

TOWN WARRANT

THE STATE OF NEW HAMPSHIRE

To the Inhabitants of the Town of Gilmanton in the County of Belknap in said state, qualified to vote in Town Affairs:

You are hereby notified to meet at the Gilmanton Academy in said Gilmanton on Tuesday, the Ninth day of March 2010, next at 7:00 of the clock in the forenoon, to act upon the following subjects:

ARTICLE #1: To choose all necessary Town Officers for the year ensuing. Polls are open from 7a.m. to 7p.m.

ARTICLE #2: Are you in favor of the adoption of Amendment #1 as proposed by the Gilmanton Planning Board for the town Zoning Ordinance as follows: To amend Article VI of the Zoning Ordinance, Manufactured Housing, Section D, Storage and Use of Recreational Vehicles, paragraphs 1 and 2 as follows:

- 1) Delete the existing language in paragraph 1 and replace with: *A permanent resident of the Town of Gilmanton may store or park one (1) Recreational Vehicle owned by the resident on his/her property.*
- 2) Amend Paragraph 2 to clarify and expand the requirements for Recreational Vehicles to dispose of septage in a legal and proper manner, along with ramifications for failure to follow said requirements; and to make minor grammatical changes and clarifications.

YES_____ NO_____

ARTICLE #3: Are you in favor of the adoption of Amendment #2 as proposed by the Gilmanton Planning Board for the town Zoning Ordinance as follows:

- a) Amend Article IV of the Zoning Ordinance, Zoning District Regulations, Table 1, by **deleting** the land use term "Agriculture Traditional" and replacing it with *Agriculture*.
- b) Amend the Article XVI of the Zoning Ordinance, Definitions, by **deleting** the definition Agriculture – Traditional.
- c) Amend Article XVI of the Zoning Ordinance, Definitions, by adding to the current definition of "Agriculture" as follows: As defined in RSA 21:34-a, *including agritourism uses*.
- d) Amend Article XVI of the Zoning Ordinance, Definitions, by adding the following definition: **Agritourism - means attracting visitors to a working farm**

for the purpose of eating a meal, making overnight stays, enjoyment of the farm environment, education on farm operations, or active involvement in the activity of the farm, which is ancillary to the farm operation. Said operation shall comply with all applicable state and local laws, ordinances and regulations.

YES _____ NO _____

ARTICLE #4: Are you in favor of the adoption of Amendment #3 as proposed by the Gilmananton Planning Board for the town Zoning Ordinance as follows:

Amend Article IX of the Zoning Ordinance, Board of Adjustment, B Special Exceptions, Section 2, Conditions of Approval, paragraph e, to read: Any structure proposed must meet all of the dimensional requirements of Table 2, *except as allowed by Article VII, Paragraph B Non-conforming uses and non-conforming structures.*

YES _____ NO _____

ARTICLE #5: Are you in favor of the adoption of Amendment #4 as proposed by the Gilmananton Planning Board for the town Zoning Ordinance as follows:

Amend Article IX of the Zoning Ordinance, Board of Adjustment, C Variances, deleting Section C.1., paragraphs a-e and C 2. and to have Section C.1 read: The Board of Adjustment may authorize a variance from the terms of this Ordinance only where the Board finds that all of the conditions as defined in RSA 674:33, I-III are met.

YES _____ NO _____

The following articles will be acted upon at the Gilmananton School on Saturday, March 13, 2010, at 10:00 a.m.

ARTICLE #6: To see if the Town will vote to raise and appropriate the sum of Eight Hundred Seventy Thousand Dollars (\$870,000.00) for the purpose of building a Police/Fire Safety Building on land owned by the Town located on NH Route 140 west in Gilmananton Corners. And to authorize issuance of not more than Five Hundred Thousand Dollars (\$500,000.00) of bonds or notes under and in compliance with the Municipal Finance Act, RSA 33:1 et. Seq., as amended: to authorize the Selectmen to issue, negotiate, sell and deliver said bonds and notes to determine the rate of interest thereon and the maturity and other terms thereof; and to authorize the Selectmen to take any other action or to pass any other vote relative thereto. And to further authorize the Selectmen to withdraw Three Hundred Seventy Thousand Dollars (\$370,000.00) from the Police/Fire Safety Building Capital Reserve Fund to complete funding of this project. This article must be voted on by paper ballot and a two-thirds majority is required. Polls must remain open for at least one hour. (Recommended by Selectmen \$870,000.00; Recommended by Budget Committee \$870,000.00.)

ARTICLE #7: Shall the Town of Gilmanton adopt the provisions of RSA 31:95-h to restrict 100% of the revenues from income generated by the recycling facility for the purpose of offsetting the cost of running the Recycling Facility. Such revenues and expenditures shall be accounted for in a special revenue fund to be known as the Recycling Special Revenue Fund, separate from the general fund. Any surplus in said fund shall not be deemed part of the general fund accumulated surplus and shall be expended only after a vote by the legislative body to appropriate a specific amount from said fund for a specific purpose related to the purpose of the fund or source of the revenue. (Recommended by Selectmen; Recommended by Budget Committee.)

ARTICLE #8: To see if the Town will vote to authorize the Selectmen to establish and administer a user fee system, “pay-as-you-throw” program, to offset the cost of disposal of the Town’s Solid Waste. (Recommended by Selectmen; Not Recommended by Budget Committee.)

ARTICLE #9: To see if the Town will vote to raise and appropriate Three Million Two Hundred Eighty Five Thousand Eight Hundred Thirty Dollars (\$3,285,830.00) for the payment of the statutory obligations of the municipality for the 2010 fiscal year, exclusive of all other warrant articles. (Recommended by Selectmen \$3,285,830.00; Recommended by Budget Committee \$3,285,830.00.)

	Budget Committee Recommendation	Selectmen Recommendation
Selectmen	1,049,305.00	1,049,305.00
Police Department	481,740.00	481,740.00
Fire Department	532,020.00	532,020.00
Highway Department	921,799.00	921,799.00
Solid Waste	<u>300,966.00</u>	<u>300,966.00</u>
TOTALS:	3,285,830.00	3,285,830.00

ARTICLE #10: To see if the Town will vote to raise and appropriate the sum of Three Hundred Sixty Five Thousand Eight Hundred Fifty Seven Dollars (\$365,857.00) to be deposited in the following Capital Reserve Accounts. (Recommended by Selectmen \$365,857.00; Recommended by Budget Committee \$365,857.00.)

	<u>BUDGET COMMITTEE</u>	<u>SELECTMEN</u>
Cap. Res. Amb. Replacement	\$ 40,000.00	\$ 40,000.00
Cap. Res. Reval/Assessing	24,000.00	24,000.00
Cap. Res. Fire Eng. Rep.	81,800.00	81,800.00
Cap. Res. Town Septic Sys.	2,000.00	2,000.00
Cap. Res. Town Driveways	2,750.00	2,750.00
Cap. Res. Town Roofs	4,000.00	4,000.00
Cap. Res. Salt/Sand Covers	1,000.00	1,000.00

Cap. Res. Highway Equip.	60,690.00	60,690.00
Cap. Res. Recycling Equip.	6,867.00	6,867.00
Cap. Res. Fire Command Veh	4,000.00	4,000.00
Cap. Res. Police Cruisers	26,500.00	26,500.00
Cap. Res Public Safety Bldg	100,000.00	100,000.00
Cap. Res Bridges	6,000.00	6,000.00
Cap. Res. Replace Forestry 1	<u>6,250.00</u>	<u>6,250.00</u>
TOTALS	\$365,857.00	\$365,857.00

ARTICLE #11: To see if the Town will vote to establish a new Solid Waste Storage Building Capital Reserve Fund and to raise and appropriate the sum of Fifteen Thousand Dollars (\$15,000.00) to be deposited in such fund. (Recommended by Selectmen \$15,000.00; Recommended by Budget Committee \$15,000.00.)

ARTICLE #12: To see if the Town will vote to raise and appropriate the sum of Twenty Eight Thousand Five Hundred Dollars (\$28,500.00) to be deposited in the following Non-Capital Reserve Accounts. (Recommended by Board of Selectmen \$28,500.00; Recommended by Budget Committee \$28,500.00.)

	<u>BUDGET COMMITTEE</u>	<u>SELECTMEN</u>
Non-Cap Res Office Equip.	\$ 2,500.00	\$ 2,500.00
Non-Cap Res. Ins. Deductible	1,000.00	1,000.00
Non-Cap. Res Hydrants	22,000.00	22,000.00
Non-Cap. Res Fire Dept Plant Main.	<u>3,000.00</u>	<u>3,000.00</u>
TOTAL	\$28,500.00	\$28,500.00

ARTICLE #13: To see if the Town will vote to establish a new Town Building Repair and Maintenance Non-Capital Reserve Fund and to raise and appropriate the sum of Five Thousand Dollars (\$5,000.00) to be deposited in such fund. (Recommended by Selectmen \$5,000.00; Recommended by Budget Committee \$5,000.00.)

ARTICLE #14: To see if the Town will vote to raise and appropriate the sum of Thirty Thousand Dollars (\$30,000.00) for the purpose of placing a concrete pad under the metal pile and a 4 foot high back and side wall at the Recycling Facility and to fund this appropriation by authorizing the withdrawal of Thirty Thousand Dollars from the Recycling/Transfer Facility Capital Reserve Fund. (Recommended by Selectmen \$30,000.00; Recommended by Budget Committee \$30,000.00.)

ARTICLE#15: To see if the Town will raise and appropriate the sum of Forty Thousand Dollars (\$40,000.00) for the repairing and erecting of the Cupola at the Academy Building located at 503 Province Road. (Recommended by Selectmen \$40,000.00; Recommended by Budget Committee \$30,000.00.)

ARTICLE #16: To see if the town will vote to raise and appropriate the sum of Eight Thousand Seven Hundred Dollars (\$8,700.00) for the purpose of Document Restoration and to fund this appropriation by authorizing the withdrawal of Eight Thousand Seven Hundred Dollars from the Document Restoration Capital Reserve Fund. (Recommended by Selectmen \$8,700.00; Recommended by Budget Committee \$8,700.00.)

ARTICLE #17: To see if the Town will vote to raise and appropriate the sum of Twelve Thousand Nine Dollars (\$12,009.00) for the purpose of funding a 1% COLA increase for all employees of the Town. (Recommended by Selectmen \$12,009.00; Recommended by Budget Committee \$12,009.00.)

ARTICLE #18: To see if the Town will vote to raise and appropriate the sum of Five Thousand Six Hundred Dollars (\$5,600.00) for the purpose of purchasing a 50 yard container for the compactor at the Recycling Facility and to fund this appropriation by authorizing the withdrawal of Five Thousand Six Hundred Dollars (\$5,600.00) from the Recycling Equipment Capital Reserve Fund. (Recommended by Selectmen \$5,600.00; Recommended by Budget Committee \$5,600.00.)

ARTICLE #19: To see if the Town will vote to raise and appropriate the sum of Four Thousand Dollars (\$4,000.00) for rewiring the Pavilion at Crystal Lake Park to correct safety issues in the building. (Recommended by Selectmen \$4,000.00; Recommended by Budget Committee \$4,000.00.)

ARTICLE #20: To see if the Town will vote to raise and appropriate the sum of Three Thousand Dollars (\$3,000.00) for Highway Safety Grants listed below. These grants are for salaries for the following details and will be reimbursed at 100% from the state of New Hampshire. These funds will not be expended unless the grants are received.

Speed Detail	\$1,500.00
DWI Detail	<u>1,500.00</u>
TOTAL	\$3,000.00

(Recommended by Selectmen \$3,000.00; Recommended by Budget Committee \$3,000.00.)

ARTICLE #21: To see if the Town will vote to raise and appropriate the sum of Five Hundred Dollars (\$500.00) to fund milfoil treatment for the lakes in Gilmanton. (Recommended by Selectmen \$500.00; Recommended by Budget Committee \$0.00)

ARTICLE #22: To see if the Town will vote to raise and appropriate the sum of Four Thousand Dollars (\$4,000.00) for the purchase of a new tracking system for fuel usage by the different departments. This would be installed at the Highway Garage and Recycling Facility on the existing fuel tanks. (Recommended by Selectmen \$4,000.00; Recommended by Budget Committee \$0.00.)

ARTICLE #23: To see if the Town will vote to raise and appropriate the sum of Twenty-Five Hundred Dollars (\$2,500.00) for the purchase of a waste oil furnace for the

Recycling Facility and to fund the appropriation by authorizing the withdrawal of Twenty Five Hundred Dollars (\$2,500.00) from the Recycling Equipment Capital Reserve Fund. (Recommended by Selectmen \$2,500.00; Recommended by Budget Committee \$2,500.00.)

ARTICLE #24: Submitted by Petition To see if the Town will accept Bingham Road from the end of the Class V portion located at the brick house to the end of the cul-de-sac as a town road thus extending the Class V portion of Bingham Road.

ARTICLE #25: Submitted by Petition To see if the Town will vote to accept Edwards Drive as a Town Class V Road off Nighthawk Hollow Rd.

ARTICLE #26: Submitted by Petition 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”.

ARTICLE #27: Submitted by Petition To see if the Town will vote to raise and appropriate the sum of Forty-One Thousand Three Hundred Dollars (\$41,300.00) for operating expenses of the Gilmanton Year-Round Library. (Not Recommended by Selectmen; Not Recommended by Budget Committee.)

ARTICLE #28: Submitted by Petition We, the undersigned, are concerned citizens who urge our leaders to act now to vacate the current position of Code Enforcement Officer/Building Inspector/ Health Officer held by Bob Flanders and to secure a new position to be held by Fire Chief, Kenneth Lockwood. This new position would allow Kenneth Lockwood, as Fire Chief, to work in conjunction with his current schedule in order to necessitate the duties of CEO/Building Inspector/Health Officer into his 5-day workweek for an additional stipend of \$12,000/annually. (Not Recommended by Selectmen; Not Recommended by Budget Committee.)

ARTICLE #29: To hear the reports of any Committees chosen and pass any votes relative thereto.

Given under our hands and seal the 10th day of February, in the year of our Lord Two Thousand Ten.

Rachel Frechette Hatch, Chairman

Elizabeth M. Abbott

Donald J. Guarino