



TOWN OF NEW DURHAM TOWN WARRANT 2009

To the inhabitants of the Town of New Durham, in the County of Strafford, in said State of New Hampshire, qualified to vote in town affairs:

You are hereby notified that the Annual Town Meeting of the Town of New Durham will be held on two days as follows:

On **Tuesday, March 10th, 2009** in the New Durham School Gymnasium, there will be voting only by official ballot for the election of Town Officers, and as well voting on Article 2. **Note:** By law, the meeting must open before the voting starts. Therefore, the meeting and polls will open at 8:00 a.m. for the consideration of all ballot articles. At 12:00 NOON, the meeting will recess, but the polls will remain open.

Polls will open at 8:00 A.M. and close at 7:00 PM. After the polls close at 7:00 PM, the ballots will be counted.

The Meeting will reconvene on **Wednesday, March 11th, 2009**; the vote on Articles 1 and 2 will be presented, and Articles 3 through 14 will be presented, discussed, and acted upon beginning at 7:00 PM at the New Durham School Gymnasium located at #7 Old Bay Road, New Durham, NH.

ARTICLE 1: To choose all necessary town officers for the ensuing year.

(By Official Ballot)

Selectman	3 Years
Planning Board	3 Years
Library Trustees	3 Years
Trustee of Trust Funds	3 Years
Cemetery Trustee	3 Years

ARTICLE 2: Are you in favor of the adoption of amendments proposed by the Planning Board for the New Durham Zoning and Land Use Ordinances, as follows:

*The Planning Board recommends this article.
(By Official Ballot on voting day)*

Amendment 1

Are you in favor of the adoption of Amendment 1 as proposed by the Planning Board for the New Durham Zoning and Land Use Ordinance as follows:

To adopt a new Article V that establishes a Town Center Mixed Use Business and Residential Zoning District in order to encourage development compatible with the small town character of the Town; amend Article XV to establish guidelines for signs in the Town Center District and along Route 11; and amend Articles II and III and the Zoning Ordinance numbering to conform to the new district.

Amendment 2

Are you in favor of the adoption of Amendment 2 as proposed by the Planning Board for the New Durham Zoning and Land Use Ordinance as follows:

To amend Article III to allow the Fire Chief or the Building Inspector to condemn a burned or dilapidated building without needing review by the Planning Board.

ARTICLE 3: To see if the Town will vote to raise and appropriate the Budget Committee's, and the Board of Selectmen's recommended sum of Three Million, seventy-six thousand, seven hundred and ninety-nine dollars (**\$3,076,799**), which represents the operating budget. This article does not include appropriations voted in other warrant articles.

*(Majority Vote Required)
The Board of Selectmen recommends this article.
The Budget Committee recommends this article*

*Estimated Tax Rate Impact \$5.46 Per \$1000 assessed valuation
Estimated Annual Cost per \$100,000 of Assessed Value ~ \$546.00*

ARTICLE 4: To see if the Town will vote to raise and appropriate One hundred and fifty thousand dollars (**\$150,000**) for the maintenance, construction and reconstruction of town-maintained roads. The sum of **\$100,377.14** will be received through State Highway Block Grant Aid from the State of New Hampshire, and the sum of **\$49,622.86** will be raised through general taxation.

(Majority Vote Required)
 The Board of Selectmen recommends this article.
 The Budget Committee recommends this article

Estimated Tax Rate Impact 11 cents Per \$1000 assessed valuation
 Estimated Annual Cost per \$100,000 of Assessed Value~ \$11.00

ARTICLE 5: To see if the Town will vote to raise and appropriate the sum of Two Hundred and Twenty-five thousand, and seven hundred dollars (**\$225,700**) to be placed in previously established Capital Reserve Funds, as follows:

Name	\$\$\$ Appropriation
Highway Truck Reserve	55,000
Highway Equipment Reserve	30,000
Police Cruiser Reserve	19,700
Fire Trucks Reserve	25,000
Revaluation Reserve	20,000
New Tax Maps	30,000
Library Facilities	3,000
Library Technology	500
Solid Waste Building	7,500
Solid Waste Equipment	7,500
Dry Hydrants`	2,500
Highway Building Addition	20,000
Smith Ball Field	5,000
Total	\$225,700

(Establishment Dates: Highway Trucks 1988, Police Cruiser 2000, Fire Trucks 2003, Revaluation 2000, Meeting House 2000, Davis Crossing Road Culverts 2002, Highway Equipment 2006, Tax Maps 2006, Dry Hydrants 2001, Library Facilities & Technology 2007, Solid Waste Building 2007 & Solid Waste Equipment 2007, Highway Addition & Equipment 2007, Sidewalks 2007 and Smith Ball field 2008. Also established in 2008: Municipal Land Acquisition)

(Majority Vote Required) **Special Warrant Article**
 The Board of Selectmen recommends this article.
 The Budget Committee recommends this article.

Estimated Tax Rate Impact 51cents Per \$1000 assessed valuation
 Estimated Annual Cost per \$100,000 of Assessed Value ~ \$51.00

ARTICLE 6: To see if the Town will vote (i) to establish a Capital Reserve Fund under the provisions of RSA 35:1 for Shirley Cemetery Improvements, (ii) to raise and appropriate the sum of two thousand dollars (**\$2,000**) to be placed in this fund, and (iii) to name the Board of Selectmen as agents to expend.

(Majority Vote Required)
The Board of Selectmen recommends this article.
The Budget Committee recommends this article

Special Warrant Article

Estimated Tax Rate Impact Less than one cent Per \$1000 assessed valuation
Estimated Annual Cost per \$100,000 of Assessed Value ~ Less than \$1.00

ARTICLE 7: To see if the Town will vote (i) to establish a Capital Reserve Fund under the provisions of RSA 35:1 for Milfoil Treatment and, (ii) to raise and appropriate the sum of ten thousand dollars (\$10,000) to be placed in this fund and (iii) to name the Board of Selectmen as agents to expend.

(Majority Vote Required)
The Board of Selectmen recommends this article.
The Budget Committee recommends this article

Special Warrant Article

Estimated Tax Rate Impact 2 cents Per \$1000 assessed valuation
Estimated Annual Cost per \$100,000 of Assessed Value ~ \$2.00

ARTICLE 8: To see if the Town will vote (i) to establish a Capital Reserve Fund under the provisions of RSA 35:1 for updates to the Town’s Master Plan (ii) to raise and appropriate the sum of two thousand dollars (\$2,000) to be placed in this fund, and (iii) to name the Board of Selectmen as agents to expend.

(Majority Vote Required)
The Board of Selectmen recommends this article.
The Budget Committee recommends this article

Special Warrant Article

Estimated Tax Rate ImpactLess than one cent Per \$1000 assessed valuation
Estimated Annual Cost per \$100,000 of Assessed Value ~ Less than \$1.00

ARTICLE 9: To see if the Town will vote to (i) raise and appropriate the sum of one hundred and sixteen thousand dollars (\$116,000) for the acquisition of a Dump truck with plow and wing, and (ii) approve withdrawal of \$116,000 from the Highway Truck Capital Reserve Fund created for this purpose.

(Majority Vote Required)
The Board of Selectmen recommends this article
The Budget Committee recommends this article.

Special Warrant Article

Estimated Tax Rate Impact –0- cents Per \$1000 assessed valuation
Estimated Annual Cost per \$100,000 of Assessed Value ~ \$ 0.00

ARTICLE 10: To see if the Town will vote to raise and appropriate the sum of Fifty-four thousand dollars (\$54,000) to be placed in previously established expendable trusts, as follows:

Name	\$\$\$ Appropriation
Computer & Office Equipment Maint. Trust	10,500
Forest Fire Fund Trust	3,500
Accrued Benefits Liability Trust	3,000
Town Buildings Improvement Trust	36,500
Records Management Trust	500

Total **\$ 54,000**
 (Established: Computer & Office Systems 1996, Forest Fire 2003, Accrued Benefits 1992, Town Buildings Improvement 2000 and Records Management 1999)

(Majority Vote Required) **Special Warrant Article**
The Board of Selectmen recommends this article
The Budget Committee recommends this article.

Estimated Tax Rate Impact 12 cents Per \$1000 assessed valuation
Estimated Annual Cost per \$100,000 of Assessed Value ~ \$ 12.00

ARTICLE 11: To see if the Town will vote to amend Article 10 of the March 15th, 1995 vote of Town Meeting, which established the New Durham Revolving Ambulance Fund by adding to the purposes of the fund, the following:

- (i) payment for personnel compensation for work related to ambulance operations,
- (ii) the purchase of equipment for the ambulance

and to name the Board of Selectmen as agents to expend from said fund following review of the Ambulance Revolving Fund balance sheet.

(Majority Vote Required)
The Board of Selectmen recommends this article.

ARTICLE 12: Shall the Town vote to accept the provisions of **RSA 31:19** providing that any town at an annual meeting may adopt an article authorizing indefinitely, until specific rescission of such authority, the Selectmen to accept, on behalf of the Town, gifts, legacies, and devises made to the Town in trust for any public purpose?

(Majority Vote Required)
The Board of Selectmen recommends this article.

ARTICLE 13: To see if the Town will vote to approve the following Resolution pertaining to the Birch Ridge Conservation Project:

WHEREAS, the first of eight major policy goals of the New Durham Master Plan, as amended on May 20, 2008, states:

"1. Natural Resources - Preserve the Town's natural resources and rural landscape including prime agricultural soils, forests, wildlife habitat and water and air quality for the sustainable health, safety and welfare of current and future generations;" and

WHEREAS, the first of three major initiatives of said Master Plan is to "Protect Open Space and Rural Character;" and

WHEREAS, said Master Plan includes a natural resource implementation strategy to "Investigate capital reserve or bonding efforts for Town-supported open space Preservation;" and

WHEREAS, the 2,000 acre tract of land extending across Rattlesnake Mountain, Mount Eleanor and Birch Ridge, and the watershed of Coldrain Pond includes some of the Town's most valuable scenic, recreation, wildlife, wetland and timber resources; and

WHEREAS, said tract exerts a profound influence on the water quality of the Town's most important water resources, Merrymeeting Lake and the wetland complex along the Merrymeeting River; and

WHEREAS, said tract includes sensitive areas of steep slopes, streams and wetlands that would be adversely affected by development; and

WHEREAS, the permanent conservation of said tract would advance the goals and policies of the Master Plan; and

WHEREAS, the New Durham Planning Board has entered into an agreement with Red Oak Ridge, LLC, the owners of said tract, stating that:

"It is the Developer's intent to explore the possibility of preserving the premises in an undeveloped state by means of a conservation purchase; and

The Planning Board and the Board of Selectmen believe that it would be in the best interests of the Town if such a possibility were fully explored;"

NOW THEREFORE, be it resolved that the Town Meeting authorizes the Board of Selectmen to:

1. Vigorously pursue the permanent conservation of the approximately 2,000 acres owned by Red Oak Ridge, LLC, and/or its successors in interest (the "Property"); and
2. Apply for, accept and expend any federal, state, or private grants in aid as may become available for conservation of the Property; and

3. Negotiate the terms of purchase of a conservation easement and/or the fee interest over all or a portion of the Property; and
4. Cooperate with federal or state agencies and/or private non-profit conservation organizations to conserve the Property; and
5. Submit to the 2010 New Durham Town Meeting, a warrant article to raise and appropriate such sums as may be necessary to effectuate conservation of the Property, such sums not to exceed \$1,000,000 and to be raised by direct appropriation and/or by issuance of bonds.

(Majority Vote Required)

The Board of Selectmen recommends this article.

ARTICLE 14: To transact any other business that may legally come before the meeting.

Given under our hands and seal this 16th day of February, in the year of our Lord, two thousand and nine.

Peter C. Rhoades, Chairman

David A. Bickford

Ronald W. Gehl

Board of Selectmen, New Durham, NH

A TRUE COPY OF WARRANT ATTEST:

Peter C. Rhoades, Chairman

David A. Bickford

Ronald W. Gehl

Board of Selectmen, New Durham, NH

Certificate of Posting

Posted in accordance with RSA 39:5, 31:95 and 669:2 at

New Durham Elementary School (Official Polling Place)

New Durham Town Hall

New Durham Library

New Durham Post Office