell or lease the property for its non-conforming use."

- g. Edit Section IX, subsection 2 as follows:

Add: "debris" after "fire."

- h. Edit Section IX, subsection 9 as follows:

Delete: "There shall be no burial of demolition or construction materials in any zone in the Town of Newton." The sentence repeats previous sentence.

- i. Edit Section XXIII, subsection 3 as follows:

Add: "Final" before "Approval."

- j. Edit Section XII as follows:

Delete: "For the purposes of this ordinance, the term 'accessory apartment' shall be defined as follows: 'A second dwelling unit with provisions for cooking, eating, sanitation and sleeping, located within a single family dwelling and clearly a subordinate part thereof.' " Reference definition found in definition section.

Edit Definitions section and Section XXXI as follows:

Change: "BEDROOM: A room primarily used for sleeping." AND "Bedroom: a room with an interior door and a closet."

To: "BEDROOM: A room with an interior door that is primarily intended for sleeping."

- k. Edit Definitions section to include all definitions found in other sections of the zoning ordinance.
- l. Edit zoning ordinances by removing antiquated references to former RSA chapters and state agencies and replacing with current references.
- m. Change title of "Industrial/Commercial" zone to "Light Industrial/Commercial" zone to properly describe the numerous references to light industry in the zoning ordinances.
- n. Change title of Section X "Non-Conforming Lots and Uses" to "Non-Conforming Lots, Structures, and Uses" to properly describe the numerous references to structures in the section.
- o. Change title of Section XXIX "Residential Open Space – Cluster Development by Conditional Use Permit" to "Residential Open Space – Cluster Development" to properly describe the type of development and eliminate reference to a process in the title.

THE PLANNING BOARD DOES RECOMMEND THIS ARTICLE 6-1

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: "Per State of New Hampshire RSA 674:43, the Planning Board is authorized to require preliminary review of site plans and to review and approve or disapprove site plans for the development or change or expansion of use of tracts for nonresidential uses or for multi-family dwelling units. The site plan regulations regarding the requirements of such review are to be prepared and adopted by the Planning Board."

THE PLANNING BOARD DOES RECOMMEND THIS ARTICLE 7-0

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 XI Home Occupations and Home Based Business section as follows:

a. Edit Where Permitted section as follows:

"A) Home Occupation. One home occupation may be permitted in each residential unit in Residential A and B zones. No Town approval is required."

Delete: "No Town approval required."

b. Edit Application Procedure section as follows

Change: "No Town approval is required for Home Occupations.

Applications for conditional use permits for a Home-Based Business shall be made in accordance with the procedures set forth in the relevant sections of the Site Plan Review Regulations of the Newton Planning Board."

To: "The classification of the activity as a home occupation or a home based business shall be determined by the Planning Board prior to the commencement of the activity. If the Planning Board determines that the activity is a home occupation, no further Town approval is required. If the Planning Board determines that the activity is a home based business, a conditional use permit shall be obtained in accordance with the procedures set forth in the relevant sections of the Site Plan Review Regulations of the Newton Planning Board. The conditional use permit for a home based business expires upon transfer of ownership of the affected property."

THE PLANNING BOARD DOES RECOMMEND THIS ARTICLE 6-1

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?

Amend Section VII Establishment of Zones section as follows:

Delete: "These zones as shown on the 'Zoning Map of the Town of Newton' and filed with the Town Clerk and which, with its notations, are hereby made a part of this bylaw.

Location of boundaries of districts:

1. Where the boundary lines are shown upon said map within the street lines or utility transportation lines, the centerlines of such ways or lines shall be the boundary lines, unless otherwise indicated.
2. Boundary lines located outside of such street lines or transmission lines, and shown approximately parallel thereto, shall be regarded as parallel to such lines, and dimensions shown in figures placed upon said map between such boundary lines from center line of such lines, such distances being measured at right angles to such lines unless otherwise indicated.
3. Where the boundary lines are shown approximately on the location of property or lot lines, and the exact location of property, lot or boundary lines is not indicated by means of dimensions shown in figures, then the property or lot lines shall be the boundary lines.
4. In all cases which are not covered by other provisions of this Section, the location of boundary lines shall be determined by the distance in feet, if given, from other lines upon said map, by the use of identifications as shown on the map, or by the scale of said map."

Add: "These zones are hereby defined as follows:

1. Residential A – Residential A zone shall be defined as all areas not specifically defined in other zones as indicated in Appendices A, B, C, D, E of this ordinance.
2. Residential B – The area of the Residential B zone shall be defined as the lots indicated in Appendix B of this ordinance.
3. Residential C – The area of the Residential C zone shall be defined as the lots indicated in Appendix C of this ordinance.
4. Commercial – The area of the Commercial zone shall be defined as the lots indicated in Appendix D of this ordinance.
5. Village District – The area of the Village District zone shall be defined as the lots indicated in Appendix A of this ordinance.
6. Light Industrial/Commercial – The area of the Light Industrial/Commercial zone shall be defined as the lots indicated in Appendix E of this ordinance."

THE PLANNING BOARD DOES RECOMMEND THIS ARTICLE 7-0

6. To see if the Town will vote to raise and appropriate **\$800,000.00 for the purchase of land and buildings on Merrimac Road**, identified in the town's tax records as Map 12, Lot 6, Sub-lot 11, a portion of which will be used for a new police station, to authorize the execution of a 10-year, 0% interest mortgage and promissory note to finance the purchase of the property in accordance with the Municipal Finance Act (RSA 33), and to authorize the Selectmen to issue and negotiate said mortgage and promissory note. Of the \$800,000.00 raised and appropriated, \$60,000.00 shall be designated for the first year's payment on the mortgage note. (3/5 ballot vote required)

THE BOARD OF SELECTMEN DOES RECOMMEND THIS ARTICLE 3-0

MOVED AND SECONDED, ARTICLE #6 WILL APPEAR ON THE BALLOT AS WRITTEN

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 **\$2,932,375.00**? Should this article be defeated, the default budget shall be \$2,874,755.00, 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

MOVED AND SECONDED, ARTICLE #7 WILL APPEAR ON THE BALLOT AS WRITTEN

8. If article 6 is approved, to see if the Town will vote to authorize the Selectmen to list the Town Police Station located at 2 Amesbury Road, Town Tax Map 10-7-15 for sale with a broker for a price not less than the fair market value as determined by an independent appraisal. The Selectmen are hereby authorized to set such terms and conditions for the sale as they deem reasonable, appropriate and in the best interest of the Town.

THE BOARD OF SELECTMEN DOES RECOMMEND THIS ARTICLE 3-0

MOVED AND SECONDED, ARTICLE #8 WILL APPEAR ON THE BALLOT AS WRITTEN

9. 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** known as the "Fire Apparatus and Equipment Fund" created in 2005.

THE BOARD OF SELECTMEN DOES RECOMMEND THIS ARTICLE 3-0

MOVED AND SECONDED, ARTICLE #9 WILL APPEAR ON THE BALLOT AS WRITTEN

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 **\$66,900.00** for **Phase II of the installation of a "FIRE SUPPRESSION CISTERN"** for the Newton Town Hall and to further withdraw \$1,531.00 plus accrued interest 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, 2017, whichever is sooner. *(Per Selectmen's Bid Policy)*

THE BOARD OF SELECTMEN DOES RECOMMEND THIS ARTICLE 3-0

MOVED AND SECONDED, ARTICLE #10 WILL APPEAR ON THE BALLOT AS WRITTEN

11. To see if the Town will vote to adopt the **RSA 154:1**, the Organization of the Fire Department, **paragraph II as provided in paragraph I (b)**. If adopted, the firefighters may recommend the appointment of a Fire Chief to the Board of Selectmen **by means of an internal election**; the appointed Fire Chief may recommend firefighters to be appointed by the Board of Selectmen.

THE BOARD OF SELECTMEN DOES RECOMMEND THIS ARTICLE 3-0

MOVED AND SECONDED, ARTICLE #11 WILL APPEAR ON THE BALLOT AS WRITTEN

12. To see if the Town will vote to raise and appropriate **\$91,295.00 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, 2017, whichever is sooner.

THE BOARD OF SELECTMEN DOES RECOMMEND THIS ARTICLE 3-0

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

MOVED AND SECONDED, ARTICLE #12 WILL APPEAR ON THE BALLOT AS WRITTEN

13. To see if the Town will vote to **change the position of the Highway Foreman** from part-time to full-time effective April 1, 2012 and further to raise and appropriate **\$7,000.00** for the additional costs in salary and benefits. If approved, this appropriation will be included in the operating budget in coming years.

THE BOARD OF SELECTMEN DOES RECOMMEND THIS ARTICLE 3-0

MOVED AND SECONDED, ARTICLE #13 WILL APPEAR ON THE BALLOT AS WRITTEN

14. 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 **2012 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.

THE BOARD OF SELECTMEN DOES RECOMMEND THIS ARTICLE 3-0

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

MOVED AND SECONDED, ARTICLE #14 WILL APPEAR ON THE BALLOT AS WRITTEN

15. To see if the Town will vote, as proposed by the Board of Selectmen, to raise and appropriate the sum of **\$50,500.00 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 \$50,500.00 from the Transfer Station/Recycling Special Revenue Fund created in 2003 for this purpose. *(Per Selectmen's Bid Policy)*

THE BOARD OF SELECTMEN DOES RECOMMEND THIS ARTICLE 3-0

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

MOVED AND SECONDED, ARTICLE #15 WILL APPEAR ON THE BALLOT AS WRITTEN

16. To see if the Town will vote to raise and appropriate, as proposed by the Cemetery Trustees, the sum of **\$2,600.00 to restore the lawn in the front section of the Willow Grove Cemetery** by removing the weeds and crab grass, rotor till, enhance, fertilize and re-seed the soil.

THE BOARD OF SELECTMEN DOES RECOMMEND THIS ARTICLE 3-0

*Moderator Pro-tem pointed out that a grammatical error should be corrected. Lisa Fortin made a motion to add the words "**and to**" before the words rotor till. Motion was seconded by Mary Allen and was carried by voice vote.*

MOVED AND SECONDED, ARTICLE #16 WILL APPEAR ON THE BALLOT AS CORRECTED

17. Shall the Town enact the following Administrative Enforcement Ordinance?

**ADMINISTRATIVE ENFORCEMENT ORDINANCE FOR
VIOLATIONS OF TOWN ORDINANCES, BYLAWS OR REGULATIONS**

AUTHORITY

This Administrative Enforcement Ordinance is adopted by the Town of Newton in accordance with the provisions of New Hampshire Revised Statutes Annotated Chapter 31, Section 39-c, authorizing the Town of Newton to establish a system for the administrative enforcement of violations of any municipal code, ordinance, bylaw, or regulations, and for the collection of penalties, to be used prior to the service of a formal summons and complaint, and to include opportunities for persons for a schedule of enhanced penalties the longer such penalties remain unpaid.

PURPOSE

It is the declared purpose of the Town of Newton, through the adoption of this Ordinance, to establish an administrative enforcement system, as authorized by NH RSA 31:39-c, to enable simplified, less expensive and expeditious enforcement of violations of the Town's codes, ordinances, bylaws or regulations. This system shall be in addition to, and not in replacement of, any other remedies for enforcement available bylaw.

SECTION 1. Notice of Violation

Violations of Town of Newton municipal codes, ordinances, bylaws or regulations may be enforced via the issuance of notices of violations containing a description of the offense and any applicable penalties, either delivered in person or by first class mail to the last known address of the offender.

SECTION 2. Administration

The system may be administered by Newton Police Department or by such other Newton municipal agency or official as is designated by the Newton Board of Selectmen.

SECTION 3. Separate Event

Each instance of offense shall constitute a separate event for purpose of assessment of a penalty and in the case of a continuing violation, each day said violation occurs shall constitute a separate violation for penalty purposes.

SECTION 4. Amount of Penalty

The dollar amount, before the doubling or tripling specified below, of the penalty for a particular violation shall be the amount set forth in the particular code, ordinance, bylaw, or regulation for whose violation a notice is issued.

SECTION 5. Enhanced Penalties

Failure of the offender to pay the penalty designated in the notice of violation within 30 days shall automatically increase the penalty to double the amount specified, which said doubling shall be warned of in the notice, provided that the total amount assessed for each offense shall not exceed \$1,000. Failure of the offender to pay the penalty designated in the notice of violation within 60 days shall automatically increase the penalty to triple the amount specified, which said tripling shall be warned of in the notice, provided that the total amount assessed for each offense shall not exceed \$1,000.

SECTION 6. Payment of Violations

Penalties imposed under this system may be paid by mail to the issuing department to the address for payment specified on the notice of violation.

SECTION 7. Appeals

Appeals for the issuance of a notice of violation shall be heard by the Board Selectmen or their designee as judge utilizing the informal procedure of the small claims court justice, which said appeal shall not be governed by the rules of evidence, provided that such appeal is requested by letter to the Board of Selectmen within 15 calendar days from the issuance of the notice of violation. Any enhanced penalty may also be appealed in like fashion to the Board of Selectmen provided that such appeal is requested within 15 calendar days from any increase in penalty. The decision of the Board of Selectmen on any such appeal, which may include the waiver of any enhanced penalty, shall be final.

SECTION 8. Other Remedies

If the administrative enforcement system established by this Ordinance is unsuccessful at resolving an alleged violation, a summons may be issued as otherwise provided by law, including use of the procedure for plea by mail set forth in RSA 31:39-d, and any other remedies available by law may also be utilized.

THE BOARD OF SELECTMEN DOES RECOMMEND THIS ARTICLE 3-0

Moderator Pro-tem pointed out that a grammatical error should be corrected. Lisa Fortin made a motion to add the word “of” in between the words “Board” and “Selectmen” in SECTION 7. Appeals. Motion seconded by Mary Allen and was carried by voice vote.

MOVED AND SECONDED, ARTICLE #17 WILL APPEAR ON THE BALLOT AS CORRECTED

18. 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, 2012 and further to raise and appropriate **\$10,649.00** for the additional costs in salary and benefits. If approved, this appropriation will be included in the operating budget in coming years.

THE BOARD OF SELECTMEN DOES RECOMMEND THIS ARTICLE 3-0

MOVED AND SECONDED, ARTICLE #18 WILL APPEAR ON THE BALLOT AS WRITTEN

19. To see if the Town will vote to raise and appropriate, as proposed by the Gale Library Trustees, the sum of **\$11,750.00 to install a Ductless A/C Heat Pumps** on the second floor of the Gale Library. *(Per Selectmen's Bid Policy)*

THE BOARD OF SELECTMEN DOES RECOMMEND THIS ARTICLE 3-0

MOVED AND SECONDED, ARTICLE #19 WILL APPEAR ON THE BALLOT AS WRITTEN

20. Shall the Town vote to **designate the Town-owned Peanut Trail as a Class B Trail**, as authorized by RSA 231-A. The Peanut Trail consists of Tax Map 12 Block 1 Lot 13 and Tax Map 11 Block 7 Lot 60.

THE BOARD OF SELECTMEN DOES RECOMMEND THIS ARTICLE 3-0

MOVED AND SECONDED, ARTICLE #20 WILL APPEAR ON THE BALLOT AS WRITTEN

21. 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 Newton Seniors.**

THE BOARD OF SELECTMEN DOES RECOMMEND THIS ARTICLE 3-0

MOVED AND SECONDED, ARTICLE #21 WILL APPEAR ON THE BALLOT AS WRITTEN

22. To see if the Town will vote to **rescind the 2009 Warrant Article, #35** to vote on the Community Service articles individually; **and instead vote to list them in one article** in an effort to reduce the printing costs of the warrant and the town ballot. This change will take effect in 2013.

THE BOARD OF SELECTMEN DOES RECOMMEND THIS ARTICLE 3-0

MOVED AND SECONDED, ARTICLE #22 WILL APPEAR ON THE BALLOT AS WRITTEN

23. 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

State Representative Mary Allen spoke in support this and all the following Community Service Articles. She also made a motion to vote on Articles #23 through #33 as a whole, instead of individually. Seconded by many and carried by voice vote.

24. 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

25. 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

26. 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

27. 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

28. To see if the Town will vote to raise and appropriate the sum of **\$1,800.00** 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

29. 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

30. To see if the Town will vote to raise and appropriate the sum of **\$5,000.00** for **ROCKINGHAM COMMUNITY ACTION** to continue their outreach programs and the broad range of services they provide such as: **Fuel Assistance, Electric assistance, Child Care Resource, Surplus Food Distribution, Emergency food Pantry, Homeless Prevention, Literacy Services, WIC Supple-mental food Program, etc.**

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 **\$1,373.00** 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

32. 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

33. 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

MOVED AND SECONDED, ARTICLE #S 23, 24, 25, 26, 27, 28, 29, 30, 31, 32 AND 33 WILL APPEAR ON THE BALLOT AS WRITTEN

34. On a petition of 25 or more legal voters of the Town of Newton, to see if the Town will vote to raise and appropriate the sum of **\$550.00** to **Sexual Assault Support Services (SASS)**, a private non-profit organization. SASS provides a 24-hour toll-free crisis hotline and support groups for Newton residents who are survivors of sexual assault and childhood sexual abuse, as well as education and prevention programs to children, teens and parents. SASS provided services to 8 Newton residents last year.

THE BOARD OF SELECTMEN DOES RECOMMEND THIS ARTICLE 3-0

MOVED AND SECONDED, ARTICLE # 34 WILL APPEAR ON THE BALLOT AS WRITTEN

35. Are you in favor of a petition of 25 or more legal voters in the Town of Newton for an easement over Town Land as follows?

We the undersigned, being registered voters in Newton, New Hampshire, request that the property located at One Deluxe Avenue (Map 11 Lot 15-1, behind the Gale Library), be granted an easement for access and egress with vehicle and for utilities to be determined by the Board of Selectmen. The easement (for now and future heirs and assigns of this lot) would start on the east side of South Main Street and extend 1,000 feet east over the Peanut Trail (old Railroad Bed) and to said property. This lot is a single lot of record (abutting the Peanut Trail on the north side) without a clear access and egress for the property owner as well as for utilities. This action will be without any expense to the Town.

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

MOVED AND SECONDED, ARTICLE #35 WILL APPEAR ON THE BALLOT AS WRITTEN

36. 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.

(When a town votes to discontinue an elected treasurer office, the person holding the elected office of treasurer at the time of the vote to discontinue it shall continue to hold office until the annual town election first following the discontinuance of the office, at which time the elected office of treasurer shall terminate irrespective of the length of that officer's term.)

THE BOARD OF SELECTMEN DOES RECOMMEND THIS ARTICLE 3-0

MOVED AND SECONDED, ARTICLE #36 WILL APPEAR ON THE BALLOT AS WRITTEN

Mr. Doggett then reminded the body of the second session of Town Meeting to be held on March 13, 2012, at Newton Town Hall from 8:00 a.m. to 8:00 p.m. He then called for a motion to adjourn. Motion was made by all and seconded by all. Meeting was adjourned at 12:39 p.m.

A true copy attest:
Mary-Jo McCullough
Town Clerk