



**ABSENTEE
OFFICIAL BALLOT
ANNUAL TOWN ELECTION
NEWTON, NEW HAMPSHIRE
MARCH 13, 2012**

BALLOT 1 OF 3

Mary Jo McCullough
TOWN CLERK

INSTRUCTIONS TO VOTERS

- A. TO VOTE, completely fill in the OVAL to the RIGHT of your choice(s) like this:
- B. Follow directions as to the number of candidates to be marked for each office.
- C. To vote for a person whose name is not printed on the ballot, write the candidate's name on the line provided and completely fill in the OVAL.

<p align="center">BOARD OF SELECTMEN</p> <p align="center">Vote for not for 3 years more than ONE</p> <p>CHARLES R. MELVIN SR. <input type="radio"/></p> <p>LARRY FOOTE <input type="radio"/></p> <p>COLLEEN KEENAN <input type="radio"/></p> <p>KIERAN KELLY <input type="radio"/></p> <p>_____ <input type="radio"/></p> <p align="center">(Write-in)</p>	<p align="center">TOWN CLERK / TAX COLLECTOR</p> <p align="center">Vote for not for 3 years more than ONE</p> <p>MARY-JO MCCULLOUGH <input type="radio"/></p> <p>_____ <input type="radio"/></p> <p align="center">(Write-in)</p>	<p align="center">CEMETERY TRUSTEE</p> <p align="center">Vote for not for 3 years more than ONE</p> <p>MICHAEL W. HUGHES <input type="radio"/></p> <p>_____ <input type="radio"/></p> <p align="center">(Write-in)</p>
<p align="center">MODERATOR</p> <p align="center">Vote for not for 2 years more than ONE</p> <p>ROBERT DEZMELYK <input type="radio"/></p> <p>_____ <input type="radio"/></p> <p align="center">(Write-in)</p>	<p align="center">PLANNING BOARD</p> <p align="center">Vote for not for 3 years more than TWO</p> <p>FRANK E. GIBBS <input type="radio"/></p> <p>MICHAEL BLANCHETTE <input type="radio"/></p> <p>_____ <input type="radio"/></p> <p align="center">(Write-in)</p> <p>_____ <input type="radio"/></p> <p align="center">(Write-in)</p>	<p align="center">TRUSTEE OF TRUST FUNDS</p> <p align="center">Vote for not for 3 years more than ONE</p> <p>JOSEPH A. SIMONE, JR. <input type="radio"/></p> <p>_____ <input type="radio"/></p> <p align="center">(Write-in)</p>
	<p align="center">TREASURER</p> <p align="center">Vote for not for 3 years more than ONE</p> <p>BRENDA FIERS <input type="radio"/></p> <p>DEIDRE CASTLE <input type="radio"/></p> <p>_____ <input type="radio"/></p> <p align="center">(Write-in)</p>	<p align="center">TRUSTEE OF THE GALE LIBRARY</p> <p align="center">Vote for not for 3 years more than ONE</p> <p>MARILYN LANDRY <input type="radio"/></p> <p>_____ <input type="radio"/></p> <p align="center">(Write-in)</p>

ARTICLES

2. Are you in favor of the adoption of **Amendment No. 1** as proposed by the Planning Board for the Town of Newton Zoning Ordinance as follows?
 Make minor edits to the Town of Newton Zoning Ordinance language to correct previous editorial mistakes. The corrections do not change the meaning of any particular ordinance. The purpose is to make the zoning ordinances more organized and more accurately reflect the past decisions of the townspeople.

YES
NO

THE PLANNING BOARD DOES RECOMMEND THIS ARTICLE 6-1

3. Are you in favor of the adoption of **Amendment No. 2** as proposed by the Planning Board for the Town of Newton Zoning Ordinance as follows?

To add: "Per State of New Hampshire RSA 674:43, the Planning Board is authorized to require preliminary review of site plans and to review and approve or disapprove site plans for the development or change or expansion of use of tracts for nonresidential uses or for multi-family dwelling units. The site plan regulations regarding the requirements of such review are to be prepared and adopted by the Planning Board."

YES
NO

THE PLANNING BOARD DOES RECOMMEND THIS ARTICLE 7-0

4. Are you in favor of the adoption of **Amendment No. 3** as proposed by the Planning Board for the Town of Newton Zoning Ordinance as follows?

Define the process for classifying an activity as a home occupation or a home based business by adding Planning Board review of the proposed activity prior to the commencement of the activity.

YES
NO

THE PLANNING BOARD DOES RECOMMEND THIS ARTICLE 6-1

TURN BALLOT OVER AND CONTINUE VOTING

ARTICLES CONTINUED

5. Are you in favor of the adoption of **Amendment No. 4** as proposed by the Planning Board for the Town of Newton Zoning Ordinance as follows?

YES

Define the areas of zones specifically by map, block, and lot designation and eliminate reference to the Town of Newton zoning map as the primary method to define zones.

NO

THE PLANNING BOARD DOES RECOMMEND THIS ARTICLE 7-0

6. To see if the Town will vote to raise and appropriate **\$800,000.00 for the purchase of land and buildings on Merrimac Road**, identified in the town's tax records as Map 12, Lot 6, Sub-lot 11, a portion of which will be used for a new police station, to authorize the execution of a 10-year, 0% interest mortgage and promissory note to finance the purchase of the property in accordance with the Municipal Finance Act (RSA 33), and to authorize the Selectmen to issue and negotiate said mortgage and promissory note. Of the \$800,000.00 raised and appropriated, \$60,000.00 shall be designated for the first year's payment on the mortgage note. (3/5 ballot vote required)

YES

NO

THE BOARD OF SELECTMEN DOES RECOMMEND THIS ARTICLE 3-0

7. "Shall the Town of Newton 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 **\$2,932,375.00**? Should this article be defeated, the default budget shall be \$2,874,755.00, which is the same as last year, with certain adjustments required by previous action of the Town of Newton 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."

YES

NO

NOTE: This operating budget warrant article does not include appropriations contained in ANY other warrant articles.

THE BOARD OF SELECTMEN DOES RECOMMEND THIS ARTICLE 3-0

8. If article 6 is approved, to see if the Town will vote to authorize the Selectmen to list the Town Police Station located at 2 Amesbury Road, Town Tax Map 10-7-15 for sale with a broker for a price not less than the fair market value as determined by an independent appraisal. The Selectmen are hereby authorized to set such terms and conditions for the sale as they deem reasonable, appropriate and in the best interest of the Town.

YES

NO

THE BOARD OF SELECTMEN DOES RECOMMEND THIS ARTICLE 3-0

9. To see if the Town will vote to raise and appropriate, as proposed by the Board of Selectmen and the Fire Chief the sum of **\$50,000.00** to be placed in the existing **Capital Reserve Fund** known as the "Fire Apparatus and Equipment Fund" created in 2005.

YES

NO

THE BOARD OF SELECTMEN DOES RECOMMEND THIS ARTICLE 3-0

10. To see if the Town will vote to raise and appropriate, as proposed by the Board of Selectmen and the Fire Chief, the sum of **\$66,900.00 for Phase II of the installation of a "FIRE SUPPRESSION CISTERN"** for the Newton Town Hall and to further withdraw \$1,531.00 plus accrued interest from the Sprinkler Capital Reserve fund created in 1997. This will be a non-lapsing appropriation per RSA 32:7, VI and will not lapse until the sprinkler system is completed or by December 31, 2017, whichever is sooner. (*Per Selectmen's Bid Policy*)

YES

NO

THE BOARD OF SELECTMEN DOES RECOMMEND THIS ARTICLE 3-0

11. To see if the Town will **vote to adopt the RSA 154:1**, the Organization of the Fire Department, **paragraph II as provided in paragraph I (b)**. If adopted, the firefighters may recommend the appointment of a Fire Chief to the Board of Selectmen **by means of an internal election**; the appointed Fire Chief may recommend firefighters to be appointed by the Board of Selectmen.

YES

NO

THE BOARD OF SELECTMEN DOES RECOMMEND THIS ARTICLE 3-0

12. To see if the Town will vote to raise and appropriate **\$91,295.00 for the repair and maintenance of town roads to be offset by the NH Highway Block Grant**. This is a non-lapsing appropriation and will not lapse until the completion of the project or until December 31, 2017, whichever is sooner.

YES

NO

THE BOARD OF SELECTMEN DOES RECOMMEND THIS ARTICLE 3-0

13. To see if the Town will vote to **change the position of the Highway Foreman** from part-time to full-time effective April 1, 2012 and further to raise and appropriate **\$7,000.00** for the additional costs in salary and benefits. If approved, this appropriation will be included in the operating budget in coming years.

YES

NO

THE BOARD OF SELECTMEN DOES RECOMMEND THIS ARTICLE 3-0

GO TO NEXT BALLOT AND CONTINUE VOTING



**ABSENTEE
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BALLOT 2 OF 3

Mary Jo McCullough
TOWN CLERK

ARTICLES CONTINUED

14. To see if the Town will vote, as proposed by the Board of Selectmen, to raise and appropriate the sum of **\$60,000.00** to be paid toward the **2012 SOLID WASTE DISPOSAL BUDGET** as an offset to the disposal costs and to authorize the withdrawal of \$60,000.00 from the Transfer Station/Recycling Special Revenue Fund created in 2003 for this purpose.

YES

NO

THE BOARD OF SELECTMEN DOES RECOMMEND THIS ARTICLE 3-0

15. To see if the Town will vote, as proposed by the Board of Selectmen, to raise and appropriate the sum of **\$50,500.00** to install a **Security Fence at the Transfer Station** in an effort to make the facility safe and protect the Town from liability; and to further authorize the withdrawal of \$50,500.00 from the Transfer Station/Recycling Special Revenue Fund created in 2003 for this purpose. *(Per Selectmen's Bid Policy)*

YES

NO

THE BOARD OF SELECTMEN DOES RECOMMEND THIS ARTICLE 3-0

16. To see if the Town will vote to raise and appropriate, as proposed by the Cemetery Trustees, the sum of **\$2,600.00** to **restore the lawn in the front section of the Willow Grove Cemetery** by removing the weeds and crab grass, and to rotor till, enhance, fertilize and re-seed the soil.

YES

NO

THE BOARD OF SELECTMEN DOES RECOMMEND THIS ARTICLE 3-0

17. Shall the Town enact the following Administrative Enforcement Ordinance?

**ADMINISTRATIVE ENFORCEMENT ORDINANCE FOR
VIOLATIONS OF TOWN ORDINANCES, BYLAWS OR REGULATIONS**

AUTHORITY

This Administrative Enforcement Ordinance is adopted by the Town of Newton in accordance with the provisions of New Hampshire Revised Statutes Annotated Chapter 31, Section 39-c, authorizing the Town of Newton to establish a system for the administrative enforcement of violations of any municipal code, ordinance, bylaw, or regulations, and for the collection of penalties, to be used prior to the service of a formal summons and complaint, and to include opportunities for persons for a schedule of enhanced penalties the longer such penalties remain unpaid.

PURPOSE

It is the declared purpose of the Town of Newton, through the adoption of this Ordinance, to establish an administrative enforcement system, as authorized by NH RSA 31:39-c, to enable simplified, less expensive and expeditious enforcement of violations of the Town's codes, ordinances, bylaws or regulations. This system shall be in addition to, and not in replacement of, any other remedies for enforcement available bylaw.

SECTION 1. Notice of Violation

Violations of Town of Newton municipal codes, ordinances, bylaws or regulations may be enforced via the issuance of notices of violations containing a description of the offense and any applicable penalties, either delivered in person or by first class mail to the last known address of the offender.

SECTION 2. Administration

The system may be administered by Newton Police Department or by such other Newton municipal agency or official as is designated by the Newton Board of Selectmen.

SECTION 3. Separate Event

Each instance of offense shall constitute a separate event for purpose of assessment of a penalty and in the case of a continuing violation, each day said violation occurs shall constitute a separate violation for penalty purposes.

SECTION 4. Amount of Penalty

The dollar amount, before the doubling or tripling specified below, of the penalty for a particular violation shall be the amount set forth in the particular code, ordinance, bylaw, or regulation for whose violation a notice is issued.

SECTION 5. Enhanced Penalties

Failure of the offender to pay the penalty designated in the notice of violation within 30 days shall automatically increase the penalty to double the amount specified, which said doubling shall be warned of in the notice, provided that the total amount assessed for each offense shall not exceed \$1,000. Failure of the offender to pay the penalty designated in the notice of violation within 60 days shall automatically increase the penalty to triple the amount specified, which said tripling shall be warned of in the notice, provided that the total amount assessed for each offense shall not exceed \$1,000.

ARTICLE 17 CONTINUED ON BACK

TURN BALLOT OVER AND CONTINUE VOTING

ARTICLES CONTINUED

ARTICLE 17 CONTINUED

SECTION 6. Payment of Violations

Penalties imposed under this system may be paid by mail to the issuing department to the address for payment specified on the notice of violation.

SECTION 7. Appeals

Appeals for the issuance of a notice of violation shall be heard by the Board of Selectmen or their designee as judge utilizing the informal procedure of the small claims court justice, which said appeal shall not be governed by the rules of evidence, provided that such appeal is requested by letter to the Board of Selectmen within 15 calendar days from the issuance of the notice of violation. Any enhanced penalty may also be appealed in like fashion to the Board of Selectmen provided that such appeal is requested within 15 calendar days from any increase in penalty. The decision of the Board of Selectmen on any such appeal, which may include the waiver of any enhanced penalty, shall be final.

SECTION 8. Other Remedies

If the administrative enforcement system established by this Ordinance is unsuccessful at resolving an alleged violation, a summons may be issued as otherwise provided by law, including use of the procedure for plea by mail set forth in RSA 31:39-d, and any other remedies available by law may also be utilized.

YES

NO

THE BOARD OF SELECTMEN DOES RECOMMEND THIS ARTICLE 3-0

18. To see if the Town will vote to **change the position of Director of the Gale Library from part-time to full-time** effective April 1, 2012 and further to raise and appropriate **\$8,303.00** for the additional costs in salary and benefits. If approved, this appropriation will be included in the operating budget in coming years.

YES

NO

THE BOARD OF SELECTMEN DOES RECOMMEND THIS ARTICLE 3-0

19. To see if the Town will vote to raise and appropriate, as proposed by the Gale Library Trustees, the sum of **\$11,750.00 to install a Ductless A/C Heat Pumps** on the second floor of the Gale Library. *(Per Selectmen's Bid Policy)*

YES

NO

THE BOARD OF SELECTMEN DOES RECOMMEND THIS ARTICLE 3-0

20. Shall the Town vote to **designate the Town-owned Peanut Trail as a Class B Trail**, as authorized by RSA 231-A. The Peanut Trail consists of Tax Map 12 Block 1 Lot 13 and Tax Map 11 Block 7 Lot 60.

YES

NO

THE BOARD OF SELECTMEN DOES RECOMMEND THIS ARTICLE 3-0

21. To see if the Town will vote to raise and appropriate, as proposed by the Recreation Commission, the sum of **\$3,500.00 for Recreational Programs and Trips for Newton Seniors.**

YES

NO

THE BOARD OF SELECTMEN DOES RECOMMEND THIS ARTICLE 3-0

22. To see if the Town will vote to **rescind the 2009 Warrant Article, #35** to vote on the Community Service articles individually; **and instead vote to list them in one article** in an effort to reduce the printing costs of the warrant and the town ballot. This change will take effect in 2013.

YES

NO

THE BOARD OF SELECTMEN DOES RECOMMEND THIS ARTICLE 3-0

23. To see if the Town will vote to raise and appropriate the sum of **\$2,000.00 for A SAFE PLACE** to continue free and confidential Domestic Violence Support Services, counseling, emergency shelter services and community educational outreach.

YES

NO

THE BOARD OF SELECTMEN DOES RECOMMEND THIS ARTICLE 3-0

24. To see if the Town will vote to raise and appropriate the sum of **\$3,800.00 to AREA HOMECARE & FAMILY SERVICES** for the purpose of helping to defray the cost of in-home services for Newton's elderly and people with disabilities, so they may stay in their homes for as long as possible.

YES

NO

THE BOARD OF SELECTMEN DOES RECOMMEND THIS ARTICLE 3-0

25. To see if the Town will vote to raise and appropriate the sum of **\$2,000.00 for the CHILD ADVOCACY CENTER** to assist the Newton Police Department in the coordination and investigation of child abuse cases.

YES

NO

THE BOARD OF SELECTMEN DOES RECOMMEND THIS ARTICLE 3-0

26. To see if the Town will vote to raise and appropriate the sum of **\$2,000.00 for DRUGS ARE DANGEROUS INC. (D.A.D.)** and to continue the "Natural High" experiences to our children, youth and families.

YES

NO

THE BOARD OF SELECTMEN DOES RECOMMEND THIS ARTICLE 3-0

27. To see if the Town will vote to raise and appropriate the sum of **\$5,947.00** for the purpose of continued funding for **FAMILY MEDIATION & JUVENILE SERVICES**, a non-profit organization since 1983, to continue to provide the following services: Parent-Child Mediation, Peer Mediation Training, Community Service, Restitution, Youth and Parent Anger-Management Courses, Youth and Parent Substance Abuse Awareness Courses, Stop Shoplifting Courses, Tobacco Education, and individually-tailored juvenile diversion contracts.

YES

NO

THE BOARD OF SELECTMEN DOES RECOMMEND THIS ARTICLE 3-0

GO TO NEXT BALLOT AND CONTINUE VOTING



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BALLOT 3 OF 3

Mary Jo McCullough
TOWN CLERK

ARTICLES CONTINUED

28. To see if the Town will vote to raise and appropriate the sum of **\$1,800.00** for **LAMPREY HEALTH CARE** to continue to provide primary care & preventive health services and the senior transportation program. YES
NO

THE BOARD OF SELECTMEN DOES RECOMMEND THIS ARTICLE 3-0

29. To see if the Town will vote to raise and appropriate the sum of **\$750.00** for **NH SOCIETY FOR THE PREVENTION OF CRUELTY TO ANIMALS (NHSPCA)** to continue providing animal care and sheltering services, humane education and community services and cruelty investigations. YES
NO

THE BOARD OF SELECTMEN DOES RECOMMEND THIS ARTICLE 3-0

30. To see if the Town will vote to raise and appropriate the sum of **\$5,000.00** for **ROCKINGHAM COMMUNITY ACTION** to continue their outreach programs and the broad range of services they provide such as: **Fuel Assistance, Electric assistance, Child Care Resource, Surplus Food Distribution, Emergency food Pantry, Homeless Prevention, Literacy Services, WIC Supplemental food Program, etc.** YES
NO

THE BOARD OF SELECTMEN DOES RECOMMEND THIS ARTICLE 3-0

31. To see if the Town will vote to raise and appropriate the sum of **\$1,373.00** to support **ROCKINGHAM NUTRITION and MEALS ON WHEELS PROGRAM**, providing meals for older, homebound and disabled Newton residents. YES
NO

THE BOARD OF SELECTMEN DOES RECOMMEND THIS ARTICLE 3-0

32. To see if the Town will vote to raise and appropriate the sum of **\$2,000.00** for **SEACARE HEALTH SERVICES** to provide access to healthcare to uninsured individuals who live in the Town of Newton. YES
NO

THE BOARD OF SELECTMEN DOES RECOMMEND THIS ARTICLE 3-0

33. To see if the Town will vote to raise and appropriate the sum of **\$2,700.00** for **VIC GEARY CENTER** to provide a safe gathering place for senior citizens to congregate, share a nutritious noon meal, participate in social and recreational activities and to provide many clinics such as blood pressure, foot care, hearing, sight, home safety and tax preparation. YES
NO

THE BOARD OF SELECTMEN DOES RECOMMEND THIS ARTICLE 3-0

34. On a petition of 25 or more legal voters of the Town of Newton, to see if the Town will vote to raise and appropriate the sum of **\$550.00** to **Sexual Assault Support Services (SASS)**, a private non-profit organization. SASS provides a 24-hour toll-free crisis hotline and support groups for Newton residents who are survivors of sexual assault and childhood sexual abuse, as well as education and prevention programs to children, teens and parents. SASS provided services to 8 Newton residents last year. YES
NO

THE BOARD OF SELECTMEN DOES RECOMMEND THIS ARTICLE 3-0

35. Are you in favor of a petition of 25 or more legal voters in the Town of Newton for an easement over Town Land as follows?

We the undersigned, being registered voters in Newton, New Hampshire, request that the property located at One Deluxe Avenue (Map 11 Lot 15-1, behind the Gale Library), be granted an easement for access and egress with vehicle and for utilities to be determined by the Board of Selectmen. The easement (for now and future heirs and assigns of this lot) would start on the east side of South Main Street and extend 1,000 feet east over the Peanut Trail (old Railroad Bed) and to said property. This lot is a single lot of record (abutting the Peanut Trail on the north side) without a clear access and egress for the property owner as well as for utilities. This action will be without any expense to the Town. YES
NO

THE BOARD OF SELECTMEN DOES NOT RECOMMEND THIS ARTICLE 3-0

36. To see if the Town will vote to **change the Office of Town Treasurer from an elected position to an appointed position, per RSA 41:26-e.** Such appointment shall be made in accordance with RSA 669:17-d by the Board of Selectmen. *(When a town votes to discontinue an elected treasurer office, the person holding the elected office of treasurer at the time of the vote to discontinue it shall continue to hold office until the annual town election first following the discontinuance of the office, at which time the elected office of treasurer shall terminate irrespective of the length of that officer's term.)* YES
NO

THE BOARD OF SELECTMEN DOES RECOMMEND THIS ARTICLE 3-0

YOU HAVE NOW COMPLETED VOTING