

2009

Warrant

&

Budget

TOWN OF MOULTONBOROUGH

STATE OF NEW HAMPSHIRE

TOWN WARRANT FOR 2009

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, 2009, at 7:00 A.M., to act upon Articles 1 through 6 of the Warrant. The polls will close no earlier than 7:00 P.M.

The Voters will take up Article 7 and the remaining Articles of the Warrant on Saturday, March 14, 2009, 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) Selectmen for three (3) years, One (1) Town Treasurer for three (3) years, One (1) Supervisor of the Checklist for three (3) years, One (1) Road Agent for three (3) years, One (1) Trustee of Trust Funds for three (3) years, Two (2) Library Trustees for three (3) years, Two (2) Planning Board members for three (3) years, One (1) Planning Board member for one (1) year, Two (2) Zoning Board of Adjustment members for three (3) years, and such other Officers and Agents as the voters may deem necessary.

ARTICLE 2

Shall we adopt the provision of RSA 40:13 (known as SB2) to allow official ballot voting on all issues before the Town of Moultonborough on the Second Tuesday of March?

(By Petition)

(Not Recommended by Selectmen 5 - 0)

(Not Recommended by Advisory Budget Committee 5 - 0)

ARTICLE 3

Are you in favor of the adoption of Amendment No. 1 as proposed by the Planning Board for the town zoning ordinance as follows: To see if the Town will vote to amend the Zoning Ordinance of the Town of Moultonborough Article VI (C) (1) (a) to return certain portions of NH Route 25 from Commercial to Agricultural/Residential use in specified areas. The proposed amendment would return all land within 500 feet of the edge of the right-of-way on either side of NH Route 25 from the intersection of Glidden Road to the intersection of Moultonborough Neck Road and from the intersection of Marvin Road to the intersection of Blake Road to residential/agricultural use.

The provisions of this section relating to the boundaries of Zone "A" and "A-1" will expire ("sunset") on March 31, 2010, and shall return the land to commercial use unless other changes are adopted.

The purpose of this amendment is to: a. allow the Planning Board the necessary time to establish a comprehensive zoning and access management plan to improve safety on Route 25; b. preserve the town's rural character and scenic beauty as requested by residents in the master plan and town wide survey of 2006; c. protect the town's natural resources and wildlife habitat; and d. enhance residents' quality of life by reducing traffic congestion, improving traffic flow and improving the appearance of the Route 25 corridor.

(Recommended by Planning Board 7-0)

ARTICLE 4

Are you in favor of the adoption of Amendment No. 2 as proposed by the Planning Board for the town Zoning Ordinance as follows: To see if the Town will vote to amend the Zoning Ordinance of the Town of Moultonborough Article VI, A by revising the article to authorize the Planning Board to devise and adopt Access Management Standards through its Site Plan Review process and to consult with the New Hampshire Department of Transportation and the property developer to determine the best possible access management solutions and to execute a Memorandum of Understanding between the town and the NHDOT regulating road cuts on state roads.

(Recommended by Planning Board 7-0)

ARTICLE 5

Are you in favor of the adoption of Amendment No. 3 as proposed by the Planning Board for the town Zoning Ordinance as follows: To see if the Town will vote to repeal Articles VI A(3), VI D, VI E (as it applies to commercial development in Residential/Agricultural Zones only) and those portions of Article VII relating to Special Exceptions (as it applies to commercial development in Residential/ Agricultural Zones only) for commercial uses in the Residential/Agricultural Zone and to eliminate Special Exceptions for commercial uses in the Residential/Agricultural Zone and delete all references thereto wherever they may appear in the Zoning Ordinance.

(Recommended by Planning Board 7-0)

ARTICLE 6

Are you in favor of the adoption of Amendment No. 5 as proposed by the Planning Board for the town Zoning Ordinance as follows: To see if the Town will vote to amend the Zoning Ordinance of the Town of Moultonborough by renumbering existing Article X Administrative Provisions to Article XI and creating a new Article X, Small Wind Energy Systems which establishes a Small Wind Energy Systems Ordinance to accommodate small wind energy systems in appropriate locations while protecting the public's health, safety and welfare by providing standards for permitting and enforcement.

(Recommended by Planning Board 7-0)

ARTICLE 7

To see if the Town will vote to authorize the Conservation Commission to retain the unexpended portion of its 2008 appropriations with said funds to be placed in a special conservation fund in accordance with RSA 36-A:5.

(Recommended by Selectmen 5 - 0)

(Recommended by Advisory Budget Committee 5 - 0)

ARTICLE 8

To see if the Town will vote, as a block, to:

A. Establish a Heritage Commission (the "Commission"), under the authority of RSA Ch. 673:1 II, for the proper recognition, use and protection of community historic resources as defined in RSA Ch. 674:44-a.

B. Authorize the Board of Selectmen to appoint five citizens as members and two citizens as alternate members, whom shall be sworn to the faithful performance of their office by the Town Clerk, to such a Commission, pursuant to the provisions of RSA Ch. 673:4-a and with terms pursuant to the provisions of RSA Ch. 673:5 The Commission shall exercise such powers as are set forth at RSA Ch. 674:44-b I and II and RSA Ch. 674:44-c and RSA Ch. 674:44-d, and shall file an annual report of their activities with the Town.

(Recommended by Selectmen 5 - 0)

(Recommended by Advisory Budget Committee 5 - 0)

ARTICLE 9

To see if the Town will vote to accept RSA Ch. 79 E relative to the establishment of a Community Revitalization Tax Relief Incentive for certain qualifying structures within a village center.

(Recommended by Selectmen 5 - 0)

(Recommended by Advisory Budget Committee 5 - 0)

ARTICLE 10

To see if the Town will vote, as a block, to:

A. Authorize the Board of Selectmen, under the authority of RSA Ch. 674-5, to appoint a Capital Improvements Program Committee (the "Committee"), the members of which shall be sworn to the faithful performance of their office by the Town Clerk, to prepare and recommend a program of municipal capital improvement projects projected over a period of at least six (6) years. Said Committee is to prepare its program in accordance with RSA Ch. 674:6, exercise its authority under RSA Ch. 674:7 and such other criteria as shall be established by the Governing Body, and file an annual report of their activities with the Town.

B. Repeal Article 17 of the Town Meeting of March 10, 1987, and any actions inconsistent with this article.

(Recommended by Selectmen 5 - 0)

(Recommended by Advisory Budget Committee 5 - 0)

ARTICLE 11

To see if the Town will vote, under authority of RSA Ch. 231:63 and in addition to those duties previously required of the Highway Agent under Article 23 of the Town Meeting of March 5, 1974, to require the Highway Agent, in addition to the usual duties as Highway Agent, to have charge, under the direction of the Selectmen, of the care of public parks and cemeteries; public forests; public playgrounds; shade and ornamental trees.

(Recommended by Selectmen 5 - 0)

(Recommended by Advisory Budget Committee 5 - 0)

ARTICLE 12

To see if the Town will vote to enact an ordinance to be entitled "Acceptance of Credit Cards" and to read as follows:

SECTION I: PURPOSE:

The purpose of this Ordinance is to authorize the Town of Moultonborough's Treasurer or other appropriate municipal official to accept payment by credit cards for taxes, utility charges, and fees.

SECTION II: AUTHORITY:

This Ordinance has been enacted under authority of NH RSA 80:52-c.

SECTION III: AUTHORIZATION:

The Board of Selectmen are authorized to establish procedures, which shall be adopted after a public hearing, of which at least seven days notice was given by publication, specifying (a) the types of payments that may be made, (b) the maximum allowable amount of any individual transaction, (c) the service charge, if any, and (d) procedures to ensure information collected from customers is safeguarded from

inappropriate release and further to execute any and all agreements and documents they deem necessary, reasonable and in the best interest of the Town.

SECTION IV: EFFECTIVE DATE:

This ordinance shall take effect upon adoption by Town Meeting this 14th day of March 2009.

(Recommended by Selectmen 5 - 0)
(Recommended by Advisory Budget Committee 5 - 0)

ARTICLE 13

To see if the Town will vote to discontinue the so-called Lee's Mills Capital Reserve Fund which has a balance of zero dollars (\$0.00) as of December 31, 2008.

(Recommended by Selectmen 5 - 0)
(Recommended by Advisory Budget Committee 5 - 0)

ARTICLE 14

To see if the Town will vote to discontinue the so-called Landfill and Maintenance Development Trust Fund with the balance of Seventy two dollars seventeen cents (\$72.17), as of December 31, 2008, together with any accrued interest thereon at the time of transfer, being transferred to the General Fund.

(Recommended by Selectmen 5 - 0)
(Recommended by Advisory Budget Committee 5 - 0)

ARTICLE 15

To see if the Town will vote to further define the purposes for which the so-called Municipal Building fund, a Capital Reserve, was established to read as follows:

For the purposes of designing, developing the site, constructing, furnishing and equipping, and making capital improvements and replacements upon Municipal Buildings and Facilities.

(Recommended by Selectmen 4 - 1)
(Recommended by Advisory Budget Committee 5 - 0)

ARTICLE 16

To see if the Town will vote to raise and appropriate the sum of Three hundred thirty seven thousand five hundred dollars (\$337,500) for a program of capital improvements as generally illustrated below and to meet said appropriation by a withdrawal of One hundred seven thousand five hundred dollars (\$107,500) from the Municipal Building fund; a withdrawal of Eighty seven thousand five hundred dollars (\$87,500) from the Community Center/Senior Center fund, which the Board of Selectmen is the agent to expend; a withdrawal of Five thousand dollars (\$5,000) from the Playground Improvement fund, for which the Board of Selectmen is the agent to expend, and One hundred thirty seven thousand five hundred dollars (\$137,500) from taxation and to designate the appropriation as non-lapsing, per RSA 32:7, VI, until December 30, 2012 or whenever the project is certified as completed by the Board of Selectmen, whichever shall first occur.

- a. Community Center Field and Playground Drive Field (field construction, drainage design and associated design costs) \$300,000
- b. Pathway (Phases 2 & 3) \$ 37,500

(Recommended by Selectmen 3 - 2)

(Recommended by Advisory Budget Committee 5 - 0)

ARTICLE 17

To see if the Town will vote to raise and appropriate the sum of One hundred thirty two thousand five hundred dollars (\$132,500) for the purposes of reroofing at the Town Hall/Municipal Complex and to meet said appropriation by a withdrawal from the Municipal Buildings Reserve Fund.

(Recommended by Selectmen 5 - 0)

(Recommended by Advisory Budget Committee 5 - 0)

ARTICLE 18

To see if the Town will vote to raise and appropriate the sum of Fifty thousand dollars (\$50,000) for the costs of staffing a new position commonly known as a "Town Planner".

(Recommended by Selectmen 5 - 0)

(Recommended by Advisory Budget Committee 5 - 0)

ARTICLE 19

To see if the Town will vote to authorize the Board of Selectmen to enter into a five-year lease/purchase agreement to replace the current Dresser 850 Grader and to raise and appropriate the sum of Fifty thousand dollars (\$50,000) for the first year's payment for that purpose with said agreement to include a so-called "escape clause".

(Recommended by Selectmen 5 - 0)

(Recommended by Advisory Budget Committee 5 - 0)

ARTICLE 20

To see if the Town will vote to raise and appropriate the sum of Three hundred seventy five thousand six hundred seventy one dollars (\$375,671) for a road improvement program, as generally illustrated below, of shim and overlay, crack seal and chip seal, the undertaking of certain safety audits, a GIS and Pavement Management System, and related engineering and to meet said appropriation with funds from a NH Department of Transportation Highway Block Grant of One hundred twenty five thousand six hundred seventy one dollars (\$125,671) and the balance of Two hundred fifty thousand dollars (\$250,000) from taxation.

Project	Budget
Pavement Management System/GIS	\$15,000
Safety Audits along Route 25	\$15,000
Paradise Drive (25% Engineering)	\$25,000
Blacks Landing Rd (480' Rebuild; no paving)	\$51,729
Krainewood Drive	\$74,227
Hanson Drive	\$91,680
Butternut Lane	\$21,666
Driftwood Drive	\$52,983
High Haith Road	\$17,444
Asphalt Fuel Adjustor (3% Allowance)	\$10,942
TOTALS	\$375,671

(Recommended by Selectmen 5 - 0)
(Recommended by Advisory Budget Committee 5 - 0)

ARTICLE 21

To see if the Town will vote, as a block, to

A. Raise and appropriate the sum of Four hundred sixty one thousand two hundred fifty dollars (\$461,250) to reconstruct Fox Hollow Road, its intersection with Route 25, and portions thereof, and to meet said appropriation with a so-called State Aid to Roads grant from the NH Department of Transportation of Two hundred sixty one thousand three hundred seventy six dollars (\$261,376) and the balance of One hundred ninety nine thousand eight hundred seventy four dollars (\$199,874) from taxation.

B. Designate the appropriation as non-lapsing, per RSA 32:7, VI, until December 30, 2010 or whenever the project is certified as completed by the Board of Selectmen, whichever shall first occur.

(Recommended by Selectmen 5 - 0)
(Recommended by Advisory Budget Committee 5 - 0)

ARTICLE 22

To see if the Town will vote to raise and appropriate the sum of Four hundred ninety six thousand five hundred dollars (\$496,500) for a program of capital improvements and expenditures, and equipment as generally illustrated below.

a.	Fire Equipment	\$	13,000
b.	Mosquito Abatement	\$	52,000
c.	Police Cruiser w/MDT	\$	40,500
d.	Municipal Buildings Lighting Upgrade	\$	30,000
e.	Highway Dept. Street Sign Upgrade	\$	15,000
f.	Highway/B&G One Ton w/Accessories	\$	55,000
g.	Highway/B&G Multi-Purpose Tractor w/Acc.	\$	43,500
h.	Highway Garage Generator	\$	30,000
i.	Highway Garage Well Sealing	\$	15,000
j.	Lee's Mill Project (Boat Launch)	\$	77,500
k.	Transfer Station	\$	125,000
		<u>\$</u>	<u>125,000</u>
	Total	\$	496,500

(Recommended by Selectmen 5 - 0)

(Recommended by Advisory Budget Committee 5 - 0)

ARTICLE 23

To see if the Town will vote to raise and appropriate the sum of One hundred fifteen thousand six hundred eighty two dollars (\$115,682) and to deposit the same in the following Capital Reserve Accounts.

Personnel Liability CRF	\$	14,500
Community Substance CRF	\$	7,682
Communication Technology CRF	\$	22,500
Reappraisal CRF	\$	24,000
Firefighting Equipment CRF	\$	40,000
Police Communications CRF	\$	7,000
	<u>\$</u>	<u>115,682</u>
Total	\$	115,682

(Recommended by Selectmen 5 - 0)

(Recommended by Advisory Budget Committee 5 - 0)

ARTICLE 24

To see if the Town will vote to raise and appropriate the sum of Sixteen thousand six hundred fifty dollars (\$16,650) and to deposit the same in the following Maintenance Trust Fund Accounts.

Historical Society Fund	\$	5,000
Lee's Mills	\$	1,650
Dry Hydrant	\$	10,000
Total	\$	16,650

(Recommended by Selectmen 5 - 0)
(Recommended by Advisory Budget Committee 5 - 0)

ARTICLE 25

To see if the Town will vote to approve the creation, funding and construction of a Firearms Training and Certification area at the Waste Management facility located at 253 Holland Street.

(By Petition)
(Recommended by Selectmen 5 - 0)
(Recommended by Advisory Budget Committee 5 - 0)

ARTICLE 26

To see if the Town Moultonborough will vote to raise and appropriate the sum of \$7,500 for Tri-County Community Action for the purposes of continuing services of the Fuel Assistance Program for the residents of Moultonborough.

(By Petition)
(Recommended by Selectmen 5 - 0)
(Recommended by Advisory Budget Committee 5 - 0)

ARTICLE 27

To see if the Town, which owns and maintains Black's Landing Road, a gravel town road that runs from NH Route 109 to just East of the entrance to Ambrose Cove Marina, slightly less than one quarter of a mile (0.25 mile), will vote to raise and appropriate a sum sufficient to pave that portion of Black's Landing Road, as described above.

(By Petition)
(Not Recommended by Selectmen 5 - 0)
(Not Recommended by Advisory Budget Committee 5 - 0)

ARTICLE 28

To see if the Town of Moultonborough will vote to raise and appropriate \$1000 to the Loon Preservation Committee to support the work of the local self funded Loon Center.

(By Petition)

(Recommended by Selectmen 5 - 0)

(Recommended by Advisory Budget Committee 5 - 0)

ARTICLE 29

To see if the Town of Moultonborough will vote to raise and appropriate the sum of One thousand five hundred dollars (\$1,500) for the Salvation Army of Laconia?

(By Petition)

(Recommended by Selectmen 5 - 0)

(Recommended by Advisory Budget Committee 5 - 0)

ARTICLE 30

To see if the Town will vote, on a request being made by the Moultonboro/Sandwich Senior Meals Program, to raise and appropriate the sum of \$9,000 to be allocated to the Moultonboro Meals Program.

(By Petition)

(Recommended by Selectmen 5 - 0)

(Recommended by Advisory Budget Committee 5 - 0)

ARTICLE 31

To see if the Town of Moultonboro will raise and appropriate Eight thousand dollars (\$8,000) for the Winnepesaukee Wellness Center.

(By Petition)

(Recommended by Selectmen 5 - 0)

(Recommended by Advisory Budget Committee 5 - 0)

ARTICLE 32

To see if the Town will vote to raise and appropriate \$500 for West Wynde Senior Housing.

(By Petition)

(Recommended by Selectmen 5 - 0)

(Recommended by Advisory Budget Committee 5 - 0)

ARTICLE 33

To see if the Town will vote to raise and appropriate the sum of Twelve thousand dollars (\$12,000) 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 - 0)

(Recommended by Advisory Budget Committee 5 - 0)

ARTICLE 34

To see if the Town will vote to raise and appropriate the sum of \$1,433 in support of Starting Point providing advocacy and support to victims of domestic and sexual violence and their children.

(By Petition)

(Recommended by Selectmen 5 - 0)

(Recommended by Advisory Budget Committee 5 - 0)

ARTICLE 35

To see if the Town will vote to raise and appropriate the sum of \$5,000 for the purpose of continuing the fight to eradicate the exotic, invasive species of milfoil found in Lee's Pond by vacuum harvesting and other non-chemical treatment. Matching funds to be raised between the State of NH and residents of Lee's Pond.

(By Petition)

(Recommended by Selectmen 5 - 0)

(Recommended by Advisory Budget Committee 5 - 0)

ARTICLE 36

To see if the Town of Moultonboro will raise and appropriate the sum of \$903 for the annual support of services provided to the citizens of this community by the Visiting Nurse Association-Hospice of Southern Carroll County & Vicinity, Inc. The VNA-Hospice agency has been serving the Town residents for many years, and the Town has consistently supported the VNA-Hospice. This year's request is for the same amount that was approved last year.

(By Petition)

(Recommended by Selectmen 5 - 0)

(Recommended by Advisory Budget Committee 5 - 0)

ARTICLE 37

To see if the Town will vote to raise and appropriate the sum of \$1,299 to maintain and continue the system of services of the Inter-Lakes Day Care Center.

(By Petition)

(Recommended by Selectmen 5 - 0)

(Recommended by Advisory Budget Committee 5 - 0)

ARTICLE 38

To see if the Town will vote to raise and appropriate, subject to any and all changes made at this meeting, the sum of Eight million two hundred forty nine thousand seven hundred forty seven dollars (\$8,249,747) to pay the expenses of General Government, Public Safety, Highways and Streets (including Cemeteries), Sanitation, Human Services, Visiting Nurse Service, Culture and Recreation, Library, Development Services and Debt Service.

(Recommended by Selectmen 5 - 0)

(Recommended by Advisory Budget Committee 5 - 0)

ARTICLE 39

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

Given under our hands and seal this 12th day of February, 2009.

Karel A. Crawford, Chairman
Edward J. Charest, Vice Chairman
James F. Gray
Joel R. Mudgett
Betsey L. Patten
Selectmen of Moultonborough

A True Copy of Warrant Attest:

Karel A. Crawford, Chairman
Edward J. Charest, Vice Chairman
James F. Gray
Joel R. Mudgett
Betsey L. Patten
Selectmen of Moultonborough