

TOWN OF GREENLAND

2010

Town Warrant & Town Budget

TOWN OF GREENLAND 2010 TOWN WARRANT

To the inhabitants of the Town of Greenland, in the County of Rockingham, and State of New Hampshire qualified to vote in Town affairs:

You are hereby notified to meet at the Greenland Central School on Post Road, Greenland, New Hampshire on Tuesday, the ninth day of March, 2010 at eight o'clock in the forenoon to elect officers and vote on questions required by law on the official ballot. The polls will not close before seven o'clock in the evening. Discussion and action on all other articles in the warrant will take place at the Greenland Central School on Saturday, March 13, 2010 in the forenoon, beginning at nine o'clock.

ARTICLE 1

To choose all necessary Town Officers for the year ensuing.

ARTICLE 2

Are you in favor of the adoption of the following amendment as proposed by the Planning Board for the Greenland Zoning Ordinances as follows?

Article I-Authority & Purpose-add 4th paragraph to Section 1.4-Applicability: The recordation of condominium instruments as defined in RSA 356-B, which would result in a subdivision, as defined in RSA 672:14, of the submitted land, whether such land is unimproved, the conversion of an existing building or structure, an existing condominium unit, convertible land, or convertible space.

Recommended by the Planning Board

ARTICLE 3

Are you in favor of the adoption of the following definition change as proposed by the Planning Board for the Greenland Zoning Ordinances as follows?

Agriculture, Farm, Farming: Shall mean "agriculture", "farm", "farming" as defined by RSA 21:34-a, as amended.

Recommended by the Planning Board

ARTICLE 4

Are you in favor of the adoption of the following new definition as proposed by the Planning Board for the Greenland Zoning Ordinances as follows?

Demolition: The razing, pulling-down or removing entirely or in part, any or all sections of a building. Demolition involved with an active building permit will not require a separate permit.

Recommended by the Planning Board

ARTICLE 5

Are you in favor of the adoption of the following amendment as proposed by the Planning Board for the Greenland Zoning Ordinances as follows?

Remove Section E: Agricultural/Forest Uses, in its entirety, from the Table of Uses: Per RSA 674:32-c, agricultural uses shall not be prohibited in any district.

Recommended by the Planning Board

ARTICLE 6

Are you in favor of the adoption of the following amendment as proposed by the Planning Board for the Greenland Zoning Ordinances as follows?

Article III, Section 3.7.5-Storage within Truck Bodies, Trailer Vans or Cargo Vehicles: Remove the last sentence. Section 3.7.5 will now read: No truck bodies, trailer vans, or similar cargo vehicle may be used for storage on any site in any district without a permit from the Board of Selectmen. Such a permit may be granted by the Board for the purpose of construction or bona fide emergency. The permit shall last for one year and be renewable annually with the provision that the Selectmen may revoke the permit at any time with just cause. ~~A permit fee of five dollars (\$5.00) is payable upon application and at each renewal.~~

Recommended by the Planning Board

ARTICLE 7

Are you in favor of the adoption of the following amendment as proposed by the Planning Board for the Greenland Zoning Ordinances as follows?

Remove Article XVI, Section 16.4, in its entirety and add the following words to the end of Section 16.3: “and the Building Regulations”. Section 16.3: Building Inspector, will now read: The Building Inspector shall issue any and all building permits requested when such permit is in accordance with the provisions of this Ordinance and the Building Regulations. Section 16.4: Permits (will be removed): ~~After passage of this Ordinance, it shall be unlawful to erect any building or alter the bulk of any building or relocate any building in any district without first obtaining a building permit from the Building Inspector.~~

Recommended by the Planning Board

ARTICLE 8

Are you in favor of the adoption of the following amendment as proposed by the Planning Board for the Greenland Zoning Ordinances as follows?

Remove Article XVII, Section 17.1.1, in its entirety: This will eliminate any ambiguity. Section 17.1.1 (will be removed): ~~Permit in a Commercial District manufacturing which is incidental to retail business where articles are sold at retail on the premises and where not more than five (5) operators are employed in such manufacturing.~~

Recommended by the Planning Board

ARTICLE 9

Are you in favor of the adoption of the following amendment as proposed by the Planning Board for the Greenland Zoning Ordinances as follows?

Amend Building Regulation, Section 1, A, 1, to read as follows: No building or condominium construction shall be started, moved onto a particular lot, altered, changed in its existing use, or shall be put to any use different from that on the day of enactment of this Ordinance, except in accordance with Section 2, D of these regulations. All permits shall expire one year from the date of issuance unless extended, in writing prior to the expiration date, for good cause shown.

The following will be removed from the current regulation: No building or condominium construction shall be started, moved into a particular lot, altered, changed in its existing use, or shall be put to any use different from that on the day of enactment of this Ordinance, ~~until a permit has been issued under the terms of this Ordinance.~~ All permits shall expire one year from the date of issuance unless extended in writing prior to the expiration date, for good cause shown. **(Amended 2002)**

Recommended by the Planning Board

ARTICLE 10

Are you in favor of the adoption of the following amendment as proposed by the Planning Board for the Greenland Zoning Ordinances as follows?

Building Regulation, Section 2, A, add a second paragraph: The Building Inspector shall have the right to request any or all building construction documents to be prepared or certified by a registered design professional as the complexities of specific projects dictate.

Recommended by the Planning Board

ARTICLE 11

To see if the Town will vote to raise and appropriate the sum of Two Million Dollars (\$2,000,000.00) for the acquisition of conservation easements, open space land, and recreational land by the Town, all for the permanent protection of appropriate undeveloped land and recreational land in the Town of Greenland, and to authorize the issuance of bonds or notes in accordance with the Municipal Budget Act [RSA Chapter 33] and to authorize the Selectmen to act on behalf of the Town in connection with such acquisitions of conservation easements, open space land, and recreational land and to authorize the Selectmen to issue and regulate such bonds and notes and determine the rates of interest thereon. All authority under this article shall expire at the conclusion of five (5) years from the date of passage hereof. (Passage requires a 2/3 vote).

**Not Recommended by the Board of Selectmen
Not Recommended by Budget Committee**

ARTICLE 12

To see if the Town will vote to adopt the following Selectmen’s Ordinance governing animals running at large:
“DEFINITIONS:

Animal: All domestic and non-human animals. The term animal, where it occurs in this ordinance, shall include, but not be limited to, cattle, bovines, swine, sheep, goats, as well as domesticated strains of buffalo or bison, llamas, alpacas, emus, ostriches, yaks, elk, fallow deer, red deer and reindeer, equines and canines.

Running at Large: The above referenced animal(s) in which: trespass onto property of another, town roads/streets (regardless if maintained by the Town of Greenland or the State of New Hampshire), public property or lands, highways or other areas not owned by the animal(s) owner.

1. Permitting animals(s) to run at large:
 - (a) It shall be unlawful for the owner of any animal to knowingly, voluntarily, negligently or willfully permit any such animal to run at large in the Town of Greenland whether upon the premises of another or upon the public lands, highways, roads or streets (whether maintained by the State of New Hampshire or Town of Greenland).
 - (b) Nothing in this section or elsewhere in this ordinance shall it be construed to make it unlawful to run animals at large on the premises of another when the owner or person in charge of the premises has consented in writing to allow the animal(s) onto his/her property. The animals must be contained to the consenting person’s property only, in order to mitigate penalties of this ordinance.

2. Owner of animal(s) liability from resulting damage:

The owner of such animal running at large shall be liable for any and all damages done to crops, lawns, trees, ornamental shrubs, flowers or any other property belonging to any person. Damages are to be recovered through any court of competent jurisdiction. The owner of any animal may be held liable for any damages to any motor vehicle or any occupant thereof suffered, caused by or resulting from a collision with such stock or other animal, if it is proven that such owner knowingly or willfully or negligently allowed such animal upon such public highway, road or street where such damages were occasioned.

3. Recovery of animal(s) by owner:

The Owner of the recovered animal(s) shall be responsible for any pick-up, boarding, medical or sustenance provided by the animal shelter caring for such animals in the event that the animals are recovered by any approved organization such as the Society for the Prevention of Cruelty to Animals (SPCA). The owner of the seized animal(s) shall be responsible for these payments if it is proven that the animal(s) were seized for rescue, running at large, neglect or animal cruelty. In this instance, the Town of Greenland shall not be held liable for charges or damages.

Civil Penalty: A monetary fine of \$50.00 may be imposed for such infractions of this ordinance. It shall be at the discretion of the investigating officer, Police Chief, or Board of Selectmen whether a fine is to be levied against the offender.”

(Majority vote required)

ARTICLE 13

To see if the Town will vote to establish an Expendable Trust Fund for the purpose of maintaining health insurance funds for the benefit of employees as authorized by RSA 31:19-a V and to appoint the Board of Selectmen as agents to expend from this fund for the payment of health claims or health insurance premiums and to further raise and appropriate the sum of Sixty Thousand Dollars (\$60,000.00) to be deposited into said fund. An annual accounting and report of the activities of the trust shall be published in the annual report. (Majority vote required)

**Recommended by Board of Selectmen
Recommended by Budget Committee**

ARTICLE 14

To see what sum the Town will vote to raise and appropriate for the operating budget. The Budget Committee recommends \$2,756,830. The Selectmen recommend \$2,812,618. This article does not include appropriations voted in other warrant articles. (Majority vote required)

ARTICLE 15

To see if the Town of Greenland will vote to raise and appropriate the sum of Twenty Thousand Dollars (\$20,000.00) to be deposited into the Conservation Land Capital Reserve Fund, established in 2001, for the funding of conservation land and/or easements for the Town, and to further amend the authority to expend from such fund by designating the Selectmen as agents to expend under the provisions of RSA 41:14-a. (Majority vote required)

**Recommended by Board of Selectmen
Recommended by Budget Committee**

ARTICLE 16

To see if the Town will vote to raise and appropriate the sum of Fifteen Thousand Dollars (\$15,000.00) to use in matching potential grant fund opportunities related to conservation or conducting natural and water resource research and education. This article is to be non-lapsing for a period of three years. (Majority vote required)

**Recommended by Board of Selectmen
Not recommended by Budget Committee**

ARTICLE 17

To see if the Town will vote to increase the membership of the Conservation Commission as established by Town Meeting in 1966 from five members to seven members to administer and exercise the powers conferred by RSA 36-A. (Majority vote required)

ARTICLE 18

To see if the Town of Greenland will vote to raise and appropriate the sum of One Hundred Seventy Thousand Dollars (\$170,000) to be added to the Town Vicinity Land Capital Reserve Fund established in 2004. (Majority vote required)

**Recommended by Board of Selectmen
Recommended by the Budget Committee**

ARTICLE 19

To see if the Town will vote to raise and appropriate the sum of Fifteen Thousand Dollars (\$15,000.00) to be deposited in the Weeks Library Capital Reserve Fund for future expansion of the Weeks Public Library. (Majority vote required)

**Recommended by Board of Selectmen
Recommended by Budget Committee**

ARTICLE 20

To see if the Town will vote to raise and appropriate the sum of Fifteen Thousand Dollars (\$15,000.00) for the acquisition and installation of a vertical baler at the Transfer Station. (Majority vote required)

**Recommended by Board of Selectmen
Recommended by the Budget Committee**

ARTICLE 21

To see if the Town will vote to raise and appropriate the sum of Five Thousand Dollars (\$5,000.00) to be deposited into the Retirement Liabilities Expendable Trust Fund established in 2008 to fund retirement liabilities for town employees. (Majority vote required)

**Recommended by Board of Selectmen
Recommended by Budget Committee**

ARTICLE 22

To see if the Town will vote to amend the authorized expenditure purposes of the Fire and Ambulance Special Revenue Fund to authorize the billing costs for ambulance services to be paid from that fund. Further, to raise and appropriate Three Thousand Dollars (\$3,000.00) for the 2010 expenses to be withdrawn from the Fire and Ambulance Special Revenue Fund. (Two-thirds vote required)

**Recommended by Board of Selectmen
Recommended by Budget Committee**

ARTICLE 23

To see if the Town will vote to raise and appropriate the sum of Two Thousand Five Hundred Dollars (\$2,500.00) to be deposited in the Mosquito Control Expendable Trust Fund established by Town Meeting in 2008 for the purpose of mosquito control measures that may be necessary on an emergency basis due to mosquito borne illnesses. (Majority vote required)

**Recommended by Board of Selectmen
Recommended by Budget Committee**

ARTICLE 24

To see if the Town will vote to raise and appropriate the sum of One Thousand Five Hundred Dollars (\$1,500.00) to compensate the Bookkeeper of the Trustee of Trust Funds. (Majority vote required)

**Not recommended by the Board of Selectmen
Recommended by the Budget Committee**

ARTICLE 25

To see if the Town of Greenland will vote to raise and appropriate the sum of Three Thousand Dollars (\$3,000.00) to provide funding for COAST, a transportation program that serves Greenland residents and to authorize the withdrawal of \$3,000.00 for that purpose from the Municipal/Regional Transportation Improvement Capital Reserve Fund established in 2006 under the provisions of RSA 261:153 VI and funded through the additional charge to motor vehicle registrations. (Majority vote required)

**Recommended by the Board of Selectmen
Recommended by the Budget Committee**

ARTICLE 26

To see if the Town will vote to require annual registration of commercial establishments and to authorize the Board of Selectmen to establish an annual fee schedule. The registration of businesses will help increase and maintain the safety of commercial buildings in the Town of Greenland and provide the fire department with important information regarding the current use of the building and any hazards that the town should be aware of. Revenue received will be used to offset the costs associated with a fire inspection program with the goal of completely inspecting all commercial structures over a five (5) year cycle or less. If approved, the registration of commercial establishments and establishment of the annual fee shall be effective July 1, 2010. (Majority vote required)

ARTICLE 27

To see if the Town will vote to establish a revolving fund pursuant to RSA 31:95-h, for the purpose of fire and safety inspections of commercial establishments, municipal and educational buildings. All revenues received from the annual fees for registration of commercial establishments will be deposited into the fund, and the money in the fund shall be allowed to accumulate from year to year, and shall not be considered part of the Town's general fund unreserved fund balance. The Town treasurer shall have custody of all monies in the fund, and shall pay out the same only upon order of the governing body and no further approval is required by the legislative body to expend. Such funds may be expended only for the purpose for which the fund was created. If approved, this fund will be established effective July 1, 2010. (Majority vote required)

ARTICLE 28

Shall we delegate the duties and responsibilities of the Cemetery Trustees to the Board of Selectmen? (Majority vote required)

ARTICLE 29

To see if the Town will vote to accept Great Bay Drive East and Great Bay Drive West as town roads, in their current condition, upon receipt of deeds releasing all rights, title and interests from all current owners of record. (Majority vote required)

ARTICLE 30

To see if the Town will vote to approve the following resolution to be forwarded to our State Representative(s), our State Senator, the Speaker of the House, and the Senate President.

“Resolved: The citizens of New Hampshire should be allowed to vote on an amendment to the New Hampshire Constitution that defines “marriage”. (By Petition)

ARTICLE 31

To take any other action that may legally come before the meeting.

GREENLAND BOARD OF SELECTMEN

Maurice Sodini, Chairman

Paul G. Sanderson, Vice Chairman

Bruce L. Dearborn

Jon Wendell

Charles H. Cummings, Jr.

Maurice Sodini, Chairman

Paul G. Sanderson, Vice Chairman

Bruce L. Dearborn

Jon Wendell

Charles H. Cummings, Jr.

ATTEST: