

# TOWN OF WINDHAM NEW HAMPSHIRE



## Warrant and Budget 2016

*This is the preliminary Town Warrant for consideration at the  
January 11, 2016 Public Hearing.*

# TOWN WARRANT

## THE STATE OF NEW HAMPSHIRE

To the Inhabitants of the Town of Windham in the County of Rockingham in said State, qualified to vote in Town Affairs:

You are hereby notified of the following annual Town Meeting schedule.

### **First Session of Annual Meeting (Deliberative)**

You are hereby notified to meet at the Windham High School in said Windham on Saturday, the Sixth day of February, 2016 at 9:00 am. This session shall consist of explanation, discussion, and debate of warrant articles numbered 4 through 19. Warrant articles may be amended subject to the following limitations: (a) warrant articles whose wording is prescribed by law shall not be amended and (b) warrant articles that are amended shall be placed on the official ballot for a final vote on the main motion, as amended.

### **Second Session of Annual Meeting (Official Ballot Voting)**

You are hereby notified to meet again at the Windham High School in Windham, on Tuesday, March 8, 2016 between the hours of 7:00 a.m. and 8:00 pm to vote by official ballot on warrant articles numbered 1 through 19.

**ARTICLE 1.** To choose all necessary Town Officers for the year ensuing.

**ARTICLE 2.** To vote by ballot on the following amendments to the Windham Zoning Ordinance and Zoning District Map as proposed by the Planning Board.

**ARTICLE 3.** To vote by ballot on the following amendments to the Windham Zoning Ordinance and Zoning District Map as submitted by Petition under RSA 675:4.

**ARTICLE 4.** To see if the Town will vote to raise and appropriate the sum of \$50,000 to be added to the Property Maintenance Expendable Trust Fund.

**ARTICLE 5.** To see if the Town will vote to raise and appropriate the sum of \$30,000 to be added to the Earned Time Expendable Trust Fund.

**ARTICLE 6.** To see if the Town will vote to raise and appropriate the sum of \$32,500, said amount to be withdrawn from the balance in the previously established Searles Special Revenue Fund for payment of both marketing related and maintenance related costs associated with the Searles Building. Approval of this article will have no additional impact on the tax rate.

**ARTICLE 7.** To see if the Town will vote to raise and appropriate the sum of \$75,100 for the purpose of paying the final of three lease payments associated with the Fire Department Ambulance leased in 2014. This article is part of the Capital Improvements Program.

**ARTICLE 8.** To see if the Town will vote to raise and appropriate the sum of \$180,000 for the purpose of purchasing a Highway Truck (5 Ton) and necessary equipment and materials to place the vehicle into service, and further to authorize the acceptance of \$144,000 of this appropriation from the State of New Hampshire as part of an approved grant to fund 80% of the project, with the balance of \$36,000 to come from general taxation. Should this article be approved but the State reimbursement not occur, this article will be considered null and void. This will be a non-lapsing account per RSA 32:7, VI and will not lapse until the purchase is complete or for a period of two (2) years, whichever is less. This article is part of the Capital Improvement Program.

**ARTICLE 9.** To see if the Town will vote to raise and appropriate the sum of \$90,000 for the purpose of making improvements to the former Skate Park at Griffin Park, 111 Range Road (Lot 22-R-900), to include passive recreation areas for both seniors and children including a gazebo, ADA compliant chess/checker and picnic tables and chalk art space. Also to include landscaping beautification with pavers and cemented benches. This article is part of the Capital Improvements Program.

**ARTICLE 10.** To see if the Town will vote to raise and appropriate the sum of \$50,000 to hire a consultant to complete a full inventory, analysis and digitization of Town records held in the town vault, along with a software application for remote access to the files. This article is part of the Capital Improvements Program.

**ARTICLE 11.** To see if the Town will vote to raise and appropriate the sum of \$50,000 to complete update of the Town's Master Plan, including hiring a consultant to assist the Planning Board with research of information and document editing/formatting.

**ARTICLE 12.** To see if the Town will vote, in accordance with RSA 80:80 (V) to retain lot 1-B-1025 and further to designate said parcel as Conservation Land under the care of the Conservation Commission.

**ARTICLE 13.** To see if the Town will vote to approve the proposed lease agreement between the Town and Jay Yennaco or his assignee, for the lease of the former police station property at 21 Haverhill Road (Lot 20-D-900). Said lease contains the following terms:

- An initial term of five (5) year
- The ability of the Selectmen, in their discretion, and upon request, to extend the lease for four (4) additional five (5) year terms
- Annual lease payment of \$2500 paid in monthly installments
- Lessee to pay utilities and an amount equal to assessed real estate taxes as required under RSA 72:23 (I)
- A right of first refusal, giving the Lessee the option to purchase the property if the Town should pursue authority to sell the property at a later date. [NOTE: This article does not authorize the sale of such property].

**ARTICLE 14.** To see if the Town will vote to release from public dedication (if any) and authorize the Board of Selectmen to convey to George and Nancy Kimball a parcel of land associated with a proposed future road located between Lots 25-D-3 and 25-D-2 on Rock Pond Road, for two thousand (\$2,000) dollars and such other terms and conditions satisfactory to the Board of Selectmen.

**ARTICLE 15.** To see if the Town will vote to discontinue sections of the former Route 111 right-of-way in front of parcels 11-A-450 (1 Indian Rock Road), and 11-A-500 (7 Indian Rock Rd), which lie outside the current right-of-way of State Route 111, which portions were turned over to the Town as Class VI roads by the State of New Hampshire by letter dated June 27, 2012.

**ARTICLE 16:** To see if the Town will vote to adopt the following By-law as follows:

**BY-LAWS:**

**MANAGEMENT OF CAMPBELL FARM AREA (137 Kendall Pond Road – Lot 1-C-100):**

**SECTION I: PURPOSE:**

In order to promote the passive recreation use of and to manage the Campbell Farm and surrounding acreage for conservation and recreation purposes, and to protect its natural resources, the Windham Town Meeting adopts the following use regulations for the area pursuant to the authority granted to the Town by RSA 31:39.

**SECTION II: PERMITTED USES WITHIN THE CAMPBELL FARM AREA:**

- A) Passive recreational activities such as hiking, picnics (please carry out all litter), bird watching, etc., that are consistent with the purpose of these By-laws, which is to protect the natural resources of this area.

**SECTION III: PROHIBITED ACTIVITIES WITHIN THE CAMPBELL FARM AREA:**

- A) Hunting and trapping and/or discharge of firearms. The area will be posted against these activities pursuant to RSA 635:4.
- B) The use of motorized vehicles is prohibited subject to the following exceptions:
  - 1. Upon the authorization of the Selectmen and the Conservation Commission, motorized vehicles may be permitted for any maintenance or construction work needed to implement management plans for the area.
  - 2. Law enforcement vehicles/emergency vehicles may be permitted within this area at any time.
  - 3. Parking is permitted only in designated parking areas.
- C) Littering and disposal of garbage, trash or motor vehicles.
- D) Cutting, digging up, or otherwise willfully damaging trees, shrubs or plants except as authorized by the Conservation Commission.
- E) Building of fires.
- F) Swimming from the banks of Beaver Brook.
- G) Camping.
- H) Access to the Campbell Homestead or its curtilage.

**SECTION IV: VIOLATIONS**

Violations of these By-Laws shall be punishable by assessment of the following fines:

- A) Hunting, trapping, discharge of firearms \$ 100.00
- B) Unauthorized use of motor vehicles 50.00
- C) Littering as described in III, C 100.00
- D) Unauthorized cutting, digging up or otherwise willfully damaging trees, shrubs or plants 100.00
- E) Camping, building of fires, swimming from the banks; each offense 50.00
- F) Interference with the Campbell Homestead; each offense 50.00
  - Violators may also be subject to penalties imposed per State Statute(s) regarding trespassing, criminal mischief or similar offenses

**SECTION V: PENALTIES**

All fines collected shall be turned over to the Town Treasurer and deposited to the General Fund of the Town.

**SECTION VI: ENFORCEMENT**

This ordinance shall be enforced by the Windham Police Department.

**SECTION VII: SEVERABILITY**

If any section, clause, provision or phrase of these by-laws shall be held to be invalid or unconstitutional by any court of competent authority, such holding shall not affect, impair or invalidate any other section, clause, provision, portion or phrase of these by-laws.

**SECTION VIII: WAIVERS**

The Windham Conservation Commission is authorized to make exceptions or grant waivers regarding the permitted/prohibited uses within the Campbell Farm area for limited (in time) specific events or activities for good cause shown provided such activities are not inconsistent with the purposes for which such land was acquired as set forth in RSA 36-A:2.

**ARTICLE 17.** To see if the Town will vote to authorize the Selectmen to convey to the Southeast Land Trust of New Hampshire a third party conservation easement over all or portions of parcels previously acquired in the name of the Town on behalf of the Conservation Commission formally designated as Lots 8-B-3002, 8-B-5000, and 8-B-6150 for the purpose of restricting the uses of said lands to conservation forestland, wetlands and wildlife habitat. Said easements shall qualify the Town for possible receipt of certain grant funds to reimburse the Town Conservation Fund for a portion of the acquisition costs of said parcels, and shall be on terms and conditions acceptable to the Selectmen.

**ARTICLE 18:** To see if the Town will vote to begin compensating the position of Elected Town Clerk on a salary and benefit basis beginning on April 1, 2016 and discontinuing the current practice of compensating the Clerk’s position on a total fee basis. If approved, the Clerk will be compensated at the equivalent of an annual salary of \$80,000 beginning on April 1, 2016 plus normal benefits offered to town employees; except that health benefits will be limited to either a single plan level benefit or a stipend in lieu of health insurance equivalent to the individual’s maximum eligible plan level. The Town in turn would begin receiving any and all fees currently being collected by the Clerk, including any future increases in said fees.

**ARTICLE 19.** Shall the Town raise and appropriate as an operating budget, not including appropriations by special warrant articles and other appropriations voted separately, the amounts set forth on the budget posted with the warrant or as amended by vote of the first session, for the purposes set forth therein, totaling \$13,575,349.39. Should this article be defeated, the operating budget shall be \$13,337,634.39 which is the same as last year, with certain adjustments required by previous action of the town, or by law, or the governing body may hold one special meeting in accordance with RSA 40:13 X and XVI to take up the issue of a revised operating budget only.

Town Officers’ Salaries	\$ 3,080
Administration	496,485
Town Clerk Expenses	286,470
Tax Collector Expenses	141,810
Election and Registration	40,775
Cemeteries	41,200
General Gov’t Buildings	519,850
Appraisal of Properties	180,620
Information Technologies	231,390
Town Museum	5
Searles Building	26,720
Legal Expenses	52,400
Retirement Service Charges	4,000
Insurance	286,570
Contracted Services	5
Police Department	2,908,220
Dispatching	478,450
Fire Department	3,295,620
Emergency Management	6,670
Community Development	487,370
Town Highway Maintenance	1,202,030
Street Lighting	17,220
Solid Waste Disposal	819,550
Health and Human Services	34,760
General Assistance	57,040
Library	1,079,590

Recreation	212,690
Historic District Commission	6,000
Conservation Commission	5,560
Senior Center	4,960
Cable TV Expenses	114,960
Interest Expenses (TANs)	500
Long Term Debt	172,779.39
<i>(Principal \$120,674.45 and Interest \$52,104.94)</i>	
Capital Outlay – Roads (Part of CIP)	360,000

**\*Note:** Warrant Article 19 (operating budget does not include appropriations proposed under any other warrant articles).