

**2013**

**Warrant**

**&**

**Budget**

# **TOWN OF MOULTONBOROUGH**

## **STATE OF NEW HAMPSHIRE**

### **TOWN WARRANT FOR 2013**

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 12th day of March, 2013, at 7:00 A.M., to act upon Articles 1 through 7 of the Warrant. The polls will close no earlier than 7:00 P.M.

The Voters will take up Article 8 and the remaining Articles of the Warrant on Saturday, March 16, 2013, 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: One (1) Selectman for three (3) years, One (1) Trustee of Trust Funds for three (3) years, Three (3) Library Trustees for three (3) Years, Two (2) Planning Board Members for three (3) years, One (1) Zoning Board Member for one (1) Year.

#### **ARTICLE 2**

Are you in favor of Amendment 1 as proposed by the Planning Board for the Town Zoning Ordinance as follows: To see if the Town will vote to amend Zoning Ordinance Article III, B, E, J; Article IV, F; Article VI, A, B, C, D, E, F, G; Article VII, B; and Article XI, C, D, G, for housekeeping and language clarification purposes by adding, removing, replacing, updating per statute, and clarifying language in order to correct, update, clarify or bring in line with other ordinances and regulations.

**(Recommended by Planning Board 7 Yes - 0 No)**

#### **ARTICLE 3**

Are you in favor of Amendment 2 as proposed by the Planning Board for the Town Zoning Ordinance as follows: To see if the Town will vote to amend Zoning Ordinance Article III, Minimum Lot Sizes Based on Soil and Slopes - Table I to ensure the information used to calculate new lot sizes is up to date by removing the outdated soil types and replacing with Soils Groups and Minimum lot sizing for septic loading in accord with NH Code of administrative Rules Env-Wq 1000 and soil/slope characteristics native to Moultonborough.

**(Recommended by Planning Board 7 Yes - 0 No)**

#### **ARTICLE 4**

Are you in favor of Amendment 3 as proposed by the Planning Board for the Town Zoning Ordinance as follows: To see if the Town will vote to amend Zoning Ordinance Article IV, G. Comprehensive Shoreland Protection, by revising titles to reflect the new name of act to Shoreland Water Quality Protection Act; by clarifying that the Code Officer shall notify land owners of his visit in writing; by adding clarifying language to the tree caliper section; by deleting a sentence allowing an engineer to justify a greater than 30% impervious surface area; and increasing the point totals and reducing impervious surface percentages to strengthen this section of the act back to the requirements of the 2008 version.

**(Recommended by Planning Board 6 Yes - 1 No)**

#### **ARTICLE 5**

Are you in favor of Amendment 4 as proposed by the Planning Board for the Town Zoning Ordinance as follows: To see if the Town will vote to amend Zoning Ordinance Article VI, Commercial Uses, C, Moultonborough Table of Permitted Uses by adding uses, clarifying uses and deleting outmoded uses; by changing some commercial uses to “not allowed” in the Residential/Agricultural, Commercial A and Village C district (such as Salt Storage, Junkyards, Snow Dumps, Waste Lagoons and Petroleum Bulk Plants); and by changing some uses to “allowed by special exception” in the Village C district; and amending Article XV, Definitions, to add the definitions of those new uses added to the Moultonborough Table of Permitted Uses above.

**(Recommended by Planning Board 7 Yes - 0 No)**

#### **ARTICLE 6**

Are you in favor of Amendment 5 as proposed by the Planning Board for the Town Zoning Ordinance as follows: To see if the Town will vote to amend Zoning Ordinance Article VI, Commercial Uses, E. Special Exceptions, to create vesting and abandonment rules by adding language that establishes a 2 year time period along with specific actions that must be taken in order to vest a granted special exception, and provides that if the actions are not taken and the time period has passed, then the approval shall become void as if never granted. Additionally, language is added that provides for the abandonment of a special exception if the use ceases for a continuous period of 2 years or more or is changed to a use allowed by right in the district.

**(Recommended by Planning Board 7 Yes - 0 No)**

## **ARTICLE 7**

Are you in favor of Amendment 6 as proposed by the Planning Board for the Town Zoning Ordinance as follows: To see if the Town will vote to amend Zoning Ordinance Article VII, Miscellaneous, C, D, E, and F, to define nonconforming lots, uses and structures with separate requirements for each by adding a new section clarifying the rights and definitions of nonconforming lots; by revising the section on nonconforming uses to clarify that no nonconforming use may be expanded except for single family structures which may be expanded up to 20% and that the time period for abandonment of nonconforming uses is increased from one to two years, and by adding language that governs a nonconforming structure's status, ability to be restored, expanded or moved.

**(Recommended by Planning Board 7 Yes - 0 No)**

## **ARTICLE 8**

To see if the Town will vote, in lieu of the base salary and fees previously approved under Article 25 of the Town Meeting of 1987 and pursuant to the provisions of RSA 41:25, to fix the compensation of the Town Clerk at Grade XVI on the Town of Moultonborough's Wage Compensation Schedule, and to further authorize the SelectBoard to fix the initial step of said Grade at which the Town Clerk is to be initially paid and to make subsequent adjustments to the Town Clerk's salary on an annual basis in accordance with said schedule.

**(No Recommendation by Selectmen 2 Yes – 2 No - 1 Recused)**

**(Not Recommended by Advisory Budget Committee 1 Yes – 3 No – 1 Abstained)**

[Note: The Town Clerk has requested placement at Step 7. On an annualized basis this is an increase of \$9,299.00 in salary, as of the date of the Town meeting, from \$50,043.00 to \$59,334.00. The funding for this raise is included in the proposed FY 2013 operating budget.]

## **ARTICLE 9**

To see if the Town will vote to discontinue the so-called Road Sealing Fund, an Expendable Trust Fund created under Article 44 of the Annual Town Meeting of 1994, with the balance of Two Hundred Thirty Dollars and Twenty Six Cents (\$230.26) as of December 31, 2012, with said remaining funds, together with any interest accumulated thereon at the time of transfer, being transferred to the general fund.

**(Recommended by Selectmen 5 Yes – 0 No)**

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

## **ARTICLE 10**

To see if the Town will vote that it is the "Sense of the Meeting" that, as recommended by the Blue Ribbon Commission on Community Services and Facilities, the Town should "... pursue development of a facility that includes an indoor gymnasium, Recreation Department office, program and storage space that would be on existing school land or property adjacent to school facilities."

**(Recommended by Selectmen 4 Yes – 1 No)**

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

**ARTICLE 11**

To see if the Town will vote to raise and appropriate the sum of Fifteen Thousand dollars (\$15,000) with which to undertake the initial phase of a preliminary site assessment, as recommended by the NH Department of Environmental Services, of the Pre-1981 Landfill located just north of the entry road to the current Transfer Station location on Holland Street.

**(Recommended by Selectmen 5 Yes – 0 No)**

**(Recommended by Advisory Budget Committee (4 Yes – 1 No)**

**ARTICLE 12**

To see if the Town will vote to raise and appropriate the sum of Seven Hundred Seventy Five Thousand dollars (\$775,000) for a road improvement program as generally illustrated below, and to meet said appropriation with anticipated funds from a NH Department of Transportation Highway Block Grant of One Hundred Forty Thousand dollars (\$140,000) and the balance from taxation.

<b>Project</b>	<b>Budget</b>
Clark’s Landing Road (Reconstruction 1,250’+/-)	\$135,000
Severance Road – West ( Reconstruction 1,500’+/-)	\$150,000
States Landing Road (reclaim/Repave 5,400’+/-)	\$265,000
Black Point Road (Repair/Shim/Overly 1,850’+/-)	\$50,000
Bodge Hill Road (Reclaim/Fabric/Pave 1,500’+/-)	\$90,000
Shaker Jerry Road (48# Culvert Replacement)	\$25,000
Chip/Crack Sealing	\$60,000
<b>TOTALS</b>	<b>\$775,000</b>

[Note: Inclusion of any road on this list was based upon a condition assessment and budget estimate prepared in November of 2012. It is no guarantee of work being undertaken on the identified roadway. Final construction decisions are made upon 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 5 Yes – 0 No)**

**ARTICLE 13**

To see if the Town will vote to raise and appropriate the sum of One Hundred Thousand dollars (\$100,000) for the purchase of software and further to declare this article non-lapsing until December 31, 2014.

[Note: This duplicates a similar appropriation in FY 2012 which was not used. It is the intent of the Selectmen to apply a like amount of fund balance at tax setting time to reduce the net tax levy impact of this Article to \$0.00.]

**(Recommended by Selectmen 5 Yes – 0 No)**

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

**ARTICLE 14**

To see if the Town will vote to (a) raise and appropriate the sum of Three Hundred Twenty Five Thousand Five Hundred dollars (\$325,500) 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, Thirty Five Thousand dollars (\$35,000) from the Municipal Building Capital Reserve Fund, with the balance of Two Hundred Thirty Three Thousand dollars (\$233,000) to come from taxation.

a.	DPW/Highway Dept. (6 Wheel Dump w/Plow/Sander)	\$	170,000
b.	DPW/Buildings & Grounds (Flooring replacement)	\$	25,000
c.	DPW/Buildings & Grounds (Highway Wood Boiler)	\$	17,500
d.	Police Dept. (Cruiser)	\$	50,500
e.	Fire Dept. (Turn-Out Gear)	\$	15,000
f.	Recreation Dept. (Pathway Repairs)	\$	37,500
g.	Administration (Shelving/Storage System - Ph. 1)	\$	<u>10,000</u>
	<b>Total</b>	<b>\$</b>	<b>325,500</b>

**(Recommended by Selectmen 5 Yes – 0 No)**

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

**ARTICLE 15**

To see if the Town will vote to raise and appropriate the sum of Three Hundred Thirty Seven Thousand Eight Hundred dollars (\$337,800) and to deposit the same in the following Capital Reserve Funds:

Personnel Liability CRF	\$	14,500
Community Substance Abuse CRF	\$	4,300
Communication Technology CRF	\$	22,500
Reappraisal CRF	\$	24,000
Firefighting Equipment CRF	\$	110,000
Police Communications CRF	\$	2,500
Public Works Equipment CRF	\$	<u>160,000</u>
<b>Total</b>	<b>\$</b>	<b>337,800</b>

**(Recommended by Selectmen 5 Yes – 0 No)**

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

**ARTICLE 16**

To see if the Town will vote to raise and appropriate the sum of Two Hundred Fifty Eight Thousand dollars (\$258,000) and to deposit the same in the following Expendable Maintenance Trust Funds:

Milfoil	\$	195,000
Historic Buildings	\$	12,500
Municipal Buildings	\$	45,000
Lee’s Mills	\$	3,000
Dry Hydrant	\$	2,500
<b>Total</b>	<b>\$</b>	<b>258,000</b>

**(Recommended by Selectmen 5 Yes – 0 No)**  
**(Recommended by Advisory Budget Committee 5 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 Eight Million Ninety Five Thousand Eight Hundred Twenty Dollars (\$8,095,820) 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 and to meet said appropriation with a withdrawal of One Hundred Ten Thousand dollars, (\$110,000) from the Reappraisal Capital Reserve Fund and the balance of Seven Million Nine Hundred Eighty Five Thousand Eight Hundred Twenty dollars (\$7,985,820) from taxation.

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

**ARTICLE 18**

To see if the Town will vote to raise and appropriate the sum of Four Hundred Sixty-Six Thousand Five Hundred Twenty Eight dollars (\$466,528) to pay the expense of operating the Public Library.

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

**ARTICLE 19**

To see if the Town will vote to raise and appropriate the sum of Seven Thousand Five Hundred (\$7,500) for Tri-County Community Action 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 5 Yes – 0 No)**

## **ARTICLE 20**

To see if the Town 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 4 Yes – 1 No)**

## **ARTICLE 21**

To see if the Town will vote to raise and appropriate the sum of One Thousand Dollars (\$1,000) for the Interlakes Community Caregivers.

**(By Petition)**

**(Recommended by Selectmen 5 Yes – 0 No)**

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

## **ARTICLE 22**

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

**(By Petition)**

**(Recommended by Selectmen 5 Yes – 0 No)**

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

## **ARTICLE 23**

To see if the Town will vote to raise and appropriate the sum of Eight Hundred Thirty Dollars (\$830) for the annual support of services provided to the citizens of this community by the Central New Hampshire VNA & Hospice dba Visiting Nurse Association-Hospice of Southern Carroll County & Vicinity, Inc.

**(By Petition)**

**(Recommended by Selectmen 5 Yes – 0 No)**

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

## **ARTICLE 24**

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

**(By Petition)**

**(Recommended by Selectmen 5 Yes – 0 No)**

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

## **ARTICLE 25**

To see if the Town of Moultonborough will vote to raise and appropriate Two Thousand Five Hundred dollars (\$2,500) 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 4 Yes - 1 No)**

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

## **ARTICLE 26**

To see if the Town of Moultonborough will vote to raise and appropriate the sum of Ten Thousand dollars (\$10,000) 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 5 Yes – 0 No)**

## **ARTICLE 27**

To see if the Town will vote to raise and appropriate the sum of Forty Five Thousand dollars (\$45,000) to be expended by the SelectBoard on the surveying, planning and designing of a sidewalk or sidewalks in the village area, for the purpose of presenting a plan or plans for construction thereof, for consideration by residents at the March 2014 Town Meeting, with any surplus funds dedicated to the next phase of the project.

**(By Petition)**

**(Not Recommended by Selectmen 3 No – 2 Yes)**

**(Not Recommended by Advisory Budget Committee 4 No - 1 Yes)**

## **ARTICLE 28**

To see if the Town 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, Inc.

**(By Petition)**

**(Recommended by Selectmen 4 Yes – 1 No)**

**(Recommended by Advisory Budget Committee 5 – 0 No)**

**ARTICLE 29**

To see if the Town will vote to raise and appropriate the sum of Three Thousand dollars (\$3,000) to continue the tuition assistance fund for Moultonborough children of working families attending the Sandwich Children's Center.

**(By Petition)**

**(Recommended by Selectmen 4 Yes – 1 No)**

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

**ARTICLE 30**

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

Given under our hands and seal this 7th day of February, 2013

Joel R. Mudgett, Chairman  
Edward J. Charest, Vice Chair  
Betsey L. Patten  
Jonathan W. Tolman  
Russell C. Wakefield  
Selectmen of Moultonborough

A True Copy of Warrant Attest:

Joel R. Mudgett, Chairman  
Edward J. Charest, Vice Chair  
Betsey L. Patten  
Jonathan W. Tolman  
Russell C. Wakefield  
Selectmen of Moultonborough