

TOWN OF NEW LONDON
TOWN MEETING – MARCH 9 AND 10, 2010

Volume XV
Page 418
03/25/2010
Linda M. Hardy,
Town Clerk

BALLOT VOTING, MARCH 9, 2010
WHIPPLE MEMORIAL TOWN HALL AT 8:00 AM

Moderator Pro Temp Hilary Cleveland called the meeting to order at 8:00 A.M. and swore in the Supervisors of the Checklist. As per RSA 659:49, absentee ballots were to be called at 1:00 P.M. Upon closing of the polls, Moderator Pro Temp Cleveland announced that the Town Meeting would reconvene at 7:00 P.M. Wednesday, March 10, 2010, at the former Kearsarge Regional Middle School to act upon Warrant Articles 2 through 26.

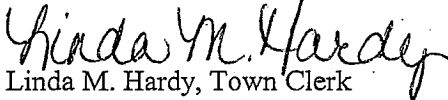
A motion was made and seconded to act on Article 1:

- A. To choose all necessary Town Officers for the ensuing year.
- B. To vote by ballot on amendments to the New London Zoning Ordinance.

VOICE VOTE IN THE AFFIRMATIVE

The polls were closed at 7:00 P.M. and Moderator Pro Temp Cleveland called the results at 7:15 P.M.

Attest:


Linda M. Hardy, Town Clerk

ARTICLE 1A: Results of Non Partisan Balloting for Town Officials

Total Registered Voters: 3704, 1024 ballots including absentee ballots were cast

Selectman (For 3 Years) – Vote for not more than One

R. Peter Bianchi	536
Lawrence (Larry) Ballin	471
Write-Ins	4

Moderator (For 2 Years) – Vote for not more than One - By Write In:

W. Michael Todd	127
Ann Bedard	116
Carlton Fitzgerald	55
Bo Quackenbos	28
Robert Bowers	28
Other Write-Ins	83

Trustee of Trust Funds (For 3 Years) – Vote for not more than One

Andrew W. Hager	888
Write-Ins	4

Tracy Memorial Library Trustee (For 3 Years) – Vote for not more than Two

Lisa Ensign Wood	729
Robert Bowers	646
Phyllis Tilson Piotrow	328
Write-Ins	2

Budget Committee Member (For 3 Years) – Vote for not more than Three

James (Jim) Wheeler	511
John B. Wilson	495
Geoffrey W. (Bill) Helm	489
Bernard L. (Ben) Cushing	432
John Sheehan	367
Michael Doheny	319
Write-Ins	5

Cemetery Commissioner (For 3 Years) – Vote for not more than One

Charles M. Hafner	928
Write-Ins	1

Supervisor of the Checklist (For 6 Years) – Vote for not more than One

Celeste C. Cook 905
Write-Ins 5

ARTICLE 1B: Ballot Results on Amendments to the New London Zoning Ordinance

Are you in favor of Amendment No.1 as proposed by the Planning Board for the New London Zoning Ordinance?

PLANNING BOARD PROPOSED AMENDMENT NO. 1:

The *Planning Board's Amendment No. 1* proposes to amend the definition of "Structure" in **ARTICLE III Definitions** principally to address additional items excluded from the definition.

YES 820 NO 135

RATIONALE: The main purpose for this amendment is to add to the list of items excluded from the definition of a "Structure" that then do not need to obtain a building permit.

Are you in favor of Amendment No. 2 as proposed by the Planning Board for the New London Zoning Ordinance?

PLANNING BOARD PROPOSED AMENDMENT NO. 2:

The *Planning Board's Amendment No 2* proposes to amend **ARTICLE XX LEGAL NONCONFORMING USES, NON-CONFORMING BUILDINGS AND STRUCTURES, AND NON-CONFORMING LOTS** to revise the language on what improvements are permitted for a Legal Nonconforming Building or Structure destroyed by Fire or Other Natural Disaster along with a number of editorial changes. This amendment also revises **ARTICLE III Definitions** to edit definitions on Nonconforming Use and Nonconforming Building and Structure, and add a definition of a Legal Nonconforming Lot.

YES 776 NO 165

RATIONALE: The principal reason for this amendment is to revise the language on what improvements are permitted for a Legal Nonconforming Building or Structure destroyed by Fire or Other Natural Disaster, to add a definition for "Legal Nonconforming Lot" and to amend the definitions of "Legal Nonconforming Building or Structure" and "Legal Nonconforming Use".

Are you in favor of Amendment No. 3 as proposed by the Planning Board for the New London Zoning Ordinance?

PLANNING BOARD PROPOSED AMENDMENT NO. 3:

The *Planning Board's Amendment No. 3* proposes to amend **ARTICLE XXVII ENFORCEMENT** to update the section on penalties and fines to be consistent with the language used in the state statute.

YES 748 NO 223

RATIONALE: The purpose of this amendment is to increase the fines for a zoning violation to be consistent with the language used in RSA 676:17, I. and to use language consistent with the language used in RSA 676:17, I.

Are you in favor of Amendment No. 4 as proposed by the Planning Board for the New London Zoning Ordinance?

PLANNING BOARD PROPOSED AMENDMENT NO. 4:

The *Planning Board's Amendment No. 4* proposes to amend **ARTICLE XXVI WORKFORCE HOUSING OVERLAY DISTRICT:**

1. to incorporate changes suggested by Town Counsel to:
 - a. require a third party Administrator to provide oversight at the expense of the developer; and
 - b. provide for professional review of the Workforce Housing project at the expense of the developer; and
2. to make editorial changes.

YES 723 NO 229

RATIONALE: The purposes of these amendments are to make revisions to **ARTICLE XXVI Workforce Housing Overlay District** adopted in March, 2009 to incorporate the changes suggested by Town Counsel noted above and to make editorial changes.

CONTINUATION OF TOWN MEETING, MARCH 10, 2010 AT 7:00 PM
KEARSARGE REGIONAL MIDDLE SCHOOL GYMNASIUM

At 7:00 P.M., Kearsarge Regional Elementary School students, led by Nicole Densmore, opened Town Meeting by singing "The Star Spangled Banner" and leading the Pledge of Allegiance. Selectman Larry Ballin recognized all Volunteers and Employees for their outstanding service. He thanked those volunteers who are leaving service to the Town this year. A special recognition was given to Moderator Cotton Cleveland for her 10 years of dedicated and enthusiastic service, with deep appreciation from all. Moderator Cleveland then read the election results from Tuesday, March 9, 2010, and gave recognition to all those who arranged the Pot Luck Supper preceding Town Meeting, which was reinstated after an absence in 2009.

The meeting was called to order by Moderator Cotton Cleveland. There were 344 registered voters who attended the 2010 Town Meeting.

ARTICLE 2

To see if the Town will vote to suspend the reading of the individual Articles in the Warrant and to refer to them by number. (Majority vote required)

VOTE IN THE AFFIRMATIVE

ARTICLE 3

To see if the Town will vote to raise and appropriate a sum not to exceed **\$5,200,000 (five million two hundred thousand dollars)** for the purpose of the Town's share of engineering and construction of an upgrade and replacement of the Sunapee Wastewater Treatment Plant (the "Project") to meet current federal and state regulations, and to authorize the issuance of not more **\$5,200,000 (five million two hundred thousand dollars)** of bonds or notes in accordance with the provisions of RSA 33, and to authorize the Board of Selectmen to issue and negotiate such bonds or notes and to determine the rate of interest thereon; and further to authorize the Board of Selectmen to apply for, accept and expend any federal, state or other available funds towards the Project according to the terms under which they are received and to borrow in anticipation of receipt of such aid or the issuance of such bonds or notes, provided that the Project will not proceed unless grant or other funds are received that pay for at least 35% of the cost of the Project. The Board of Selectmen is hereby authorized to take all other actions as may be necessary to carry out the project in the best interest of the Town of New London. *The Board of Selectmen and Budget Committee recommend this article.* (2/3 ballot vote required)

Ballot Box was opened at 7:32 PM, to remain open for 1 hour. Voting began and discussion proceeded on Question 4. Voting concluded at 8:34 PM. **VOTE IN THE AFFIRMATIVE YES 336 NO 6**

ARTICLE 4

To see if the Town will vote to raise and appropriate the following sums for **GENERAL GOVERNMENT OPERATIONS**. *The Board of Selectmen and Budget Committee recommend this appropriation.* (Majority vote required)

	<u>2009</u>	<u>2010</u>
Executive	349,581	370,017
Elections, Registrations & Vitals	72,184	86,870
Financial Administration	260,926	275,764
Reassessment of Property	81,500	79,500
Legal	25,300	20,300
Personnel Administration	131,136	87,036
Planning and Zoning	36,905	33,925
Cemeteries	43,760	29,260
Insurance (not otherwise allocated)	88,151	91,650
Advertising & Regional Associations	15,284	15,373
General Government Buildings	<u>194,197</u>	<u>179,052</u>
TOTAL	\$1,298,924	\$1,268,747

Estimated 2010 Tax Rate Impact: \$0.91
Annual cost per \$100,000 of assessed value: \$91
VOTE IN THE AFFIRMATIVE

ARTICLE 5

To see if the Town will vote to raise and appropriate the following sums for **PUBLIC SAFETY**. *The Board of Selectmen and Budget Committee recommend this appropriation.* (Majority vote required).

	<u>2009</u>	<u>2010</u>
Police Department	856,322	916,990
Fire Department	278,490	290,701
Firewards	594	594
Emergency Management	10,836	5,619
Communications Department	<u>316,090</u>	<u>323,514</u>
TOTAL	\$1,462,332	\$1,537,418

Estimated 2010 Tax Rate Impact: \$1.10
Annual cost per \$100,000 of assessed value: \$110
VOTE IN THE AFFIRMATIVE

ARTICLE 6

To see if the Town will vote to raise and appropriate the following sums for **HIGHWAYS & STREETS & SANITATION**. *The Board of Selectmen and Budget Committee recommend this appropriation.* (Majority vote required)

	<u>2009</u>	<u>2010</u>
Highway Administration	795,798	836,532
Highways & Streets/Repair & Maintenance	536,900	544,400
Street Lighting	14,000	12,750
Transfer Station Admin. & Operations	385,729	362,418
Solid Waste Cleanup	18,150	18,901
Sewage Collection & Disposal (Sewer Dept.)	<u>726,342</u>	<u>673,945</u>
TOTAL	\$2,476,919	\$2,448,946

Estimated 2010 Tax Rate Impact: \$1.27
Annual cost per \$100,000 of assessed value: \$127
Note: sewage collection charges are paid by users of the sewer system
VOTE IN THE AFFIRMATIVE

ARTICLE 7

To see if the Town will vote to raise and appropriate the following sums for **HEALTH AND WELFARE DEPARTMENTS**. *The Board of Selectmen and Budget Committee recommend this appropriation.* (Majority vote required)

	<u>2009</u>	<u>2010</u>
HEALTH DEPARTMENT		
Health Administration	8,341	8,421
Lake Sunapee Region Visiting Nurse Association	11,360	11,913
Kearsarge Council on Aging	20,000	20,000
New London Ambulance	85,060	93,902
WELFARE DEPARTMENT		
Welfare Administration	1,865	1,865
Intergovernmental Welfare (CAP)	3,809	3,809
Welfare/Vendor Payments	<u>13,000</u>	<u>16,000</u>
TOTAL	\$143,435	\$155,910

Estimated 2010 Tax Rate Impact: \$0.11
Annual cost per \$100,000 of assessed value: \$11
VOTE IN THE AFFIRMATIVE

ARTICLE 8

To see if the Town will vote to raise and appropriate the following sums for **RECREATION AND CULTURE AND CONSERVATION**. *The Board of Selectmen and Budget Committee recommend this appropriation.* (Majority vote required)

	<u>2009</u>	<u>2010</u>
Recreation Department	151,654	155,438
Tracy Memorial Library	460,350	473,880
Patriotic Purposes	300	300
Other Culture, History and Archives	2,765	1,000
Conservation Administration	13,664	15,971
Energy Committee	900	1,439
Other-Care of Trees	<u>5,000</u>	<u>5,000</u>
TOTAL	\$634,633	\$653,028

Estimated 2010 Tax Rate Impact: \$0.47
Annual cost per \$100,000 of assessed value: \$47
VOTE IN THE AFFIRMATIVE

ARTICLE 9

To see if the Town will vote to raise and appropriate the following sums for the payment of **PRINCIPAL AND INTEREST OF LONG-TERM DEBT**. *The Board of Selectmen and Budget Committee recommend this appropriation.* (Majority vote required)

	<u>2009</u>	<u>2010</u>
Tax Anticipation Notes		1,000
Principal -Bonds and Notes	206,097	222,847
Interest - Bonds and Notes	<u>100,862</u>	<u>96,481</u>
TOTAL	\$306,959	\$320,328

Estimated 2010 Tax Rate Impact: \$0.18
Annual cost per \$100,000 of assessed value: \$18
Note: Sewer Department Principal & Interest paid by users of the sewer system
VOTE IN THE AFFIRMATIVE

ARTICLE 10

To see if the Town will vote to raise and appropriate funds to be placed in previously established **CAPITAL AND NON-CAPITAL RESERVE FUNDS**, as follows. *The Board of Selectmen and Budget Committee recommend this appropriation.* (Majority vote required)

	<u>2009</u>	<u>2010</u>
Bridge Repair & Maintenance Fund	5,000	1
Computer Replacement Fund	1,000	1,000
Conservation Commission Land Acquisition Fund	0	0
Fire Breathing Apparatus Reserve Fund	10,000	1,000
Fire Vehicle Capital Reserve Fund	72,250	117,000
Gravel Road Upgrades & Paving	50,000	5,000
Highway Equipment Replacement Capital Reserve	190,000	140,000
Intersection Improvements Capital Reserve Fund	0	10,000
Main Street Capital Reserve Fund	0	1
Master Plan Update Capital Reserve Fund	4,250	0
Milfoil Treatment & Prevention Fund	0	1
New Highway Equipment Capital Reserve Fund	5,500	2,000
Pleasant Lake Dam Capital Reserve Fund	0	1
Police Vehicle Capital Reserve Fund	16,250	20,000
Recreation Facilities Capital Reserve Fund	0	1
Sewer Department Capital Reserve Fund	20,000	20,000
Sidewalk Project Capital Reserve Fund	0	10,000
Town Building Maintenance Fund	30,000	20,000
Tracy Library Building Maintenance Fund	75,000	60,000
Tracy Library Community Garden Maintenance Fund	1,000	0
Tracy Library Computer Fund	5,000	12,000
Transfer Station Improvements Capital Reserve Fund	<u>0</u>	<u>1</u>
TOTAL	\$485,250	418,006

Estimated 2010 Tax Rate Impact: \$0.28

Annual cost per \$100,000 of assessed value: \$28

Note: Sewer Department Capital Reserve Fund paid by users of the sewer system

A Motion was made by David W. Cook, "To amend Article 10 by restoring \$143,997 to the Budget Committee total of \$418,006, making a new total of \$562,003. New totals for line items affected would be:

	<u>Rev. Total</u>	<u>Increase</u>
Bridge Repair & Maintenance Fund	\$5,000	\$4,999
Fire Breathing Apparatus Reserve Fund	10,000	9,000
Gravel Road Upgrades & Paving Fund	50,000	45,000
Intersection Improvements Cap Reserve Fund	20,000	10,000
Main Street Capital Reserve Fund	10,000	9,999
Recreation Facilities Capital Reserve Fund	25,000	24,999
Sidewalk Project Capital Reserve Fund	20,000	10,000
Town Building Maintenance Fund	30,000	10,000
Tracy Library Building Maintenance Fund	<u>80,000</u>	<u>20,000</u>
	\$250,000	\$143,997"

Motion was seconded, and discussion ensued. A written request was received to vote on the Amendment by paper ballot. **VOTE IN THE NEGATIVE YES 164 NO 167** (Results were double-counted)

The question was moved and the vote on the article as originally written was **IN THE AFFIRMATIVE**.

ARTICLE 11

To see if the Town will vote to raise and appropriate **\$202,880 (two hundred and two thousand eight hundred eighty dollars)** for the vehicle and equipment purchases listed below, and to authorize funding these amounts by withdrawal of the amounts below from the listed capital reserve funds. *The Board of Selectmen and Budget Committee recommend this appropriation.* (Majority vote required)

Highway Equipment Replacement Capital Reserve Fund	
<i>Purpose: Replace Six-Wheel Dump Truck with Plow & Sander for the Public Works Department</i>	\$143,380
<i>Purpose: Replace Highway Mower for the Public Works Department</i>	11,500
New Highway Equipment Capital Reserve Fund	
<i>Purpose: Equipment Trailer for Public Works Department</i>	\$5,500
Police Vehicle Capital Reserve Fund	
<i>Purpose: Replace 2006 Police Cruiser</i>	\$27,500
Tracy Library Computer Capital Reserve Fund	
<i>Purpose: Replace certain computers & upgrade software at Tracy Library</i>	<u>\$15,000</u>
TOTAL	\$202,880

Estimated 2010 Tax Rate Impact: \$0
VOTE IN THE AFFIRMATIVE

ARTICLE 12

To see if the Town will vote to raise and appropriate **\$97,000 (ninety-seven thousand dollars)** for the building maintenance projects listed below, and to authorize funding these amounts by withdrawal of the amounts below from the listed capital reserve funds. *The Board of Selectmen and Budget Committee recommend this appropriation.* (Majority vote required)

Transfer Station Improvements Capital Reserve Fund	
<i>Purpose: Repair & replace roofs on three Transfer Station buildings</i>	\$22,000
Tracy Library Building Maintenance Fund	
<i>Purpose: Energy & other repairs & improvements to Tracy Library</i>	<u>\$75,000</u>
TOTAL	\$97,000

Estimated 2010 Tax Rate Impact: \$0
VOTE IN THE AFFIRMATIVE

ARTICLE 13

To see if the Town will vote to raise and appropriate the sum of **\$18,500 (eighteen thousand five hundred dollars)** for the purposes of **Milfoil Prevention and Treatment** in New London waterbodies, and to authorize the withdrawal of that amount from the Milfoil Prevention and Treatment Capital Reserve Fund. *The Board of Selectmen and Budget Committee recommend this appropriation.* (Majority vote required.)

Estimated 2010 Tax Rate Impact: \$0
VOTE IN THE AFFIRMATIVE

ARTICLE 14

To see if the Town will vote to raise and appropriate the sum of **\$2,500 (two thousand five hundred dollars)** for engineering studies as needed by the Planning Board, and to authorize the withdrawal of **\$2,500 (two thousand five hundred dollars)** from Town surplus as of December 31, 2009, for this amount. This will be a non-lapsing appropriation per RSA 32:7, VI, and will not lapse until December 31, 2015. *The Board of Selectmen and Budget Committee recommend this appropriation.* (Majority vote required.)

VOTE IN THE AFFIRMATIVE

ARTICLE 15

To see if the Town will vote to close the capital reserve funds listed below with said funds to be placed in the Town's general fund.

Police Scholarship Fund opened in 1986
Tracy Library Garden Fund opened in 2003

Balance as
of 12/31/09
\$222
\$129

VOTE IN THE AFFIRMATIVE

ARTICLE 16

To see if the Town will vote to raise and appropriate the sum of \$351 (three hundred and fifty-one dollars), to be donated to the following non-profit organizations, with said funds to come from surplus (this represents the funds from the discontinuation of the Police Scholarship and Tracy Library Garden Funds in Article 15):

Stu Sidmore Scholarship Fund
Tracy Library Garden Committee

Balance as
of 12/31/09
\$222
\$129

VOTE IN THE AFFIRMATIVE

ARTICLE 17

To see if the Town will vote to close the Computer Software Capital Reserve Fund and to authorize the transfer of the balance of the fund plus any accumulated interest to the general fund. *The Board of Selectmen and Budget Committee recommend this article.*

VOTE IN THE AFFIRMATIVE

ARTICLE 18

To see if the Town will vote to raise and appropriate the sum of \$25,000 (twenty-five thousand dollars) to be placed into the Conservation Commission Land Acquisition Fund. *The Board of Selectmen and Budget Committee do not recommend this article.*

Petitioned Warrant Article.

A written request was received to vote on this Article by paper ballot. YES 149 NO 142

VOTE IN THE AFFIRMATIVE

ARTICLE 19

To see if the Town will vote to raise and appropriate the sum of \$1,962 (\$0.45 per resident) in this fiscal year for the Granite Chapter [of the American Red Cross] to help support disaster preparedness, response and recovery; blood services; Armed Forces emergency services, international aide; and health and safety training to the benefit of residents of New London. *The Board of Selectmen and Budget Committee do not recommend this article.*

Petitioned Warrant Article.

VOTE IN THE NEGATIVE

ARTICLE 20

To see if the Town will vote to adopt, pursuant to RSA 72:37, the exemption of \$15,000 from property assessment for the legally blind in the Town of New London. (Majority vote required.)

VOTE IN THE AFFIRMATIVE

ARTICLE 21

To see if the Town will vote to authorize a permanent conservation easement, to be held by New Hampshire Fish and Game, on the remainder of its property described as Tax Map 088, Lot 070-000, consisting of an additional 68+/- acres on Low Plain accessible by Route 11 and Mountain Road, also known as Esther Currier Wildlife Management Area at Low Plain. (Majority vote required.)

VOTE IN THE AFFIRMATIVE

ARTICLE 22

To see if the Town will vote to authorize a permanent conservation easement, to be held by the Ausbon Sargent Land Preservation Trust, on its property described as Tax Map 093, Lot 013-000, consisting of 47+/- acres on Messer Pond accessible by County Road, also known as the Scott-Bell-McNaughton-Melngailis Parcel. (Majority vote required.)

VOTE IN THE AFFIRMATIVE

ARTICLE 23

To see if the Town will vote to authorize the Board of Selectmen to negotiate and enter into a multi-year contract for the purpose of single-stream recycling. (Majority vote required.)

VOTE IN THE AFFIRMATIVE

ARTICLE 24

To see if the Town will vote to authorize the Board of Selectmen to negotiate and enter into a lease agreement with a cellular or communications company for a cell tower on the Transfer Station property to provide cell service and generate revenue for the town. (Majority vote required.) **Due to the close nature of voice and raised-hand count, this article was voted on by paper ballot. YES 142 NO 128**

VOTE IN THE AFFIRMATIVE

ARTICLE 25

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 New Hampshire Constitution that defines "marriage."

Petitioned Warrant Article.

VOTE IN THE NEGATIVE

ARTICLE 26

To hear the reports of agents, auditors, and committees heretofore chosen, to pass any vote relating thereto, and to transact any other business that may legally come before said meeting. (Majority vote required). **NONE**

There being no further business to be conducted at the meeting, Moderator Cleveland put forth the motion to adjourn the meeting at 10:09 P.M.

AFFIRMATIVE VOTE FOR ADJOURNMENT

Respectfully submitted,

Linda M. Hardy
Linda M. Hardy, Town Clerk

Linda M. Hardy
A True Copy Attest: Linda M. Hardy, Town Clerk

Received and Recorded this 25th Day of March, 2010, Volume XV, Pages 418 - 426.

Linda M. Hardy, Town Clerk