



TOWN OF PELHAM  
STATE OF NEW HAMPSHIRE  
WARRANT  
2017 TOWN MEETING

To the inhabitants of the Town of Pelham, in the County of Hillsborough and the State of New Hampshire, 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 Pelham High School Auditorium, 85 Marsh Road, Pelham, New Hampshire on Tuesday, February 7, 2017 at 7:00 PM. This session shall consist of explanation, discussion, and debate of warrant articles numbered 2 through 22. Warrant articles may be amended subject to the following limitations: (a) warrant articles, the wording of which 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 Town Meeting (Official Ballot Voting)**

You are hereby notified to meet again at the Pelham High School, 85 Marsh Road, Pelham, New Hampshire on Tuesday, March 14, 2017 between the hours of 7:00 AM and 8:00 PM to vote by official ballot to choose all necessary Town officials for the ensuing year and to vote on warrant articles numbered 1 through 22.

## **Article 1**

To see what action the Town will take in the election of the following Officers: two (2) Selectman for a term of three (3) years; Town Treasurer for a term of three (3) years; three (3) Budget Committee Members for a term of three (3) years; three (3) Budget Committee Members for a term of two (2) years; two (2) Cemetery Trustees for a term three (3) years; two (2) Library Trustees for a term three (3) years; one (1) Trustee of the Trust Funds for a term of three (3) years; two (2) Planning Board Members for a term of three (3) years; and two (2) Supervisor of the Checklist; one (1) for a six year term and one (1) for a five (5) year term.

## **Article 2**

Are you in favor of the adoption of Amendment No. 1 as proposed by the Pelham Planning Board for the amendment to the Pelham Zoning Ordinance, Article XI, *Signs*. This amendment is needed to bring Pelham's Sign Ordinance into compliance with a landmark US Supreme Court decision *Reed vs. The Town of Gilbert, AZ* dealing with local regulation of signs. The re-write eliminates references to sign messages to preserve free speech rights and instead restricts signs based entirely on the zone in which they are to be used and to size, physical sign type, etc." The revised ordinance also allows full color electronic messaging signs within the Business and Industrial districts but prohibits flashing and animation and requires the contrast to be dimmed at dusk to prevent negative impacts to visual character and driver safety. (Recommended by the Planning Board).

## **Article 3**

Are you in favor of the adoption of Amendment No. 2 as proposed by the Planning Board for the amendment of the Pelham Zoning Ordinance, Article XII, *Special Exceptions, Accessory Dwelling Units*. The proposed language changes comply with a new State law, RSA 674:71-73 (effective June 1, 2017) that eliminates certain restrictions within the current Pelham ordinance such as: Accessory Dwelling Units; May contain two bedrooms where currently restricted to one; No longer limited to relatives or caregivers of the property owner; May be up to 800 sq. feet where currently restricted to 750 sq. ft. (State minimum is 750 sq. ft.); The primary dwelling and Accessory Dwelling Units must be under the same ownership; Business use prohibited with the primary and/or accessory dwelling; Not allowed on lots that are less than one acre in size except approved Conservation Subdivision lots or lots within the MUZD (not a State law restriction but consistent with existing Pelham Zoning)(Recommended by the Planning Board).

## **Article 4**

Are you in favor of the adoption of Amendment No. 3 as proposed by the Pelham Planning Board for the amendment to the Pelham Zoning Ordinance, Article IX, *Elderly Housing*. This amendment: Eliminates provisions allowing 55+ housing but preserves 62+ Elderly housing, Assisted Living and Congregate Care developments; Increases required land area from 10,000 to 15,000 sq. ft. of usable land per unit; Increases buffers to abutting properties from 50 to 100 feet with discretion given to the Planning Board to require additional buffering; Requires clubhouse; Requires all units to be fully Americans with Disabilities Act compliant. (Recommended by the Planning Board).

## **Article 5**

Are you in favor of the adoption of Amendment No. 4 as proposed by Citizen's Petition for the Town of Pelham Zoning ordinance as follows: this amendment would modify Sections 307-18 as follows; To allow WAREHOUSE FACILITIES and STORAGE FACILITIES in the B-5 zone. They would pay commercial taxes and employ residents to work in their establishments. Nothing else would change to the existing B5 zone. (Submitted by Petition) (Recommended by the Planning Board).

**Article 6**

Shall the Town vote to 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 herein totaling Fifteen Million, Thirty Eight Thousand, and Four Hundred and Three Dollars (\$15,038,403)? Should this article be defeated, the default budget shall be Fourteen Million, Five Hundred and Eighty Four Thousand and Ninety-One Dollars (\$14,584,091) 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. (Recommended by the Board of Selectmen) (Recommended by the Budget Committee) (Majority Vote Required).

<b>Department</b>	<b>Selectmen Approved</b>	<b>Budcom Approved</b>
Assessor	\$ 173,263	\$ 173,263
Budget Committee	\$ 162	\$ 162
Cable Department	\$ 120,014	\$ 120,014
Cemetery	\$ 144,207	\$ 144,207
Conservation Committee	\$ 3,747	\$ 3,747
Debt Service Interest	\$ 135,519	\$ 135,519
Debt Service Principal	\$ 711,632	\$ 779,020
Elections	\$ 10,243	\$ 10,843
Emergency Management	\$ 8,429	\$ 8,429
Fire Department	\$ 2,030,441	\$ 2,069,971
Health Officer	\$ 45,766	\$ 45,766
Health Services	\$ 73,000	\$ 73,500
Highway Maintenance	\$ 1,492,436	\$ 1,495,731
Human Services	\$ 88,040	\$ 88,040
Insurance	\$ 2,376,728	\$ 2,372,263
Legal	\$ 85,000	\$ 85,000
Library	\$ 327,022	\$ 401,507
Parks & Recreation	\$ 230,079	\$ 230,079
Planning Dept	\$ 305,077	\$ 301,771
Police Department	\$ 2,673,312	\$ 2,673,312
Retirement	\$ 1,482,840	\$ 1,482,840
Selectmen	\$ 462,909	\$ 490,287
Senior Center	\$ 113,710	\$ 113,711
Town Buildings	\$ 756,354	\$ 765,354
Town Celebrations	\$ 9,260	\$ 9,260
Town Clerk	\$ 233,821	\$ 226,596
Transfer	\$ 659,323	\$ 721,965
Treasurer	\$ 15,176	\$ 15,176
Trust Funds	\$ 1,070	\$ 1,070
		\$ -
<b>Total</b>	<b>\$ 14,768,580</b>	<b>\$ 15,038,403</b>

#### **Article 7**

Shall the Town vote to raise and appropriate the sum of Fifty Thousand Dollars (\$50,000) to be placed in the Compensated Absence Trust Fund for the purpose of distributing accrued time (annual earned and paid time off) to terminating employees as required by law or negotiated contracts? The balance of the fund is Two Hundred and Ninety-Four Thousand Dollars (\$294,000) and the unfunded liability is Four Hundred and Fifty-Six Thousand, Three Hundred Thirty-Five Dollars (\$456,335). (Recommended by the Board of Selectmen)(Recommended by the Budget Committee) (Majority vote required).

#### **Article 8**

Shall the Town vote to raise and appropriate the sum of Two Hundred and Forty-Thousand Dollars (\$240,000) for the purpose of purchasing and equipping an ambulance and to authorize the Selectmen to withdraw Two Hundred Forty-Thousand Dollars (\$240,000) from the Ambulance Replacement Revolving Fund established by the 2006 Town Meeting and amended in 2014 by Town Meeting for this purpose. No amount will be raised through taxation. (Recommended by the Board of Selectmen) (Recommended by the Budget Committee) (Majority vote required).

#### **Article 9**

Shall the Town vote to establish a Fire Department Matching Grant Non-Capital Reserve Fund under the provisions of RSA 35:1-c for matching Grant funds and to raise and appropriate the sum of \$20,000 to be placed in this fund. Further, to name the Board of Selectmen as agents to expend from said fund. This is a non-lapsing warrant article. (Recommended by the Board of Selectmen) (Recommended by the Budget Committee) (Majority Vote Required)

#### **Article 10**

Shall the Town vote to raise and appropriate the sum of Three Hundred and Twelve Thousand, Five Hundred Seventy-Five Dollars (\$312,575) for repair, maintenance and upgrading of Town roads, to be offset by the State Highway Grant? This will be a non-lapsing account per RSA 32:7, IV. No money to be raised by taxation. (Recommended by the Board of Selectmen) (Recommended by the Budget Committee) (Majority vote required).

#### **Article 11**

Shall the Town vote to raise and appropriate the sum of One Hundred-Thousand Dollars (\$100,000) to be placed into the Highway Department Maintenance Capital Reserve Fund previously established for the purpose of constructing a highway maintenance facility to house office and equipment with the Board of Selectmen as agents to expend with one public hearing. (Recommended by the Board of Selectmen) (Recommended by the Budget Committee) (Majority vote required).

#### **Article 12**

Shall the Town vote to ratify and approve the 10 year lease term between the Town of Pelham and PV Limited Partnership (Pine Valley Golf Course) allowing PV Limited Partnership to continue to operate the golf course recently purchased by the Town? (Recommended by the Board of Selectmen) (Recommended by the Conservation Commission) (Majority vote required).

### **Article 13**

Shall the Town vote to authorize the Board of Selectmen to exchange approximately 0.25 acres of the Wolven Conservation Area (Tax Map 41 lot 10-264) for approximately 0.25 acres of a privately owned parcel (Tax Map 41 lot 10-208), which abuts Currier Road. This swap in land ownership will afford the Town access to the Wolven Conservation Area from Currier Road. This is an even swap with no funds exchanged and the cost of survey and land transfer to be paid from the Forestry Committee's timber harvest funds. (No tax impact.) (Recommended by the Board of Selectmen) (Recommended by the Conservation Committee) (Majority vote required).

### **Article 14**

Shall the Town vote to authorize the Board of Selectmen to sell through sealed bid, Town owned property shown on Tax Map 35 Lot 6-100 of 1.0 acre located on 18 Chagnon Lane? Said property will be sold by the Town on such terms and conditions as the Selectmen deem prudent with cost of survey and land transfer to be borne by the purchaser with the proceeds to be deposited in the conservation fund?. (Recommended by the Board of Selectmen) (Recommended by the Conservation Committee) (Majority vote required).

### **Article 15**

Shall the Town vote to authorize the Board of Selectmen to sell certain Town owned property shown on Map 24 lot 12-67, approximately a 0.17 acre parcel located off of Honor Roll Road, to the estate of Daniel Gleason for the sum of Ten Thousand Dollars (\$10,000) with the proceeds from the sale to be deposited into the Conservation Fund? Said property will be sold by the Town with the condition that the parcel remains undeveloped and on such terms and conditions as the Selectmen deem prudent with cost of survey and land transfer to be borne by the purchaser. (Recommended by the Board of Selectmen) (Majority vote required).

### **Article 16**

Shall the Town vote to raise and appropriate the sum of Thirty-One Thousand, Eight Hundred Dollars (\$31,800) from the Forest Maintenance Fund for the purpose of forest management, stewardship (signage, trail building, maps, parking, etc.), security, public education, and other costs associated with the maintenance and care of Town forest land? Funds requested come from the revenues produced by timber harvesting, not property taxes. This is a non-lapsing account per RSA 32:7. This is a Special Warrant Article. (Recommended by the Board of Selectmen) (Recommended by the Conservation Committee) (Majority vote required).

### **Article 17**

To see if the Town will vote to discontinue the following Town Capital Reserve Funds (CRF) with said funds and accrued interest to date of withdrawal, to be transferred to the Town's General Fund? This is a Special Warrant Article.

<u>Name of Fund</u>	<u>Date Established</u>	<u>Amount to General Fund</u>
Pandemic	2007	\$1,186.38
Senior Center Addition	2010	\$4,581.62
Tallant Road/Willow Street Bridges	2001	\$51.31

(Recommended by the Board of Selectmen) (Recommended by the Trustees of the Trust Fund) (Majority vote required).

### **Article 18**

To see if the Town will vote to discontinue the following Town Trust Funds with said funds and accrued interest to date of withdrawal, to be transferred to the Town's General Fund? This is a Special Warrant Article.

<u>Name of Fund</u>	<u>Date Established</u>	<u>Amount to General Fund</u>
Recycling Facility Maintenance	1989	\$ 207.96
Recycling Equipment	1993	\$ 398.44

(Recommended by the Board of Selectmen) (Recommended by the Trustees of the Trust Funds) (Majority vote required).

### **Article 19**

Shall the Town vote to discontinue as a public roadway that portion of Surrey Lane that formerly was dedicated, constructed and utilized as a cul-de-sac, but today is no longer needed for a public highway purpose now that Surrey Lane is a through street and the paved circle portion of the cul-de-sac no longer exists? (Recommended by the Board of Selectmen) (Majority vote required).

### **Article 20**

Shall the Town vote to authorize the Board of Selectmen, per RSA 80:80, III and IV, to dispose of tax liens and tax deeded property as justice may require? This authority shall continue indefinitely until rescinded. (Recommended by the Board of Selectmen) (Majority vote required).

### **Article 21**

Shall the Town vote to adopt the provisions of RSA 41:14-b, which authorizes the Selectmen to establish and amend certain Town codes and ordinances after they hold 2 public hearings on the establishment or amendment of the ordinance or code; provided however, upon the written petition of 50 registered voters presented to the Selectmen prior to their vote on the establishment or amendment to the ordinance or code, the issue shall instead be inserted as an article on the warrant at the next Town Meeting. This authority to establish or amend Town ordinances and codes shall not apply to the zoning ordinance, historic district ordinance or building codes, which are governed by the adoption rules in RSA 675? (Recommended by the Board of Selectmen) (Majority vote required).

### **Article 22**

Shall the town adopt the "all veterans' property tax credit" under RSA 72:28b? if adopted, the credit will be available to any resident, or the spouse or surviving spouse of any resident, who (1) served not less than 90 days on active service in the armed forces of the United States and who was honorably discharged or was an officer honorably separated from service, and (2) is not eligible for and not receiving the credit for veterans who served in a qualifying war or armed conflict or for veterans with a service-connected disability. If adopted, the credit will be in the amount of \$500, which is the same amount as the credit for a veteran who served in a qualifying war or armed conflict. If the credit is adopted, any person desiring to claim the credit will be required to file an application with the selectmen or the assessors by April 15 of the tax year. (Submitted by petition) (Majority vote required).

Given under our hands this 30<sup>th</sup> day of January, 2017

Douglas Viger, Chair



Harold Lynde, Vice Chair



William McDevitt, Selectman



Paul Leonard, Selectman



S. Amy Spencer, Selectman



I, the undersigned, Brian McCarthy, serving as the Town Administrator, do hereby certify that on this 30<sup>th</sup> day of January, 2017, I did post signed copies of the 2017 Annual Town Meeting Warrant at the Pelham Town Hall, located at 6 Village Green and the Pelham High School, located at 85 Marsh Road and at the Pelham Public Library, located at 24 Village Green, of said Town.

Respectfully Submitted,

  
Brian McCarthy, Town Administrator  
Dorothy A. Marsden, Notary Public

**DOROTHY A. MARSDEN, Notary Public**  
**My Commission Expires October 7, 2020**