

2015

Warrant

&

Budget

TOWN OF MOULTONBOROUGH

STATE OF NEW HAMPSHIRE

TOWN WARRANT FOR 2015

To the inhabitants of the Town of Moultonborough in the County of Carroll, in said State, qualified to vote in Town Affairs:

You are hereby notified to meet at the Moultonborough Public Safety Building, 1035 Whittier Highway, in said Moultonborough, on Tuesday the 10th day of March, 2015, at 7:00 A.M., to act upon Article 1 through Article 5 of the Warrant. The polls will close no earlier than 7:00 P.M.

The Voters will take up Article 6 and the remaining Articles of the Warrant on Saturday, March 14, 2015, at 9:00 A.M., (School District will meet first, with a twenty minute adjournment before Town Meeting) at the Auditorium, Moultonborough Academy.

ARTICLE 1

To choose by ballot and majority vote: Two (2) Selectman for three (3) years, One (1) Trustee of Trust Funds for Three (3) years, One (1) Treasurer for Three (3) years, Two (2) Library Trustees for Three (3) Years, One (1) Highway Agent for Three (3) years, Two (2) Planning Board Members for Three (3) years, One (1) Planning Board Member of One (1) year, and Two (2) Zoning Board of Adjustment Members for Three (3) Years.

ARTICLE 2

Are you in favor of amending Zoning Ordinance Article III, General Provisions as proposed by the Planning Board, by removing the reference for subdivision approval for a second dwelling on one lot and clarifying that the review and approval by the Planning Board involves the applicant certifying that the lot has the required unit density based on soils groups and slopes of the land. The clarification in wording does not change the process that the Board has used and will now meet the wording and intent of Warrant Article 2, passed by the voters at the 2001 Town Meeting. Refer to p. 13 of the Annual Town Report for the year ending December 31, 2001.

(Recommended by Planning Board 6 Yes – 0 No)

ARTICLE 3

Are you in favor of amending Zoning Ordinance Article VII (D), Nonconforming Uses & (E) Nonconforming Structures as proposed by the Planning Board, by removing language that imposes a percentage limitation on the expansion of nonconforming residential uses, when in fact there are no nonconforming residential uses in any zoning district because such uses are allowed in every zone. The change also clarifies that nonconforming residential structures (because of changes in dimensional requirements like setbacks) may be expanded within the setbacks within specific guidelines and to certain limitations (20% maximum of gross habitable floor area) as laid out in the ordinance section.

(Recommended by Planning Board 6 Yes – 0 No)

ARTICLE 4

Are you in favor of amending Zoning Ordinance Article XI (H) (2) as proposed by the Planning Board, by removing “tag, barn, garage” and adding special event to the term “commercial temporary uses”. The change clarifies that special events are, and tag, barn and garage sales are not commercial temporary uses. Finally, language has been added that allows a commercial temporary use a longer time to occur, but only for once a year. The wording being added is “or up to ten (10) consecutive days on a one-time basis annually”.

(Recommended by Planning Board 6 Yes – 0 No)

ARTICLE 5

Are you in favor of amending Zoning Ordinance Article XV, Definitions as proposed by the Planning Board, by adding a new definition for bedroom as follows: “A room furnished with a bed and intended primarily for sleeping, unless otherwise specified by other regulations contained in this title or other local regulations.” The Code & Health Officer is given a solid statutory basis for permit review and code enforcement by adding a definition that is based on wording from NH RSA 485-A: 2, XX, where there has been no official definition in the past.

(Recommended by Planning Board 6 Yes – 0 No)

ARTICLE 6

To see if the Town will vote to approve the cost items included in the collective bargaining agreement (CBA) reached between the Town and the Moultonborough Police Benevolent Association and further to raise and appropriate the sum of Eight Thousand Two Hundred Fifty dollars (\$8,250) for the current fiscal year, such sum representing the additional costs attributable to the increase in salaries and benefits over those that would be paid at current staffing levels in accordance with the most recent Town compensation plan.

<u>Year</u>	<u>Estimated Increase</u>
FY 2015	\$ 8,250
FY 2016	\$11,000

(Recommended by Selectmen 5 Yes – 0 No)

(Recommendation by Advisory Budget Committee will be made at Town Meeting)

ARTICLE 7

To see if the Town, in the event that Article 6 is defeated, will authorize the governing body to call one special meeting, at its option, to address Article 6 cost items only?

(Recommended by Selectmen 5 Yes – 0 No)

(Recommendation by Advisory Budget Committee will be made at Town Meeting)

ARTICLE 8

To see if the Town will vote to endorse the report of the Village Vision Committee, dated January 28, 2015, which lays out a vision for the redevelopment of the village and a means of achieving the same.

(Recommendation by Selectmen will be made at Town Meeting)

(Recommendation by Advisory Budget Committee will be made at Town Meeting)

[Note: A full copy of the report is available, at length, on the Town's web site at www.moultonboroughnh.gov by clicking on the phrase "FY 2015 Annual Town Meeting Information" and then clicking on the phrase "Village Vision Committee Report" and in the Office of the Selectmen. A copy of the Executive Summary will be available for pick-up at the Town Election and Town Meeting.]

ARTICLE 9

To see if the Town will vote to ratify ordinances previously adopted by the Selectboard as follows:

Ordinance #	Title of Ordinance
#1	An Ordinance Relative to Dog Control Regulation-Leash Law
#2	Relative to Dog Control Regulation-Unlicensed Dogs
#3	An Ordinance Relative to All Pets Control Regulation-Town-Owned Beaches
#4	An Ordinance Relative to Use of Town Beaches
#5	An Ordinance Relative to Boat Parking at Town-Owned Dock & Launch Ramps
#6	An Ordinance Relative to the Feeding of Ducks and Wild Animals
#7	An Ordinance Relative to the Operation of the Moultonborough Resource Recovery Park Waste Management Facility
#8	An Ordinance Relative to Parking Regulations
#9	An Ordinance Relative to Drinking in Public
#10	An Ordinance Relative to Unnecessary Noise
#10A	An Ordinance Relative to the Misuse of Vehicular Power
#11	An Ordinance Relative to Jumping off Bridges
#12	An Ordinance Relative to the Nuisance/False Alarms
#13	An Ordinance Relative to the Construction of Driveways
#14	An Ordinance Relative to Building Permits
#15	An Ordinance Relative to a Building Code
#16	An Ordinance Relative to Sewage Disposal Systems
#17	An Ordinance Relative to Salesmen and Solicitors in the Town of Moultonborough, NH
#18	An Ordinance Relative (<i>sic</i>) Street Excavation Ordinance
#19	An Ordinance Relating to Snow Obstruction
#20	An Ordinance for the Establishment of a Building Numbering System

Provided further that sections 10.1.5 and 10.2.8 of Ordinance #10 entitled Ordinance Relative to Unnecessary Noise, which conflict with the Fireworks Ordinance as adopted under Article 22 of the March 15, 2014 Annual Town Meeting, are repealed with section 10.1.5 to have the word “Reserved” inserted; and

Provided further that the title of Ordinance #18 shall have the word “... to ...” inserted prior to the word “... Street ...”.

[Note: The vagueness of the statute(s) with respect to whether it is the legislative or governing body which is authorized to adopt ordinances on behalf of “the Town” is such that the SelectBoard erred in adopting the above ordinances. The cure for this error is for the Town Meeting to now ratify those adoptions.]

[Note: A full copy of these ordinances referenced herein is available, at length, on the Town’s web site at www.moultonboroughnh.gov by clicking on the phrase “Ordinances & Policies”, at the Public Library and in the Office of the Selectmen. A copy of a specific ordinance will be made available upon request and without charge in the Office of the Selectmen.]

(Recommended by Selectmen 5 Yes – 0 No)

(Recommended by Advisory Budget Committee 6 Yes – 0 No)

ARTICLE 10

To see if the Town will vote to amend Ordinance #22, adopted as Article 22 of the 2014 Annual Town Meeting, to strike the wording "... (2) New Year, limit use to 12 noon and up to 15 minutes past midnight of the holiday." and insert in lieu thereof the following wording, "... (2) New Year, limit use to 12 noon of December 31st of the year to 12:15 a.m. of January 1st of the year."

(Recommended by Selectmen 5 Yes – 0 No)
(Recommended by Advisory Budget Committee 6 Yes – 0 No)

[Note: A full copy of the ordinance referenced herein is available, at length, on the Town’s web site at www.moultonboroughnh.gov by clicking on the phrase “Ordinances & Policies”.]

ARTICLE 11

To see if the Town will vote to raise and appropriate the sum of Eight Hundred Ten Thousand Dollars (\$810,000) for a road improvement program as generally illustrated below.

Project	Budget
Randall Rd (687’), Pave, Shim & Overlay	\$11,000
Ames Rd (634’), Pave, Shim & Overlay	\$10,000
Playground Dr (475’), Pave, Shim & Overlay	\$8,000
Myers Rd (317’), Pave, Shim & Overlay	\$5,500
Crack Sealing – Roads TBD Spring 2015	\$10,000
Chip Sealing: Brae Burn Rd, Countryside La, Susan Ln, Victory Ln, Melly Ln, Buckingham Est Rd	\$50,000
Lee Rd (3,700’), Reclaim Asphalt & Repave	\$160,000
Ossipee Mtn Rd (1,000’), Reclaim Asphalt & Repave	\$135,000
Ossipee Mtn Rd (1,000’), Reconstruction	\$100,000
Intersection of Far Echo Rd & Moultonboro Neck Rd Intersection	
Intersection Shaker Jerry Rd & Wentworth Shores Rd	
Intersection of Old Rte 109 & Rte 25	
Intersection of Castle Shores Rd & States Landing	\$165,000
Contingency 10%	\$65,500
2015-2016 Engineering	\$90,000
Total	\$810,000

[Note: Inclusion of any road or intersection on this list was based upon a condition assessment and budget estimate prepared in November of 2014. It is no guarantee of work being undertaken on the identified roadway. Final construction decisions are made upon the acquisition of needed easements or right of way, detailed engineering and actual bids received with work deletions or additions based upon the final bids.]

(Recommended by Selectmen 5 Yes – 0 No)
(Recommended by Advisory Budget Committee 6 Yes – 0 No)

ARTICLE 12

To see if the Town will vote to (a) raise and appropriate the sum of Four Hundred Fifty Four Thousand Dollars (\$454,000) for a program of capital improvements and expenditures and equipment as generally illustrated below, and (b) meet said appropriation by a withdrawal of One Hundred Fifty Seven Thousand Five Hundred Dollars (\$157,500) from the Public Works Equipment Capital Reserve Fund, Forty Thousand Dollars (\$40,000) from the Municipal Building Facilities Capital Reserve Fund, and the balance of Two Hundred Fifty Six Thousand Five Hundred Dollars (\$256,500) to come from taxation.

Department/Project	
Fire Department (Turn Out Gear)	\$15,000
Police Department (Cruiser & Fit Out)	\$50,500
Police Department (Cruiser & Fit Out) ¹	\$50,500
DPW – Highway (Pay-Loader)	\$185,000
DPW – Facilities (Public Safety Building Energy Improvements) ²	\$30,000
DPW – Facilities (Public Safety Building Parking Lot Design)	\$10,000
Recreation – Facilities (Pathway Phase II Retrofit)	\$63,000
Recreation – Facilities (States Landing)	\$50,000
Total	\$454,000

[Note: ¹ It is the intent of the SelectBoard to apply \$50,000 of Fund Balance at tax setting time to reduce the net tax levy impact of this Article to \$206,500.]

[Note: ² The Town may be able to recoup up to \$15,000 in a grant/rebate from the NH Electric Cooperative.]

(Recommended by Selectmen 5 Yes – 0 No)

(Recommended by Advisory Budget Committee 6 Yes – 0 No)

ARTICLE 13

To see if the Town will vote to (a) raise and appropriate the sum of Thirty Five Thousand Dollars (\$35,000) for a program of capital improvements and expenditures and equipment as generally illustrated below, and (b) meet said appropriation by a withdrawal of Thirty Five Thousand Dollars (\$35,000) from the Municipal Building Capital Reserve Fund.

Department/Project	
DPW – Facilities (Highway Garage Water Treatment Plan & Equipment)	\$20,000
Recreation – Facilities (Softball Field Initial Design & Permitting)	\$15,000
Total	\$35,000

(Recommended by Selectmen 4 Yes – 1 No)

(Recommended by Advisory Budget Committee 3 Yes – 1 No – 2 Abstain)

ARTICLE 14

To see if the Town will vote to raise and appropriate the sum of Four Hundred Twenty Four Thousand Dollars (\$424,000) and to deposit the same in the following Capital Reserve Funds:

Capital Reserve Funds	Budget
Communication Technology CRF	\$27,500
Reappraisal CRF	\$24,000
Firefighting Equipment CRF	\$110,000
DPW Equipment CRF	\$162,500
Municipal Buildings & Facilities CRF	\$100,000
Total	\$424,000

(Recommended by Selectmen 5 Yes – 0 No)

(Recommended by Advisory Budget Committee 6 Yes – 0 No)

ARTICLE 15

To see if the Town will vote to raise and appropriate the sum of Two Hundred Five Thousand Five Hundred Dollars (\$205,500) and to deposit the same in the following Expendable Trust Funds:

Expendable Trust Funds	Budget
Milfoil	\$200,000
Lee's Mills	\$3,000
Dry Hydrant	\$2,500
Total	\$205,500

(Recommended by Selectmen 5 Yes – 0 No)

(Recommended by Advisory Budget Committee 6 Yes – 0 No)

ARTICLE 16

To see if the Town will vote to authorize the Board of Selectmen to enter into a five-year lease/purchase agreement for the purpose of leasing, with the total value of the agreement not to exceed Two Hundred Forty Two Thousand Five Hundred Dollars (\$242,500), a new Fire Department Initial Attack Apparatus and to raise and appropriate the sum of Forty Eight Thousand Five Hundred Dollars (\$48,500) for the first year's payment for that purpose with said agreement to include a so-called "escape clause".

(Recommended by Selectmen 5 Yes – 0 No)

(Recommended by Advisory Budget Committee 6 Yes – 0 No)

ARTICLE 17

To see if the Town will vote to raise and appropriate, subject to any and all changes made at this meeting, the sum of Seven Million Seven Hundred One Thousand Two Hundred Eighteen Dollars (\$7,701,218) to pay the expenses of General Government, Public Safety, Public Works (including Highways, Cemeteries, Buildings and Grounds, and Transfer Station), Human Services, Visiting Nurse Service, Culture and Recreation, and Development Services.

(Recommended by Selectmen 5 Yes – 0 No)

(Recommended by Advisory Budget Committee 6 Yes – 0 No)

ARTICLE 18

To see if the Town will vote to raise and appropriate the sum of Four Hundred Ninety Three Thousand One Hundred Fifty Six Dollars (\$493,156) to pay the expense of operating the Public Library.

(Recommended by Selectmen 5 Yes – 0 No)

(Recommended by Advisory Budget Committee 6 Yes – 0 No)

ARTICLE 19

To see if the Town of Moultonboro will vote to raise and appropriate the sum of Two Thousand Five Hundred Dollars (\$2,500) for the purpose of supporting a portion of the services provided to area residents to access counseling and family support services, without regard to income, from Child and Family Services.

(By Petition)

(Recommended by Selectmen 5 Yes – 0 No)

(Recommended by Advisory Budget Committee 6 Yes – 0 No)

ARTICLE 20

To see if the Town of Moultonborough will vote to raise and appropriate the sum of One Thousand Dollars (\$1,000) to fund the Loon Preservation Committee.

(By Petition)

(Recommended by Selectmen 5 Yes – 0 No)

(Recommended by Advisory Budget Committee 6 Yes – 0 No)

ARTICLE 21

To see if the Town of Moultonborough will vote to raise and appropriate the sum of One Thousand Five Hundred Seventy Six Dollars (\$1,576) to fund Starting Point: Services for Victims of Domestic & Sexual Violence.

(By Petition)

(Recommended by Selectmen 5 Yes – 0 No)

(Recommended by Advisory Budget Committee 6 Yes – 0 No)

ARTICLE 22

To see if the Town of Moultonborough will vote to raise and appropriate the sum of Seven Thousand Five Hundred Dollars (\$7,500) to fund Tri-County Community Action Program for the purpose of continuing services of the Fuel Assistance Program for the residents of Moultonborough.

(By Petition)

(Recommended by Selectmen 5 Yes – 0 No)

(Recommended by Advisory Budget Committee 6 Yes – 0 No)

ARTICLE 23

To see if the Town of Moultonborough will vote to raise and appropriate the sum of Fourteen Thousand Dollars (\$14,000) for the Moultonborough Suicide Prevention and Mental Health Coalition to support training for said committee of volunteers, supporting community forums and/or small support groups/training sessions conducted by the trained volunteers/professionals and provide suicide prevention, mental health information, and assist in the support of local access to mental health services within the Moultonborough community for its residents.

(By Petition)

(Recommended by Selectmen 5 Yes – 0 No)

(Recommended by Advisory Budget Committee 6 Yes – 0 No)

ARTICLE 24

To see if the Town of Moultonborough will vote to raise and appropriate the sum of One Thousand Five Hundred Dollars (\$1,500) to Interlakes Community Caregivers, Inc. to support services provided to elder and other residents of the Town.

(By Petition)

(Recommended by Selectmen 5 Yes – 0 No)

(Recommended by Advisory Budget Committee 6 Yes – 0 No)

ARTICLE 25

To see if the Town of Moultonborough will vote to raise and appropriate the sum of Ten Thousand Dollars (\$10,000) for the Winnepesaukee Wellness Center.

(By Petition)

(Recommended by Selectmen 5 Yes – 0 No)

(Recommended by Advisory Budget Committee 6 Yes – 0 No)

ARTICLE 26

To see if the Town of Moultonborough will vote to raise and appropriate the sum of Two Thousand Six Hundred Dollars (\$2,600) to support the work of the Moultonborough Historical Society in the stewardship of the Town owned “Middle Neck Schoolhouse” and “Old Moultonborough Townhouse”; the educational and cultural programs the Society offers; and the maintenance and upkeep of the Society’s Museum.

(By Petition)

(Recommended by Selectmen 5 Yes – 0 No)

(Recommended by Advisory Budget Committee 6 Yes – 0 No)

ARTICLE 27

To see if the Town of Moultonborough will vote to raise and appropriate the sum of Seven Thousand Five Hundred Dollars (\$7,500) in support of the Lakes Region Food Pantry located at Whittier Highway in Moultonborough for the purpose of providing food to those in need.

(By Petition)

(Recommended by Selectmen 5 Yes – 0 No)

(Recommended by Advisory Budget Committee 6 Yes – 0 No)

ARTICLE 28

To see if the Town of Moultonborough will vote to raise and appropriate the sum of Eleven Thousand Dollars (\$11,000) to be allocated to the Moultonboro/Sandwich Senior Meals Programs.

(By Petition)

(Recommended by Selectmen 5 Yes – 0 No)

(Recommended by Advisory Budget Committee 6 Yes – 0 No)

ARTICLE 29

To see if the Town will vote to eliminate the position of Town Administrator and to transfer the duties of the position to the elected Board of Selectmen. For transition purposes only, this change shall take effect on May 1, 2015. Nothing contained herein shall authorize the Board of Selectmen to increase the salary of the Town Administrator prior to May 1, 2015, nor to provide severance payments and/or to amend the existing agreement (if any) with the incumbent Town Administrator.

(By Petition)

(Not Recommended by Selectmen 4 Yes – 0 No – 1 Abstain)

(Not Recommended by Advisory Budget Committee 6 Yes – 0 No)

ARTICLE 30

To see if the Town of Moultonborough will vote to raise and appropriate the sum of Eighty Five Thousand Dollars (\$85,000) for engineering, acquisition of rights of way or easements, legal costs, preparation of plans and specifications, and bidding for the purpose of sidewalk construction in Moultonborough Village. The intent is to provide a sidewalk along Route 25 within the R.O.W. as possible, with a crosswalk located approximately halfway between the library and the Central School, generally outlined as Phase 1 (omitting segments S1A & S2A) of the Village Sidewalk Study dated Nov. 2013, and further to authorize the Select Board to negotiate, execute, deliver and accept such deed and other documents as it deems reasonable, appropriate and in the best interests of the town to effectuate the purpose of this article. This appropriation shall be non-lapsing until December 31, 2016, or until such earlier date as the SelectBoard shall certify these tasks have been completed.

(By Petition)
(Recommended by Selectmen 4 Yes – 1 No)
(Recommended by Advisory Budget Committee 3 Yes – 3 No)

ARTICLE 31

To see if the Town of Moultonborough will vote to raise and appropriate the sum of Five Thousand Dollars (\$5,000) for the annual support of services provided to the citizens of this community by the Central New Hampshire VNA & Hospice. Central New Hampshire VNA & Hospice agency has been serving the Town Residents for many years, and the Town has consistently supported Central New Hampshire VNA & Hospice.

(By Petition)
(Recommended by Selectmen 5 Yes – 0 No)
(Recommended by Advisory Budget Committee 4 Yes – 2 No)

ARTICLE 32

To see if the Town of Moultonborough will vote to raise and appropriate the sum of One Thousand Three Hundred Fifty Dollars (\$1,350) to maintain and continue the system of services of the Inter-Lakes Day Care Center.

(By Petition)
(Recommended by Selectmen 5 Yes – 0 No)
(Recommended by Advisory Budget Committee 6 Yes – 0 No)

ARTICLE 33

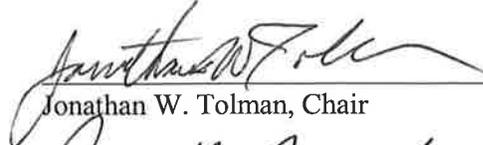
To see if the Town of Moultonborough will vote to raise and appropriate the sum of Two Thousand Four Hundred Dollars (\$2,400) for the Sandwich Children’s Center which provides early childcare and education services.

(By Petition)
(Recommended by Selectmen 5 Yes – 0 No)
(Recommended by Advisory Budget Committee 6 Yes – 0 No)

ARTICLE 34

To transact any other business that may legally come before said Meeting.

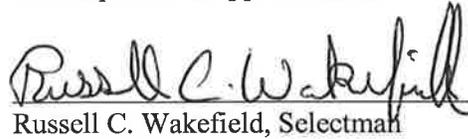
Given under our hands and seal this 5th day of February, 2015


Jonathan W. Tolman, Chair

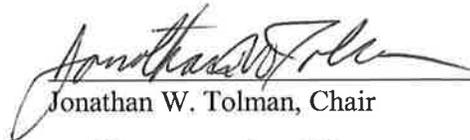

Joel R. Mudgett, Vice Chair


Paul T. Punturieri, Selectman

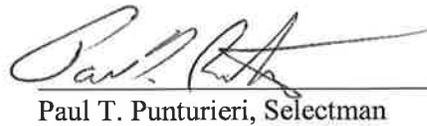
Christopher P. Shipp, Selectman


Russell C. Wakefield, Selectman

A True Copy of Warrant Attest:


Jonathan W. Tolman, Chair


Joel R. Mudgett, Vice Chair


Paul T. Punturieri, Selectman

Christopher P. Shipp, Selectman


Russell C. Wakefield, Selectman

ARTICLE 34

To transact any other business that may legally come before said Meeting.

Given under our hands and seal this 5th day of February, 2015

Jonathan W. Tolman, Chairman
Joel R. Mudgett, Vice Chair
Paul T. Punturieri
Christopher P. Shipp
Russell C. Wakefield
Selectmen of Moultonborough

A True Copy of Warrant Attest:

Jonathan W. Tolman, Chairman
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Selectmen of Moultonborough