



**2018
TOWN OF SANDOWN
VOTER GUIDE**

**TOWN ELECTIONS
TUESDAY, MARCH 13, 2018**

**TOWN HALL
320 MAIN STREET**

**POLLS OPEN
8:00 AM TO 8:00 PM**

Warrant Article 1. To choose all necessary Town Officers for the ensuing year (to be voted by ballot March 13, 2018).

<u>POSITION</u>	<u>TERM</u>	<u>CANDIDATE</u>	<u>VOTE FOR NOT MORE THAN:</u>
Selectmen	3 Years	Darren Hudgins Cynthia Buco James E. Devine	One
Selectmen	1 Year	Nelson Rheaume Jonathan Goldman Cathleen Gorman	One
Town Clerk / Tax Collector	3 Years	Heather Zagranis Bruce Z. Cleveland Dawn Nicolaisen	One
Treasurer	3 Years	Erica Olsen	One
Moderator	2 Years	Kevin Major	One
Budget Committee	3 Years	Amanda Knight Michael Costanzo Steven Finnegan	Three
Budget Committee	1 Year	Lorna Walker	One
Planning Board	3 Years	Edward Mencis Ernest Brown	Two
Planning Board	2 Years	Steven Finnegan	Two
Fire Engineers	3 Years	Michael Devine Chris Poole	Two
Cemetery Trustee	3 Years		One
Trustee of the Trust Fund	3 Years	Dana Wells	One
Library Trustee	3 Years	Tina M. Owens Adrienne Skora	Two

Supervisor of the
Checklist

6 Years

Rosemarie Bruno

One

Deliberative Session was held on Saturday, February 3rd at 9:00 am

Elections will be held on Tuesday March 13th from 8:00 am to 8:00 pm at the Town Hall

Special Warrant Article 2. Shall the Town purchase approximately 162 acres of property (designated as Map 17 Lot 3, Map 17 Lot 3-34 to Map 17 Lot 3-52 and Map 18 Lots 1, 1-40 and 1-41 on the Town of Sandown Tax Map) for an amount of Seven Hundred Seventy Five Thousand Dollars (\$775,000) payable to the seller by a five (5) year note payable in five (5) equal installments of One Hundred Fifty Five Thousand Dollars (\$155,000) and to raise and appropriate the sum of One Hundred Fifty Five Thousand Dollars (\$155,000) for the first annual payment and further to authorize the Selectmen to negotiate the terms and conditions of the note and purchase, and to take any other action necessary to carry out this vote. (3/5 ballot vote required).

Estimated tax impact of this article is \$.30 per thousand.

(Recommended by the Board of Selectmen: 5-0-0)

(Recommended by the Budget Committee: 7-0-0)

The town has an opportunity to purchase 162 +/- acres as indicated in the language of the warrant article. The owner of the property has agreed to sell the property in the form of a Note for the sum of \$775,000 payable in equal installments of \$155,000 over the next 5 years. This Note is interest free. If this article passes, the board will have until June 30, 2018 to complete a title search, survey and closing on the property.

Public hearings were held on January 16th and 18th to allow the public opportunity to consider and ask questions about incurring this indebtedness.

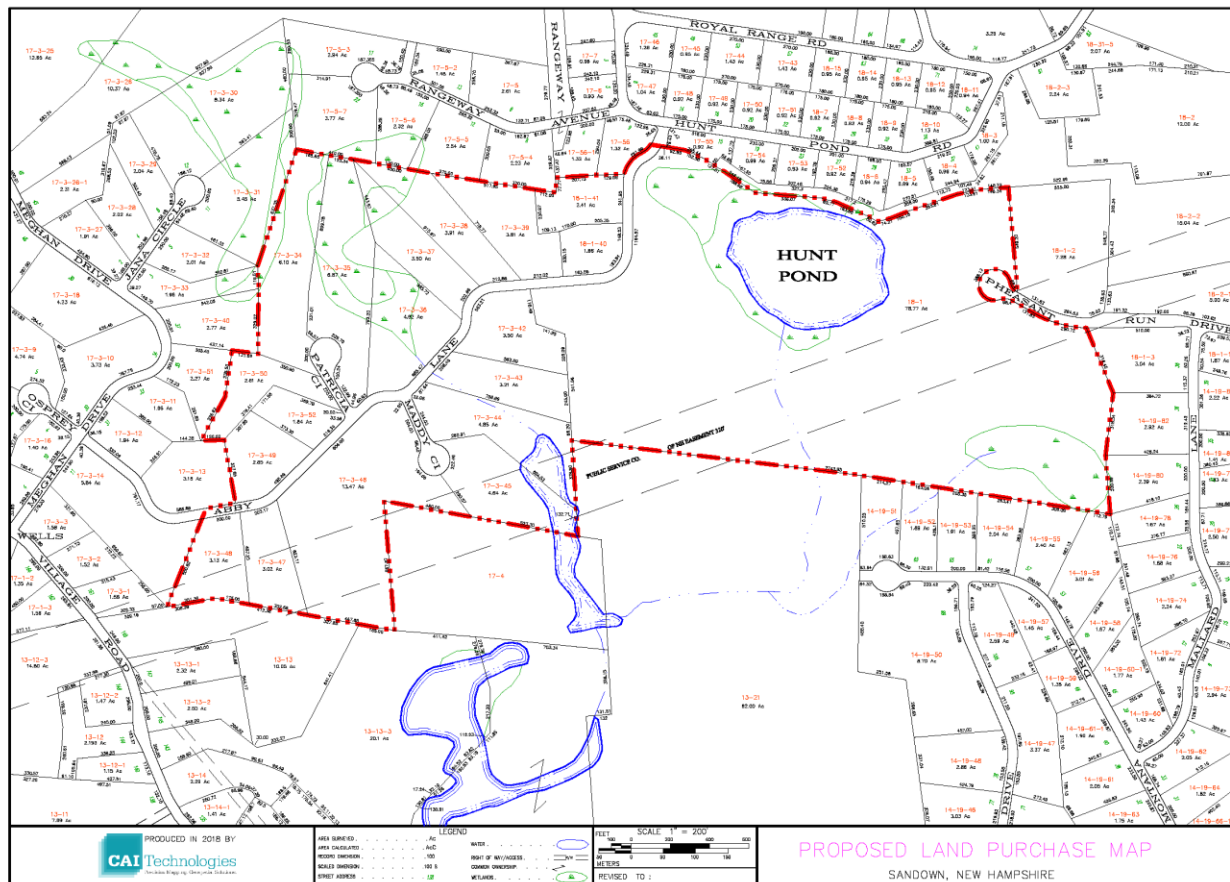
[Public Hearing on Land Purchase - January 16, 2018](#)

[Public Hearing on Land Purchase - January 18, 2018](#)

The Selectmen propose this land acquisition for the purposes of future recreation, conservation and any other use that could benefit the Town of Sandown. There are two components to this parcel; first is 78.77 acres of land which has no development approvals but includes Hunt Pond. The second is approved lots known as a portion of Hillside Estates. There are 18 building lots included in this area of the property. Also included are 3 approved paper streets known as Patricia Circle, Maddy Circle and a large portion of Abby Lane. The total acreage for the approved lots and roadways is approximately 84.21 acres. A full appraisal of the property was conducted by certified appraiser Scot Heath of Heath Appraisal Services in Franconstown, NH. His professional opinion of value on both components of the property is \$910,000.

Selectman Bruce Cleveland has developed an Estimator to assist with evaluating Warrant Article 2 and the link to that spreadsheet is shown below:

[Estimator to assist evaluating Warrant Article 2](#)



A “YES” vote will approve the acquisition of the property after the selectmen conduct all necessary aspects of securing the property for a closing. A payment will be made the first year and each subsequent year thereafter in the amount of \$155,000

A “NO” vote would reject the acquisition of this property and the property would remain with the current owner.

Article 3. 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 \$4,087,789. Should this article be defeated, the default budget shall be \$4,019,521, 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. This operating budget warrant article does not include appropriations contained in ANY other warrant articles.

Estimated tax impact of this warrant article is \$4.88 per thousand.

(Recommended by the Board of Selectmen: 5-0-0)

(Recommended by the Budget Committee: 7-0-0)

Article 3 provides the appropriations for the total operating budget for the Town of Sandown. It does not include funds for Special Warrant Articles, Capital Reserve Funds, Expendable Trust Funds or any other warrant articles.

Understanding the Estimated Tax Impact of a Warrant Article

The “estimated” tax impact noted on a warrant article is based only on the amount of the appropriation in the article and the total property valuation of the town.

The actual setting of the tax rate (completed in the fall) also involves any revenue received by the town. After a tax rate is calculated, the Board of Selectmen then has the option to use unreserved fund balance (surplus) to offset the rate and lower the tax impact.

The “estimated” rate stated on the warrant assumes there is **NO** revenue to offset the expenses, so this is basically a “worst-case scenario” because there is always revenue coming into the town. Unfortunately we can’t say in January what the actual revenue will be for the entire calendar year.

Remember:

A tax rate reverts back to “0” on January 1. Any appropriations voted in March will build up the tax rate from zero.

Potential articles to be approved by voters and estimated tax impacts in 2018 are:

Article 2	.30
Article 3	4.88
Article 4	0
Article 5	.86
Article 6	.01
Article 7	.06
Article 8	0
Article 9	.10
Article 10	.06
Article 11	.02
Article 12	.17
Article 13	.01
Article 14	.08
Article 15	.02
Article 16	0
Article 17	.01
Article 18	0
Article 19	0
Article 20	0
<u>Article 21</u>	<u>0</u>
Total	6.58

IF all articles pass, this estimates a **total town** tax rate of \$6.58/thousand – **not in addition** to the \$4.89 town tax rate from 2017. **BUT**, this is assuming **NO** revenue – and there will be revenue. **AND**, the valuation of property in town will have updated figures for 2018 at the time of the setting of the rate and will include increases based on new properties and improvements to existing properties.

Example: The total estimated tax impact on the warrant articles approved in 2017 was \$ 8.85, but after all the factors were used in the calculation of the tax rate, the actual town tax rate in 2017 was \$4.89.

A “YES” vote approves the Proposed 2018 Operating Budget for Town operating expenses.

A “NO” vote would reject the Proposed 2018 Operating Budget and use the 2017 Default Budget for Town operating expenses.

Warrant Article 4. Shall the Town vote to raise and appropriate and authorize the Selectmen to accept a Highway Block Grant in the sum of One Hundred Sixty Five Thousand One Hundred Thirty Six Dollars (\$165,136) for the road improvement programs to be recommended by the Sandown Highway Department and approved by the Sandown Board of Selectmen, said sum to be supplied by the State of New Hampshire.

Estimated tax impact of this warrant article is \$0

(Recommended by the Board of Selectmen: 5-0-0)

(Recommended by the Budget Committee: 7-0-0)

HIGHWAY BLOCK GRANT AID

By law, all municipalities in the State having Class IV and V mileage are entitled to Highway Block Grant Aid. RSA 235:23 stipulates the funding apportionments. Highway Block Grant Aid is distributed to municipalities by the State of New Hampshire on a yearly basis with partial disbursements made four times a year. Sixty percent (60%) of the funds are distributed in the first two payments (30% in July and October) and the other 40% in the final two payments (20% in January and April). **The funds can only be used for construction, reconstruction and maintenance of each municipality’s Class IV and V highways.** It can, therefore, be used to be part of the match for a project in the bridge aid program. It also can be used towards equipment to maintain the local roads. The intent here is that it be used towards the local roads; i.e., not used to build a new library or school or buy a fire truck.

Highway Block Grant Aid funds represent a portion of the State’s highway revenues received in the preceding fiscal year including revenues resulting from SB 367. There are two “pots” of money from which allotments are made. The first, identified as Apportionment A, represents 12% of the State’s highway revenues. One-half of that “pot” is distributed among the municipalities based on their population in proportion to the entire State’s population and the other half is disbursed based on a municipality’s Class IV and V road mileage in proportion to the total statewide Class IV and V mileage. In general, the allocation of these funds represents a disbursement of approximately \$1,400 for each mile of Class IV and Class V highway inventoried by each municipality and \$13 for each person residing in a municipality based on the state planning estimate of population.

The formula for dispensing funds from the second “pot” of money (a set sum of \$400,000) is less straightforward. It was established to assist those municipalities having high roadway mileage to maintain and whose overall value of property (on an equalized basis) is very low in relationship to other communities. In FY 2018, 18 municipalities received funds from this “pot”.

As the New Hampshire Department of Transportation (NHDOT) is responsible for determining the actual disbursements of funds, it is important that they be provided accurate and current information regarding each municipality’s Class IV and V mileage. This is typically accomplished by filling out the “Information Report” sent to municipalities each year by the Bureau of Planning and Community Assistance. At the conclusion of each municipality’s yearly legislative meeting

(i.e. Town Meeting), the NHDOT should be notified of all changes to the community’s roadway system. The information should include the length and location of all Class IV and V highways reclassified, accepted, and/or discontinued by the municipality that year.

The total amount of funding distributed statewide annually over the last five state fiscal years is:

FY 2014 \$30,233,034
 FY 2015 \$30,743,994
 FY 2016 \$34,843,581
 FY 2017 \$34,931,513
 FY 2018 \$35,859,434

For more information contact: Bureau of Planning and Community Assistance, NHDOT, PO Box 483, Concord, NH 03302-0483. Telephone: 603.271.3344

A “YES” vote would allow the Town of Sandown to utilize the State’s Block Grant aid to assist with maintaining and upgrading various town-maintained roads.

A “NO” vote would not allow use of the State’s Block Grant aid and would mean that road expenses would be paid through the operating budget and raised through taxation.

Special Warrant Article 5. Shall the Town vote to raise and appropriate the sum of Four Hundred Fifty Thousand Dollars (\$450,000) to be added to the previously established Road Improvement Capital Reserve Fund.

Estimated tax impact of this warrant article is \$.86 per thousand.

(Recommended by the Board of Selectmen: 5-0-0)

(Recommended by the Budget Committee: 7-0-0)

The Road Improvement Capital Reserve Fund is used for road improvements and road reconstruction in accordance with the Road Improvement Plan. The proposed road improvements for 2018 total \$550,000. This article would raise and appropriate a sum of \$450,000. The balance of \$100,000 is included in the paving line item of the Highway Department Operating Budget.

The breakdown of the 2018 road improvements are as follows:

Miles	Road	Type of Work	Estimated Cost
	Sargent Road	2 segments	300,000
	Reed Road	Reconstruction	185,000
	Hale True Road	Shim and overlay	45,000
	2019 Estimated Engineering Costs		20,000
		Total Estimated Cost	550,000
		Warrant Article	450,000
		Highway Paving Line Item	100,000

Sargent Road will be divided into 2 segments since different sections of the road require different levels of attention. From Fremont Road to the Cross Road/Phillips Road intersection will receive a shim and overlay with a single culvert replacement. From Cross Road to Main Street will need reclamation and will involve replacement of two culverts and some drainage improvements including perforated underdrain to help with ground water issues.

Reed Road will require full reconstruction with two culvert replacements.

Hale True Road will require shim and overlay.

2019 engineering costs have been estimated at 20,000 and are being included in this year's appropriation so that the bidding process can begin earlier in the year for the 2019 road projects.

A new Road Improvement Plan is being developed which will commence in 2019.

A "YES" vote would allow the Town of Sandown to perform the above-noted road improvements Sargent Road, Reed Road and Hale True Road.

A "NO" vote would prevent any road improvements on the above-noted roadways and restrict the Town to perform only hazardous road repairs on Sargent Road, Reed Road and Hale True Road. Engineering costs would be delayed until 2019.

Special Warrant Article 6. Shall the Town vote to raise and appropriate the sum of Seven Thousand Dollars (\$7,000) to be added to the Old Home Day Celebration Expendable Trust Fund.

Estimated tax impact of this warrant article is \$.01 per thousand.

(Recommended by the Board of Selectmen: 5-0-0)

(Recommended by the Budget Committee: 7-0-0)

The Old Home Day Expendable Trust Fund has been established to pay for the costs of the annual Old Home Day Fall Festival Celebration.

The current balance in the Old Home Day Expendable Trust Fund is \$1,381.03

The current balance in the Old Home Day Donation Fund is \$100.73

Expenses for the Old Home Day 2017 Fall Festival were \$7,302.62

Expenses for the Old Home Day 2016 Fall Festival were \$6,258.69

A "YES" vote would add \$7,000 to the Old Home Day Expendable Trust Fund for the 2018 Fall Festival

A "NO" vote would not add any additional funds to the Old Home Day Expendable Trust Fund. The committee could expend the balance in the Expendable Trust Fund but no additional town funds could be used for the 2018 Fall Festival.

Warrant Article 7. Shall the Town vote to approve the cost items included in the collective bargaining agreement reached between the Town of Sandown Board of Selectmen and the Union representing the Police and Animal Control Officers, the Teamster Local 633 Union, which calls for the following increases in salaries and benefits at the current staffing level:

Contract Year	Estimated Increase
4/1/18-3/31/19	\$ 36,659
4/1/19-3/31/20	\$ 19,218
4/1/20-3/31/21	\$ 15,291

and to further raise and appropriate the sum of Thirty-Two Thousand Seven Hundred Twenty-Five Dollars (\$32,725) for the current fiscal year beginning January 1, 2018 and ending December 31, 2018, such sum representing the additional costs attributable to the increase in salaries and benefits required by the new agreement over those that would be paid at current staffing levels.

Estimated tax impact of this warrant article is \$.06 per thousand.

(Recommended by the Board of Selectmen: 5-0-0)

(Recommended by the Budget Committee: 7-0-0)

The current collective bargaining agreement between the Town of Sandown and the Teamsters Local No. 633 of NH Police Union is due to expire March 31, 2018. The Selectmen met with Teamster representatives and negotiated a new agreement with cost items to be voted on by the residents.

The new term for this Agreement shall be effective April 1, 2018 through March 31, 2021.

A “YES” vote means the new Collective Bargaining Agreement will be in effect as of April 1, 2018.

A “NO” vote means the police department works with no agreement.

Warrant Article 8. Shall the Town of Sandown, if Article 7 is defeated, authorize the governing body to call one special meeting, at its option, to address Article 7 cost items only.

(Recommended by the Board of Selectmen: 5-0-0)

(Recommended by the Budget Committee: 7-0-0)

This Article is only relevant if Article 7 is defeated.

A “YES” vote would allow the Selectmen and Teamsters to negotiate cost items only and hold one special meeting to vote on those items if Article 7 is defeated.

A “NO” vote would stop any further action on the Agreement.

Special Warrant Article 9. Shall the Town vote to raise and appropriate the sum of Fifty Thousand Dollars (\$50,000) to be added to the Fire Equipment and Apparatus Capital Reserve Fund previously established.

Estimated tax impact of this warrant article is \$.10 per thousand.

(Recommended by the Board of Selectmen: 5-0-0)

(Recommended by the Budget Committee: 7-0-0)

The Fire Equipment and Apparatus Capital Reserve Fund was established in 2012 for the purpose of purchasing fire-fighting equipment and/or vehicles.

The Fire Department will use these funds towards the purchase of 24 new Self Contained Breathing Apparatus (SCBA) units to replace those that have gone beyond their 15 year life span. A grant has been submitted however the grant awards have not yet been determined. Grant awards may offset some of the costs of the SCBA units.

The Fire Department has identified the need to replace the current ambulance. Funds would also be used towards that purpose.

A “YES” vote would appropriate an additional \$50,000 to the Fire Equipment and Apparatus Capital Reserve Fund.

A “NO” vote would not appropriate any additional funds to the Fire Equipment and Apparatus Capital Reserve Fund.

Special Warrant Article 10. Shall the Town vote to raise and appropriate the sum of Thirty Three Thousand Two Hundred Eighty Dollars (\$33,280) for the purchase of 2 new refuse compactors for the Sandown Transfer Station to replace the existing 2 refuse compactors. This is a special warrant article.

Estimated tax impact of this warrant article is \$.06 per thousand.

(Recommended by the Board of Selectmen: 5-0-0)

(Recommended by the Budget Committee: 7-0-0)

This article would allow for the purchase of 2 new refuse compactors for the Transfer Station. The current compactors are approximately 30 years old. Repairs to these compactors are problematic as finding parts for units of this age is becoming more difficult. Today the units can compact approximately 6 yards where the new compactors are expected to compact approximately 10 yards, saving the town on hauling fees.

A “YES” vote would allow for the purchase of 2 new compactors.

A “NO” vote would prevent the purchase of these compactors. Please keep in mind, if this article is defeated and one or both existing compactors fail, no money can be spent to purchase new compactors. We will be required to have open-top containers in place. This would increase our hauling fees significantly as we will be unable to compact the refuse.

Warrant Article 11. Shall the Town vote to authorize the Selectmen to enter into a long-term lease/purchase agreement in the amount of Thirty Eight Thousand Three Hundred Seventy Nine Dollars (\$38,379) payable over a term of sixty (60) months for 2 new refuse compactors to replace the existing 2 refuse compactors at the Sandown Transfer Station and to raise and appropriate the sum of Seven Thousand Six Hundred Seventy Six Dollars (\$7,676) for the first year's payment for that purpose. This lease/purchase agreement contains an escape clause. Should Article 10 pass, this Article becomes null and void.

Estimated tax impact of this warrant article is \$.02 per thousand.

(Recommended by the Board of Selectmen: 3-2-0)

(Recommended by the Budget Committee: 5-2-0)

Please see the Article 10 for the explanation of the need for new compactors. The vendor allows an option to lease these compactors as opposed to purchasing. The Selectmen thought it best for the residents to decide whether they want to purchase or lease this equipment. The warrant article outlines the terms. As you will see, the lease option is approximately \$5,000 more as there would be interest due over the sixty (60)-month term.

A "YES" vote would allow for the lease of 2 new compactors.

A "NO" vote would prevent the lease of these compactors.

Special Warrant Article 12. Shall the Town vote to raise and appropriate the sum of Ninety Thousand Dollars (\$90,000) to be added to the Bridge Capital Reserve Fund previously established.

Estimated tax impact of this warrant article is \$.17 per thousand.

(Recommended by the Board of Selectmen: 5-0-0)

(Recommended by the Budget Committee: 7-0-0)

As reported in 2015, the State of New Hampshire forced the closure of the bridge located on Phillips Road. This bridge was on the State's Rd List for many years and suffered too much deterioration to remain open. We are happy to report; temporary repairs were made, and the road was reopened. This bridge will eventually need full replacement. The cost of this replacement is estimated to be just under \$1 million. The long-term plan is to continue to put money away in the capital reserve fund to save for this project. We are hoping to receive 80% of the cost back from the State of New Hampshire State Bridge Aid program but funds will not be available until 2024 and that is contingent on the program still being in place.

A "YES" vote would add \$90,000 to the Bridge Capital Reserve Fund

A "NO" vote would not add any additional funds to the Bridge Capital Reserve Fund.

Special Warrant Article 13. Shall the Town vote to raise and appropriate the sum of Five Thousand Dollars (\$5,000) to be added to the Revaluation Capital Reserve Fund previously established.

Estimated tax impact of this warrant article is \$.01 per thousand.

(Recommended by the Board of Selectmen: 5-0-0)

(Recommended by the Budget Committee: 7-0-0)

Under the rules of the Department of Revenue Administration (DRA), the town is required to conduct a revaluation of property values every 5 years. This revaluation process can typically cost anywhere from \$35,000 for a cyclical revaluation to over \$100,000 for a full revaluation if the properties are not reviewed cyclically. This fund allows us to appropriate a certain amount each year and “save” for future revaluations.

A “YES” vote would add \$5,000 to the Revaluation Capital Reserve Fund.

A “NO” vote would not add any additional funds to the Revaluation Capital Reserve Fund.

Special Warrant Article 14. Shall the Town vote to raise and appropriate the sum of Forty Three Thousand Nine Hundred Ninety Eight Dollars (\$43,998) for treatment to control exotic aquatic species including invasive variable milfoil and fanwort in Phillips Pond. Costs will be offset by \$10,999 in grant funds. This is a special warrant article.

Estimated tax impact of this warrant article is \$.08 per thousand.

(Recommended by the Board of Selectmen: 5-0-0)

(Recommended by the Budget Committee: 6-0-1)

Exotic weeds including invasive variable milfoil and fanwort have spread in Phillips Pond to the point that treatment is recommended. The town will be reimbursed \$10,999 in grant funds through the DES Exotic Species Program after the treatment has been completed. Treatment will involve herbicide treatment of up to 36.5 acres along with diver and/or diver-assisted suction harvesting.

A “YES” vote will appropriate \$43,998 to cover the costs of the treatment and the town will receive \$10,999 in reimbursement from the state grant program.

A “NO” vote will prevent any town funds from being used to treat variable milfoil and fanwort in Phillips Pond for this year. The grant funding will become null and void.

Special Warrant Article 15. Shall the Town vote to establish a Capital Reserve Fund under the provisions of RSA 35:1 to be known as the Stormwater Management Capital Reserve Fund for the purpose of stormwater management and to raise and appropriate the sum of Ten Thousand Dollars (\$10,000) towards this purpose, and to further appoint the Board of Selectmen as agents to expend from the fund.

Estimated tax impact of this warrant article is \$.02 per thousand.
(Recommended by the Board of Selectmen: 5-0-0)
(Recommended by the Budget Committee: 7-0-0)

Definition of MS4 per the Environmental Protection Agency (EPA) website:

“Polluted stormwater runoff is commonly transported through municipal separate storm sewer systems (MS4s), and then often discharged, untreated, into local water bodies.

An MS4 is a conveyance or system of conveyances that is:

- owned by a state, city, town, village, or other public entity that discharges to waters of the U.S.,
- designed or used to collect or convey stormwater (e.g., storm drains, pipes, ditches),
- not a combined sewer, and
- not part of a sewage treatment plant, or publicly owned treatment works (POTW).

To prevent harmful pollutants from being washed or dumped into MS4s, certain operators are required to obtain NPDES permits and develop stormwater management programs (SWMPs). The SWMP describes the stormwater control practices that will be implemented consistent with permit requirements to minimize the discharge of pollutants from the sewer system.”

The Town of Sandown is subject to the requirements of the MS4 general permit and the above warrant article seeks to create a Capital Reserve Fund to save for the costs associated with implementing the MS4 permit requirements over the upcoming years. The current MS4 permit becomes effective 7/1/2018 and expires 6/30/2023.

A “YES” vote would establish a Stormwater Management Capital Reserve Fund and appropriate \$10,000 to the fund

A “NO” vote would not establish a Stormwater Management Capital Reserve Fund and no funds would be appropriated

Warrant Article 16. Shall the Town vote to allow the operation of KENO games within the town.

(Not Recommended by the Board of Selectmen: 1-3-1)

(Recommended by the Budget Committee: 4-0-3)

Governor Sununu signed SB191 into law which establishes KENO as a revenue source to fund all-day kindergarten in New Hampshire. The law was written to give municipalities the option to allow KENO in their communities by putting a warrant article for consideration by citizens at the annual town meeting. KENO 603 would be played exclusively in taverns and facilities that have an active liquor pouring license.

A “YES” vote will allow the operation of KENO games within Sandown

A “NO” vote will not allow the operation of KENO games within Sandown

Warrant Article 17. Shall the Town vote to raise and appropriate the sum of Two Thousand Five Hundred Dollars (\$2,500) to support charitable organization, Isaiah 58 New Hampshire. If this warrant article passes, future appropriations will be included in the operating budget. Estimated tax impact of this warrant article is \$.01 per thousand.

(Recommended by the Board of Selectmen: 5-0-0)

(Recommended by the Budget Committee: 7-0-0)

The town supports many organizations through funds appropriated in the operating budget under Health and Human Services. A new organization, Isaiah 58 NH is requesting a donation/funding from the town in the amount of \$2,500. The Selectmen decided it was best for the people to decide and placed the question on the ballot. “Isaiah 58 NH works closely with other organizations, agencies and individuals to provide safe and affordable housing for those in need.” – Isaiah 58 NH President David Yasenka

A “YES” vote will approve \$2,500 in funds to support Isaiah 58 NH

A “NO” vote will not approve any funds to support Isaiah 58 NH

Petitioned Warrant Article 18. Shall the Town vote to establish a Heritage Commission in accordance with the provisions of RSA 673 and RSA 674 and to authorize the Selectmen to appoint five to seven citizens as members of the Heritage Commission pursuant to RSA 673:4-a and RSA 673:5 and to appoint up to five additional citizens as alternate members, or take any other action relating thereto. (Zero tax impact)

This article was submitted as a petitioned warrant article which means that a minimum of 25 registered voters signed a petition to have this article placed on the warrant.

673:4-a Heritage Commissions. –

I. The heritage commission shall consist of not less than 3 members and no more than 7 members who shall be appointed in a manner as prescribed by the local legislative body.

II. Each heritage commission member shall be a resident of the city or town which establishes the commission. One commission member shall be a member of the local governing body. One commission member may be a member of the planning board. Not more than 5 alternate members may be appointed. When an alternate sits in absence or disqualification of a regular member, the alternate shall have full voting powers. If there is a historic district commission, one member of this commission shall be an ex officio member of the heritage commission. In determining each member's qualifications, the appointing authority shall take into consideration the appointee's demonstrated interest and ability to understand, appreciate and promote the purpose of the heritage commission.

III. Members of a heritage commission also may serve on other municipal boards and commissions, including but not limited to a conservation commission established under RSA 36-A, and a historic district commission established under RSA 673:4.

Source. 1992, 64:6. 1995, 138:4, eff. July 23, 1995.

674:44-b Powers. –

I. Generally. Heritage commissions shall have advisory and review authority, specifically, as follows:

- (a) Survey and inventory all cultural resources.
- (b) Conduct research and publish findings, including reports to establish the legal basis for a district and preparation of historic district ordinances within the municipality prior to its adoption or amendment as provided in RSA 675:6.
- (c) Assist the planning board, as requested, in the development and review of those sections of the master plan which address cultural and historic resources.
- (d) Advise, upon request, local agencies and other local boards in their review of requests on matters affecting or potentially affecting cultural and historic resources.
- (e) Coordinate activities with appropriate service organizations and nonprofit groups.
- (f) Publicize its activities.
- (g) Hire consultants and contractors as needed.
- (h) Receive gifts of money and property, both real and personal, in the name of the city or town, subject to the approval of the city council in a city or the board of selectmen in a town, such gifts to be managed and controlled by the commission for its proper purposes.
- (i) Hold meetings and hearings necessary to carry out its duties.

II. Property. The commission may acquire, in the name of the town or city, subject to the approval of the local governing body, by gift, purchase, grant, bequest, devise, lease, or otherwise, a fee or lesser interest, development rights, covenant, or other contractual right, including conveyances with conditions, limitations, or reversions, as may be necessary to acquire, maintain, improve, protect, limit the future use of, or otherwise conserve and properly use the cultural resources of the city or town, and shall manage and control the same; provided, however, that the city, town, or commission shall not have the right to condemn property for these purposes.

III. Historic District Commission. Heritage commissions also may assume, if authorized by the local legislative body, the composition and duties of historic district commissions.

Source. 1992, 64:2. 1993, 32:1. 1995, 138:5, eff. July 23, 1995.

A “YES” vote would establish a Heritage Commission and authorize the Selectmen to appoint members to the Commission

A “NO” vote would not establish a Heritage Commission

Petitioned Warrant Article 19. Shall the Town vote to establish a Heritage Fund in accordance with the provisions of N.H. RSA 674:44-d. The whole or part of any gifts of money, grants, donations or appropriated funds received pursuant to RSA 674:44-b shall be placed in the Heritage Fund and allowed to accumulate from year to year. Money may be expended from such fund by the Heritage Commission for its purposes without approval of the Town Meeting. Should Article 18 fail, this article becomes null and void. (RSA 674:44-d,1). (Zero tax impact)

This article was submitted as a petitioned warrant article which means that a minimum of 25 registered voters signed a petition to have this article placed on the warrant.

674:44-d Appropriations Authorized. –

I. A town or city, having established a heritage commission under this subdivision, may appropriate money as deemed necessary to carry out its purposes. The whole or any part of money so appropriated in any year and any gifts of money received pursuant to RSA 674:44-b shall be placed in a heritage fund and allowed to accumulate from year to year. Money may be expended from such fund by the heritage commission for its purposes without further approval of the local legislative body.

II. The town treasurer, pursuant to RSA 41:29, shall have custody of all moneys in the heritage fund and shall pay out the same only upon order of the heritage commission. The disbursement of heritage funds shall be authorized by a majority of the heritage commission. Prior to the use of such funds for the purchase of any interest in real property, the heritage commission shall hold a public hearing with notice in accordance with RSA 675:7.

Source. 1992, 64:2. 1993, 32:3, eff. June 7, 1993.

674:44-b Powers. –

I. Generally. Heritage commissions shall have advisory and review authority, specifically, as follows:

(a) Survey and inventory all cultural resources.

(b) Conduct research and publish findings, including reports to establish the legal basis for a district and preparation of historic district ordinances within the municipality prior to its adoption or amendment as provided in RSA 675:6.

(c) Assist the planning board, as requested, in the development and review of those sections of the master plan which address cultural and historic resources.

(d) Advise, upon request, local agencies and other local boards in their review of requests on matters affecting or potentially affecting cultural and historic resources.

(e) Coordinate activities with appropriate service organizations and nonprofit groups.

(f) Publicize its activities.

(g) Hire consultants and contractors as needed.

(h) Receive gifts of money and property, both real and personal, in the name of the city or town, subject to the approval of the city council in a city or the board of selectmen in a town, such gifts to be managed and controlled by the commission for its proper purposes.

(i) Hold meetings and hearings necessary to carry out its duties.

II. Property. The commission may acquire, in the name of the town or city, subject to the approval of the local governing body, by gift, purchase, grant, bequest, devise, lease, or otherwise, a fee or lesser interest, development rights, covenant, or other contractual right, including conveyances with conditions, limitations, or reversions, as may be necessary to acquire, maintain, improve, protect, limit the future use of, or otherwise conserve and properly use the cultural resources of the city or town, and shall manage and control the same; provided, however, that the city, town, or commission shall not have the right to condemn property for these purposes.

III. Historic District Commission. Heritage commissions also may assume, if authorized by the local legislative body, the composition and duties of historic district commissions.

Source. 1992, 64:2. 1993, 32:1. 1995, 138:5, eff. July 23, 1995.

A “YES” vote will establish a Heritage Fund

A “NO” vote will not establish a Heritage Fund

Petitioned Warrant Article 20. Shall the town vote to approve the use of a parcel of town property for the purpose of creating a dog park in Sandown. The park would be established, operated and managed by a private non profit group of volunteers and funded by grants, private fundraising and donations of money, gifts and services. (Zero tax impact).

This article was submitted as a petitioned warrant article which means that a minimum of 25 registered voters signed a petition to have this article placed on the warrant.

This warrant article is advisory only and does not automatically establish a dog park on town property.

A “YES” vote indicates you support a dog park on town property.

A “NO” vote indicates you do not support a dog park on town property.

Warrant Article 21. Shall the Town vote to rescind the medical benefits approved in Article #37 at the March 1994 Town Meeting and the vacation benefit approved in Article # 13 at the March 1996 Town Meeting for the Town Clerk/Tax Collector and establish benefits for the Town Clerk/Tax Collector position in accordance with the Town’s personnel policies and procedures for full-time employees. Such benefits include but are not limited to health insurance, holidays, sick/personal days, vacation and life insurance.

(No Recommendation by the Board of Selectmen: 2-2-1)

In 1994 warrant article #37 was put before the residents:

“To see if the Town will vote to change from an elected part-time Town Clerk/Tax Collector to an elected full-time Town Clerk/Tax Collector and include Blue Cross/Blue Shield benefits plan. (Cost of Benefits Plan - \$3,832.20 for 9 months).” This passed on a voice vote without debate.

In 1996 petition warrant article #13 was put before the residents:

“To see if the Town will vote to approve a four (4) week paid vacation for the Town Clerk/Tax Collector and to raise and appropriate the sum of \$490 to pay the Deputy Town Clerk/Tax Collector to cover these additional hours during 1996. This article seeks to grandfather the 20 years time in service given to the Town by the Town Clerk/Tax Collector. (By Petition) (Not Recommended by Board of Selectmen) (Recommended by Budget Committee).” This passed on a voice vote.

These benefits remain with the position until rescinded by a vote of the Town. The term for the current Town Clerk/Tax Collector is ending March, 2018 and she will not be running for another term. The Selectmen decided to let the residents decide whether to rescind the benefits that were approved via the grandfathering of the previous Town Clerk/Tax Collector's years of service and establish benefits in accordance with the Town's personnel policies and procedures for full-time employees. The purpose of this article is to put this position in line with the benefits of all other full-time positions in the Town.

A "YES" vote would approve benefits for the Town Clerk/ Tax Collector position in accordance with the town's personnel policies and procedures.

A "NO" vote leave the existing vacation and benefits unchanged for the Town Clerk/ Tax Collector position

NOTE:

Additional information on many of the above warrant articles can be found on the Town of Sandown website on the [Town/School Election](#) page.

**Sandown Planning Board
Zoning Amendments for 2018 Ballot**

Z-1 Are you in favor of the adoption of Amendment Z-1 as proposed by the Planning Board for the Town of Sandown Zoning Ordinance as follows:

To delete the text of Article VIII – Impact Fee Ordinance in its entirety and replace it with a new Article VIII to be entitled Impact Fee Ordinance.

The intent of the Amendment is to revise the text of the Zoning Ordinance to better define the relationship between the Ordinance and actual methods used to compute public school impact fee assessments, as well as the manner in which the Ordinance is locally administered. The full text of proposed Amendment Z-1 is available for public inspection at the Sandown Town Hall during regular business hours.

A "YES" vote would replace the current Impact Fee Ordinance with the new version shown below.

A "NO" vote would leave the current Impact Fee Ordinance in place as it currently exists.

ARTICLE VIII
IMPACT FEE ORDINANCE

Section 1 **Authority**

Authority for this ordinance is established pursuant to New Hampshire RSA's 674:17, 674:21 and 674:44.

Section 2 **Intent and Purpose**

This ordinance is intended to:

- A. Implement and be consistent with the Town of Sandown's Master Plan and Capital Improvement Program (herein referred to as "CIP").
- B. Allocate a fair and equitable share of the cost of public capital facilities to new development.
- C. Require new development to contribute its proportionate share of the cost of funding public capital facilities and improvements.

Section 3 **Applicability and Rules of Construction**

- A. This ordinance shall be uniformly applicable to all new development which occur within the corporate boundaries of the Town of Sandown. There shall be no assessment made to those units that are lawfully age-restricted to senior occupancy (55+ or 62+), which are subject to age limitations based on deed covenants.
- B. The provisions of this ordinance shall be liberally construed so as to effectively carry out its purpose in the interest of public health, safety and welfare.
- C. For the purpose of administration and enforcement of this ordinance, unless otherwise stated in this ordinance, the following rules of construction shall apply to the test of this ordinance.
 - 1. In the case of any difference of meaning or implication between the test of this ordinance and any caption, illustration, summary table or illustrative table, the text shall control.
 - 2. The word "shall" is always mandatory and not discretionary; the word "may" is permissive.
 - 3. The word "person" includes an individual, corporation, a partnership, an unincorporated association, or any other similar entity.

Section 4 **Definitions**

- A. "Feepayer" is a person applying for a building permit, in the case of a new dwelling or a building permit, in the case of an occupied dwelling or permit for mobile home

installation.

- B. “Public Capital Facilities” includes assets, facilities, and equipment which are owned and operated by the Town of Sandown or cooperatively with other municipalities costing more than \$5,000 and considered to be beyond the scope of normal annual operating expenses as set forth in the CIP such as, but not limited to vehicles, land acquisition for public purposes, buildings, equipment and machinery with a useful life of greater than three (3) years, major building or facility renovations and repairs, road renovations which result in long-term improvement in road capacity or conditions and special studies such as Master Plans.
- C. “Public Capital Facilities” do not include costs associated with operation, maintenance, repair of such facilities, or with facility replacements which do not increase the capacity of level of service unless the cost of such increase exceeds \$5,000 individually or aggregately.
- D. “New Development” includes any building activity which results in:
 - 1. The creation of a new dwelling unit.
 - 2. The conversion of an existing non-residential use to a residential use or the conversion of a residence from seasonal to year-round use.
- E. “New Development” does not include:
 - 1. The reconstruction of a structure that has been destroyed by fire or natural disaster, provided there is no change in the size or density of the structure.
 - 2. The replacement of a mobile home; and
 - 3. The construction of an accessory structure which would not increase the demand for facilities.
- F. “Dwelling Unit” is any room or collection of rooms forming a habitable unit for one or more persons with its own cooking and food storage equipment and its own bathing and toilet facilities and its own living, sleeping and eating areas wholly within such rooms or collection of rooms.

Section 5 Imposition of Public Facilities Impact Fee

- A. Any person, who after the effective date of this Ordinance, seeks to undertake new development within the Town of Sandown, New Hampshire, by applying for a building permit or permit for a mobile home installation, is hereby required to pay a public capital facilities impact fee in the manner and amount set forth in Section 7 of this ordinance.
- B. No occupancy permit for any activity requiring payment of an impact fee pursuant to Section 7 of this Ordinance shall be issued unless and until the public capital facilities impact fee hereby required has been paid.

Section 6 Computation of Impact Fees

- A. Fees for MUNICIPAL public facilities impact shall be based upon each dwelling unit.

- B. Fees for SCHOOL facilities impact shall be based upon the type of dwelling unit.
- C. In the event of conversion of a non-residential (properties not suitable for year-round habitation, commercial, industrial) use to residential use, impact fees for a new dwelling shall be collected as a condition of the Certificate of Occupancy.
- D. The amount of the fee charged may be calculated and reviewed annually by the Planning Board and adjusted as deemed necessary.
- E. Reference Section 9.26 School impact Fee Assessment, Sandown Subdivision Regulations.

Section 7 **Payment of Fee**

- A. All impact fees shall be assessed prior to, or as a condition for the issuance of an occupancy permit. The fee payer at its option shall either post a cash performance security with the Planning Board to guarantee payment of the Impact Fee prior to the issuance of a certificate of occupancy, or the fee payer may opt to pay the impact fee prior to the time of the occupancy permit issuance.
- B. If said fee shall be paid by check, the check shall not include any other payment or fees. It shall pertain only to impact fees. Fees shall be administered as required in Section 9.
- C. All unpaid fees shall constitute a lien on the property and will be collected in the same manner as uncollected property taxes.

Section 8 **Appeals**

Any aggrieved party may appeal any decision under this ordinance in the same manner provided by statute for appeals from the office or board making that decision, as set forth in RSA 676:5, RSA 677:2-14, or RSA 677:15, respectively.

Section 9 **Administration of Funds Collected**

- A. All funds collected shall be properly identified and dated and promptly deposited in the appropriate Impact Fee Account as determined in Section 10 of this Ordinance and used solely for the purposes specified in Section 11.
- B. The Impact Fee Account shall be a special revenue fund account and under no circumstances shall impact fee revenue accrue to the general fund.
- C. Impact fees shall be accounted for separately, shall be segregated from the municipality's general fund, may be spent upon order of the municipal governing body, shall be exempt from all provisions of RSA 32 relative to limitation and expenditures of town moneys, and shall be used for any purpose allowed under Section 11.

Section 10 **Custody and Maintenance of Fund Accounts**

- A. There are hereby established an Impact Fee Account for school impact fees respectively. It shall be a non-lapsing interest bearing account which shall not be commingled with other town funds. The treasurer shall have custody of all accounts and shall pay out of same only upon authorization by the Sandown Board of Selectmen.
- B. Funds collected for school building impact shall be clearly identified and deposited in the respective account.
- C. At the end of each fiscal year, the treasurer shall make a report giving particular account of all impact fee transactions during the year.
- D. Funds withdrawn from the impact fee account must be used in accordance with the provisions of Section 11 of this Ordinance.

Section 11 **Use of Funds**

- A. Funds withdrawn for the Impact Fee Account shall be used solely for the purpose of acquiring, designing, constructing, equipping or making improvements to capital facilities owned and operated by the municipality, or in conjunction with the Timberlane School District, including and limited to water treatment and distribution facilities; municipal office facilities; public safety facilities; solid waste collection; transfer, recycling, processing and disposal facilities; public library facilities; public recreation facilities not including open space.
- B. In the event that bonds or similar debt instruments have been issued for facilities which were constructed in anticipation of current growth, or are issued for advanced provision of capital facilities for which public capital facilities impact fees may be expended, impact fees may be used to pay debt service on such bonds or similar debt instruments to the extent that the facilities provided are the type described in Paragraph A above.
- C. Effective upon passage of this Ordinance, funds, including accrued interest, from the Impact Fee Account shall be assigned to specified public capital facilities improvement projects and related expenses. Monies, including any accrued interest, not assigned in any fiscal period shall be retained in the same Impact Fee Account until the next fiscal period except as provided by the refund provisions of this Ordinance.
- D. Funds may be used to provide funds as described in Section 14.
- E. Funds shall be accounted for on a first-in first-out basis

Section 12 **Refund of Fees Paid**

The current owner of property on which a public capital facilities impact fee has been paid may apply for a full or partial refund of such fees plus accrued interest calculated at the actual rate of interest earned on said funds not to exceed 6% per annum.

The refund shall be owned when the Town has failed within a period of six (6) years from either payment of such fee or the last installment payment, to expend or encumber such fees on public capital facilities intended to benefit the development which paid the fees. In an event that a refund is due, the Planning Board shall notify the owner of record.

Section 13 Credits

- A. Land and/or public capital facilities improvements may be offered by the feepayer as total or partial payment of the required impact fee. The offer must request or provide for an impact fee credit.
- B. Credit for the dedication of land shall be based upon the ad valorem assessed valuation.
- C. Credit for the dedication of land shall be provided when the property has been conveyed at no charge to, and accepted by the Town in a manner satisfactory to the Board of Selectmen.
- D. Applications for credit for construction of municipal or school facilities improvements shall submit acceptable engineering drawings and specifications and construction costs estimates to the Board of Selectmen and/or the Timberlane School Board. The Board of Selectmen and/or the Timberlane Regional School Board shall determine credit for construction based upon either these cost estimates or upon alternative engineering criteria and construction cost estimates if the Board of Selectmen and /or the Timberlane Regional School Board determine that such estimates submitted by the applicant are either unreliable or inaccurate.

The Board of Selectmen and/or the Timberlane School Board shall provide the applicant with a letter or certificate for the dollar amount of the credit, the impact fee component(s) to which the credit will apply, the reason for the credit, and the legal description of other adequate description of the project or development to which the credit may be applied. The applicant must sign and date a duplicate copy of such letter or certificate indicating his agreement to the terms of the letter or certificate and return such signed document to the Board of Selectmen and/or Timberlane Regional School Board before credit will be given. The failure of the applicant to sign, date and return such document within sixty (60) days shall nullify the credit.

- E. Except as provided in Paragraph D above, credit against facility impact fees otherwise due will not be provided until:
 - 1. Construction is completed and accepted by the Board of Selectmen on behalf of the Town, or the Timberlane School District, whichever is applicable.
 - 2. A suitable maintenance and warranty bond is received by the Board of Selectmen and/or the Timberlane School Board, when applicable. A suitable date for completion of construction must be agreed in writing by the applicant and Board of Selectmen and/or Timberlane School Board at the time of issuance of bond. At the end of the agreed period, if construction has not been completed, the Board of Selectmen and/or the Timberlane School Board may call the bond or extend the time for construction, but not beyond the expiration time for holding impact fees as set forth in Section 12. At the expiration of that time, the Board of Selectmen and/or the Timberlane School Board shall call the bond and order funds expended

in sufficient amount to satisfactorily complete the bonded construction before returning any excess funds to the applicant.

- F. Credits shall not be transferable from one project or development to another without the approval of the Board of Selectmen and/or the Timberlane School Board.
- G. Credits shall not be transferred between the school facilities impact fee portion of the impact fee account or the municipal capital facilities account.
- H. Determinations made by the Board of Selectmen and/or the Timberlane School Board pursuant to the credit provisions of the section may be appealed pursuant to the procedures contained in Section 13 of this Ordinance.

Section 14 Additional Assessments

Payment of public facilities impact fee does not restrict the Town or Planning Board in requiring other payments from the feepayer, including such payments relating to other infrastructure and facility needs not otherwise included in the public facilities impact fee.

Section 15 Premature and Scattered Development

Nothing in this Ordinance shall be construed so as to limit the existing authority of the Planning Board to provide against development which is scattered or premature, requires excessive expenditures of public funds or otherwise violates the Town of Sandown Site Plan Review Regulations, Subdivision Regulations or Zoning Ordinance.