

**Town of Newington
State of New Hampshire**

TOWN WARRANT

**To the Inhabitants of the Town of Newington in the County of Rockingham and
said State qualified to vote in Town Affairs:**

You are hereby notified to meet at the Newington Town Hall on Tuesday, March 14, 2006 to act on Articles 1 & 2. The Polls will open at 11:00a.m. and close at 7:00p.m.

The Business portion of the meeting to act on Articles 3 through 22 will resume on Saturday, March 18, 2006 at 1:30p.m.

ARTICLE 1. To choose in the manner provided by law; one (1) **Selectman** for 3 years; one (1) **Town Clerk/Tax Collector** for 3 years; one (1) **Moderator** for 3 years; one (1) **Treasurer** for 1 year; two (2) **Planning Board** members for 3 years; one (1) **Cemetery Committee** member for 3 years; one (1) Board of **Fire Engineers** member for 3 years; one (1) **Police Commission** member for 3 years; one (1) Library Trustee for 3 years; one (1) Trustee of Trust Funds for 3 years; three (3) **Budget Committee** members for 3 years; one (1) **Sewer Commission** member for 3 years.

ARTICLE 2. To see if the Town will amend the Zoning Ordinance, as proposed by the Planning Board, as follows:

Amendment #1: Add the following to the definition of “structure” in Article II of the Zoning Ordinance:

“For the purposes of this ordinance, the following shall not be considered structures: docks, detached stairways, and paved driveways utilized for access to a property.”

Yes: 240 No: 46

Amendment #2: In Article XII Sexually Oriented Businesses, eliminate Section 4 and replace Section 2 with the following:

“Section 2 - Zoning District: Sexually oriented businesses are only permitted in the Commercial (C) Zone.”

Yes: 239 No: 45

Amendment #3: Home Occupations & Home Businesses

1) Add the following definitions to Article II:

Home Occupation: An occupation conducted by a town resident in his/her legally established domicile, and which employs no non-residents.

Home Business: A business owned and operated by a town resident in his/her legally established domicile. The business may employ up to a maximum of three non-residents.

2) Adopt a new article XVI as follows, and re-number the existing Article XVI:

Article XVI Home Occupations & Home Businesses

The intent of this article is to permit home occupations and home businesses to function in a manner that has no noticeable impact on the quality and character of Newington's residential district.

SECTION 1 - Home Occupations may be permitted in the Residential Zone only if they meet all of the following conditions:

- A) Home occupations shall be performed only by the resident(s) of the domicile. There shall be no outside employees.
- B) Home occupations shall have no impact on the surrounding residential neighborhood.
- C) A home occupation may only be conducted within a residence or pre-existing accessory building.
- D) There shall be no display of goods, wares or storage of materials visible from any public way, shoreline or abutting residences.
- E) Signs shall meet the requirements of the Newington Zoning Ordinance.
- F) No commercial vehicles related to said home occupation shall be stored on the premises.
- G) Parking generated by the home occupation shall be located off the street, and the vehicles shall be subject to the zoning setbacks for structures.
- H) The building or premises containing the home occupation shall not be detrimental to the residential character of the neighborhood due to its exterior appearance. There shall be no emission of odor, smoke, dust, vibration, noise or detectable tones.
- I) No equipment or process shall be used that creates visual or audible interference in any cell phone, wireless LAN, radio or television receiver off the premises, or causes fluctuations in line voltage off the premises.

- J) Bandwidth consumption or denial of service to the publicly accessed information infrastructure (coaxial, fiber, wired or wireless) must not be perceptible at the lot line at a higher level than is customary in a residential neighborhood.
- K) Water consumption shall be no more than is normal in a residential neighborhood.
- L) On-site storage of hazardous materials other than small quantities of products that are intended for normal household use shall be subject to approval by the Newington Fire Chief.

SECTION 2 - Permitted Home Occupations: The following are permitted, subject to the conditions specified in Section 1 above: engineer, consultant, advisor, surveyor, sales representative, programmer, systems analyst, computer operator, artist, illustrator, graphic artist, draftsman, photographer, writer, architect, seamstress, decorator, insurance agent, real estate agent, and any similar use, provided that the Planning Board, after a public hearing, finds that all of the conditions in Section 1 are satisfied.

SECTION 3 - Home Businesses may be permitted in the Residential Zone only if they meet all of the following conditions:

- A) Home businesses shall have no impact on the surrounding residential neighborhood
- B) Prior to the commencement of operations, home businesses must receive a Conditional Use Permit and Site Plan approval from the Planning Board.
- C) Before granting a Conditional Use Permit, the Planning Board must determine that the proposed structure(s), location, and size of the parcel are of a suitable scale, appearance, and character that are compatible with the surrounding neighborhood. The structure(s) must maintain the appearance of a residence.
- D) The principal operator must reside on the premises.
- E) No more than one (1) home business may be established on a property.
- F) No more than fifty percent (50%) of floor space of buildings on the premises can be devoted to such use.
- G) The home business may be conducted in a pre-existing accessory building which may utilize up to one hundred percent (100%) of said building's floor area.
- H) There shall be no display of goods, wares, or storage of materials visible from the public way or shoreline or abutting residences. Outdoor storage of materials or equipment is not permitted unless specifically approved by the Planning Board. Outdoor storage:
 - a. Shall be at least fifty (50) feet from all lot lines

- b. Shall be screened with fencing or a vegetative buffer.
- I) Signs shall meet the requirements of the Newington Zoning Ordinance.
- J) A limited number of commercial vehicles related to the home business may be stored on the premises. The number and size of the commercial vehicles is subject to approval by the Planning Board.
- K) Customer parking generated by the home business shall be off the street, and the vehicles shall be subject to the zoning setbacks for structures. A total of 4 customer parking spaces are permitted on conforming lots. The number of parking spaces for non-conforming lots shall be determined by the Planning Board.
- L) The building or premises containing the home business shall not be detrimental to the residential character of the neighborhood due to its exterior appearance. There shall be no emission of odor, smoke, dust, vibration, noise or detectable tones.
- M) No equipment or process shall be used that creates visual or audible interference in any cell phone, wireless LAN, radio or television receiver off the premises, or causes fluctuations in line voltage off the premises.
- N) Bandwidth consumption or denial of service to the publicly accessed information infrastructure (coaxial, fiber, wired or wireless) must not be perceptible at the lot line at a higher level than is customary in a residential neighborhood.
- O) Water consumption shall be no more than is normal in a residential neighborhood.
- P) On-site storage of hazardous materials other than small quantities of products that are intended for normal household use shall be subject to approval by the Newington Fire Chief.
- Q) A certificate of occupancy is required prior to the commencement of business operations.

SECTION 4 - Permitted Home Businesses: The following are permitted subject to the conditions specified in Section 3 above: light distribution, painter, architect, plumber, carpenter, electrician, building contractor, hair dresser, landscaper, all home occupations listed in Section 2 above, and any similar use, provided that the Planning Board, after a public hearing, finds that all of the conditions in Section 3 are satisfied.

3) Replace Article V Section 1B(6) with the following:

(6) Home occupations and home businesses subject to the conditions specified in Article XVI below.

Yes: 192 No: 91

Amendment #4 Add the following to the Zoning Ordinance:

ARTICLE XVII - Floodplain Management

This ordinance, adopted pursuant to the authority of RSA 674:16, shall be known as the Town of Newington Floodplain Management Ordinance. The regulations in this ordinance shall overlay and supplement the regulations in the Town of Newington Zoning Ordinance, and shall be considered part of the Zoning Ordinance for purposes of administration and appeals under state law. If any provision of this ordinance differs or appears to conflict with any provision of the Zoning Ordinance or other ordinance or regulation, the provision imposing the greater restriction or more stringent standard shall be controlling.

The following regulations in this ordinance shall apply to all lands designated as special flood hazard areas by the Federal Emergency Management Agency (FEMA) in its "Flood Insurance Study for the County of Rockingham, N.H." dated May 17, 2005, together with the associated Flood Insurance Rate Maps dated May 17, 2005, which are declared to be a part of this ordinance and are hereby incorporated by reference, and any subsequent revisions thereto.

Item I - Definition of Terms: The following definitions shall apply only to this Floodplain Management Ordinance, and shall not be affected by the provisions of any other ordinance of the Town of Newington.

1. "Area of Shallow Flooding" means a designated A0, AH, or V0 zone on the Flood Insurance Rate Map (FIRM) with a one-percent or greater annual possibility of flooding to an average depth of one to three feet where a clearly defined channel does not exist, where the path of flooding is unpredictable and where velocity flow may be evident. Such flooding is characterized by ponding or sheet-flow.
2. "Area of Special Flood Hazard" is the land in the floodplain within the Town of Newington subject to a one-percent or greater possibility of flooding in any given year. The area is designated as zone A on the FHBM and is designated on the FIRM as zone AE.
3. "Base Flood" means the flood having a one-percent possibility of being equaled or exceeded in any given year.
4. "Basement" means any area of a building having its floor subgrade on all sides.
5. "Building" - see "structure".
6. "Breakaway wall" means a wall that is not part of the structural support of the building and is intended through its design and construction to collapse under specific lateral loading forces without causing damage to the elevated portion of the building or supporting foundation.
7. "Development" means any man-made change to improved or unimproved real estate, including but not limited to buildings or other structures, mining, dredging,

filling, grading, paving, excavation, or drilling operation.

8. "FEMA " means the Federal Emergency Management Agency.

9. "Flood" or "Flooding" means a general and temporary condition of partial or complete inundation of normally dry land areas from:

A - the overflow of inland or tidal waters, or

B - the unusual and rapid accumulation or runoff of surface waters from any source.

10. "Flood Boundary and Floodway Map" (Floodway Map) is the official map of the Town of Newington, on which FEMA has delineated the "Regulatory Floodway". This map should not be used to determine the correct flood hazard zone or base flood elevation, the Flood Insurance Rate Map (FIRM) will be used to make determinations of flood hazard zones and base flood elevations.

11. "Flood Elevation Study" means an examination, evaluation, and determination of flood hazards and if appropriate, corresponding water surface elevations, or an examination and determination of mudslide or flood - related erosion hazards.

12. "Flood Insurance Rate Map" (FIRM) means the official map incorporated with this ordinance, on which FEMA has delineated both the special flood hazard areas and the risk premium zones applicable to the Town of Newington.

13. Flood Insurance Study" - see "Flood elevation study".

14. "Floodplain" or "Flood-prone area" means any land area susceptible to being inundated by water from any source (see definition of "Flooding").

15. "Flood proofing" means any combination of structural and non-structural additions, changes, or adjustments to structures that reduce or eliminate flood damage to real estate or improved real property, water and sanitation facilities, structures and their contents.

16. "Floodway" - see "Regulatory Floodway".

17. "Functionally dependent use" means a use that cannot perform its intended purpose unless it is located or carried out in close proximity to water. The term includes only docking and port facilities that are necessary for the loading/unloading of cargo or passengers, and ship building/repair facilities but does not include long-term storage or related manufacturing facilities.

18. "Highest adjacent grade" means the highest natural elevation of the ground surface prior to construction next to the proposed walls of a structure.

19. "Historic Structure" means any structure that is:

- j. listed individually in the National Register of Historic Places (a listing maintained by the Department of Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register;
 - k. certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district;
 - l. individually listed on a state inventory of historic places in states with historic preservation programs which have been approved by the Secretary of the Interior; or
 - m. individually listed on a local inventory of historic places in communities with historic preservation programs that have been certified either:
 - (iv) by an approved state program as determined by the Secretary of the Interior, or
 - (xv) directly by the Secretary of the Interior in states without approved programs.
20. "Lowest Floor" means the lowest floor of the lowest enclosed area (including basement). An unfinished or flood resistant enclosure, usable solely for parking of vehicles, building access or storage in an area other than a basement area is not considered a building's lowest floor; provided, that such an enclosure is not built so as to render the structure in violation of the applicable non-elevation design requirements of this ordinance.
21. "Manufactured Home" means a structure, transportable in one or more sections, which is built on a permanent chassis and is designed for use with or without a permanent foundation when connected to the required utilities. For floodplain management purposes the term "manufactured home" includes park trailers, travel trailers, and other similar vehicles placed on site for greater than 180 days.
22. "Mean sea level" means the National Geodetic Vertical Datum (NGVD) of 1929 or other datum, to which base flood elevations shown on a community's Flood Insurance Rate Map are referenced.
23. "New construction" means, for the purposes of determining insurance rates, structures for which the start of construction commenced on or after the effective date of an initial FIRM or after December 31, 1974, whichever is later, and includes any subsequent improvements to such structures. For floodplain management purposes, new construction means structures for which the start of construction commenced on or after the effective date of a floodplain management regulation adopted by a community and includes any subsequent improvements to such structures.
24. "100-year flood" - see "base flood"

25. "Recreational Vehicle" is defined as:
- (xvi) built on a single chassis;
 - (xvii) 400 square feet or less when measured at the largest horizontal projection;
 - (xviii) designed to be self-propelled or permanently towable by a light duty truck; and
 - (xix) designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel or seasonal use.
26. "Regulatory floodway" means the channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without increasing the water surface elevation. These areas are designated as floodways on the Flood Boundary and Floodway Map.
27. "Special flood hazard area" means an area having flood, mudslide, and/or flood-related erosion hazards, and shown on an FHBM or FIRM as zone A, A0, A1-30, AE, A99, AH, V0, V1-30, VE, V, M, or E. (See "Area of Special Flood Hazard")
28. "Structure" means for floodplain management purposes, a walled and roofed building, including a gas or liquid storage tank that is principally above ground, as well as a manufactured home.
29. "Start of Construction" includes substantial improvements, and means the date the building permit was issued, provided the actual start of construction, repair, reconstruction, placement, or other improvement was within 180 days of the permit date. The actual start means either the first placement of permanent construction of a structure on site, such as the pouring of slab or footings, the installation of piles, the construction of columns, or any work beyond the stage of excavation; or the placement of a manufactured home on a foundation. Permanent construction does not include land preparation, such as clearing, grading and filling; nor does it include the installation of streets and/or walkways; nor does it include excavation for a basement, footings, piers, or foundations or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or part of the main structure.
30. "Substantial damage" means damage of any origin sustained by a structure whereby the cost of restoring the structure to its before damaged condition would equal or exceed 50 percent of the market value of the structure before the damage occurred.
31. "Substantial Improvement" means any combination of repairs, reconstruction, alteration, or improvements to a structure in which the cumulative cost equals or

exceeds fifty percent of the market value of the structure. The market value of the structure should equal:

1. the appraised value prior to the start of the initial repair or improvement, or
2. in the case of damage, the value of the structure prior to the damage occurring.

For the purposes of this definition, "substantial improvement" is considered to occur when the first alteration of any wall, ceiling, floor, or other structural part of the building commences, whether or not that alteration affects the external dimensions of the structure. This term includes structures that have incurred substantial damage, regardless of actual repair work performed. The term does not, however, include any project for improvement of a structure required to comply with existing health, sanitary, or safety code specifications which are solely necessary to assure safe living conditions or any alteration of a "historic structure", provided that the alteration will not preclude the structure's continued designation as a "historic structure".

- 32 "Water surface elevation" means the height, in relation to the National Geodetic Vertical Datum (NGVD) of 1929, (or other datum, where specified) of floods of various magnitudes and frequencies in the floodplains.

Item II- Permits:

All proposed development in any special flood hazard areas shall require a permit.

Item III - Construction Requirements:

The building inspector shall review all building permit applications for new construction or substantial improvements to determine whether proposed building sites will be reasonably safe from flooding. If a proposed building site is located in a special flood hazard area, all new construction or substantial improvements shall:

- a. be designed (or modified) and adequately anchored to prevent floatation, collapse, or lateral movement of the structure resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy,
- b. be constructed with materials resistant to flood damage,
- c. be constructed by methods and practices that minimize flood damages,
- d. be constructed with electrical, heating, ventilation, plumbing, and air conditioning equipment, and other service facilities that are designed and/or located so as to prevent water from entering or accumulating within the components during conditions of flooding.

Item IV - Water and Sewer Systems:

Where new or replacement water and sewer systems (including on-site systems) are proposed in a special flood hazard area the applicant shall provide the Building Inspector with assurance that these systems will be designed to minimize or eliminate infiltration of flood waters into the systems and discharges from the systems into flood waters, and on-site waste disposal systems will be located to avoid impairment to them or contamination from them during periods of flooding.

Item V - Certification:

For all new or substantially improved structures located in Zones A, A1-30, AE, A0 or AH, the applicant shall furnish the following information to the building inspector:

- a. the as-built elevation (in relation to NGVD) of the lowest floor (including basement) and include whether or not such structures contain a basement.
- b. if the structure has been floodproofed, the as-built elevation (in relation to NGVD) to which the structure was floodproofed.
- c. any certification of floodproofing.

For all new construction or substantially improved buildings located in Zones VE or V1-30 the applicant shall furnish the building inspector records indicating the as-built elevation of the bottom of the lowest horizontal structural member of the lowest floor (excluding pilings or columns) in relation to NGVD and whether or not the structure contains a basement.

The Building Inspector shall maintain the aforementioned information for public inspection, and shall furnish such information upon request.

Item VI - Other Permits:

The Building Inspector shall not grant a building permit until the applicant certifies that all necessary permits have been received from those governmental agencies from which approval is required by federal or state law, including Section 404 of the Federal Water Pollution Control Act Amendments of 1972, 33 U. S. C. 1334.

Item VII - Watercourses:

1. In riverine situations, prior to the alteration or relocation of a watercourse the applicant for such authorization shall notify the Wetlands Bureau of the New Hampshire Environmental Services Department and submit copies of such notification to the Building Inspector, in addition to the copies required by the RSA 482-A: 3. Further, the applicant shall be required to submit copies of said notification to those adjacent communities as determined by the Building Inspector, including notice of all scheduled hearings before the Wetlands Bureau.
2. The applicant shall submit to the Building Inspector, certification provided by a registered professional engineer, assuring that the flood carrying capacity of an altered or relocated watercourse can and will be maintained.

3. The Building Inspector shall obtain, review, and reasonably utilize any floodway data available from Federal, State, or other sources as criteria for requiring that all development located in Zone A meet the following floodway requirement:

"No encroachments, including fill, new construction, substantial improvements, and other development are allowed within the floodway that would result in any increase in flood levels within the community during the base flood discharge."

4. Along watercourses that have not had a Regulatory Floodway designated, no new construction, substantial improvements, or other development (including fill) shall be permitted within zones AI-30 and AE on the FIRM, unless it is demonstrated by the applicant that the cumulative effect of the proposed development, when combined with all existing and anticipated development, will not increase the water surface elevation of the base flood more than one foot at any point within the community.
5. Along watercourses with a designated Regulatory Floodway no encroachments, including fill, new construction, substantial improvements, and other development are allowed within the floodway unless it has been demonstrated through hydrologic and hydraulic analyses performed in accordance with standard engineering practices that the proposed encroachment would not result in any increase in flood levels within the community during the base flood discharge.

Item VIII- Special Flood Hazard Areas:

1. In special flood hazard areas the Building Inspector shall determine the 100-year flood elevation in the following order of precedence according to the data available:
 - a. in zones AI-30, AH, AE, VI-30, and VE refer to the elevation data provided in the community's Flood Insurance Study and accompanying FIRM or FHBM.
 - b. in unnumbered A zones the Building Inspector shall obtain, review, and reasonably utilize any 100-year flood elevation data available from any federal, state or other source including data submitted for development proposals submitted to the community (i.e. subdivisions, site approvals).
 - c. in zone A0 the flood elevation is determined by adding the elevation of the highest adjacent grade to the depth number specified on the FIRM or if no depth number is specified on the FIRM at least 2 feet.
2. The Building Inspector's 100 year flood elevation determination will be used as criteria for requiring in zones A, AI-30, AE, VI-30, and VE that:
 - a. All new construction or substantial improvement of residential structures have the lowest floor (including basement) elevated to or above the 100 year flood elevation.
 - b. All new construction or substantial improvements of non-residential structures have the lowest floor (including basement) elevated to or above

the 100-year flood level; or together with attendant utility and sanitary facilities, shall:

- (I) be floodproofed so that below the 100-year flood elevation the structure is watertight with walls substantially impermeable to the passage of water;
 - (ii) have structural components capable of resisting hydrostatic and hydrodynamic loads and the effects of buoyancy; and
 - (iii) be certified by a registered professional engineer or architect that the design and methods of construction are in accordance with accepted standards of practice for meeting the provisions of this section.
- c. All manufactured homes to be placed or substantially improved within special flood hazard areas shall be elevated on a permanent foundation such that the lowest floor of the manufactured home is at or above the base flood level; and be securely anchored to resist floatation, collapse, or lateral movement. Methods of anchoring may include, but are not limited to, use of over-the-top or frame ties to ground anchors.
- d. All recreational vehicles placed on sites within Zones A1-30, AH, AE, V, V1-30, and VE shall either:
- (I) be on the site for fewer than 180 consecutive days;
 - (ii) be fully licensed and ready for highway use; or
 - (iii) meet all standards of Section 60.3 (b) (1) of the National Flood Insurance Program Regulations and the elevation and anchoring requirements for "manufactured homes" in Paragraph 8 (6) of Section 60.3.
- e. For all new construction and substantial improvements, fully enclosed areas below the lowest floor that are subject to flooding are permitted provided they meet the following requirements:
- (i) the enclosed area is unfinished or flood resistant, usable solely for the parking of vehicles, building access or storage;
 - (ii) the area is not a basement;
 - (iii) shall be designed to automatically equalize hydrostatic flood forces on exterior walls by allowing for the entry and exit of floodwater. Designs for meeting this requirement must either be certified by a registered professional engineer or architect or must meet or exceed the following minimum criteria: A minimum of two openings having a total net area of not less than one square inch for every square foot of enclosed area subject to flooding shall be provided. The bottom of all openings

shall be no higher than one foot above grade. Openings may be equipped with screens, louvers, or other coverings or devices provided that they permit the automatic entry and exit of floodwater.

- f. Proposed structures to be located on slopes in special flood hazard areas, zones AH and A0 shall include adequate drainage paths to guide floodwaters around and away from the proposed structures.

Item IX - Variances and Appeals:

1. Any order, requirement, decision or determination of the building inspector made under this ordinance may be appealed to the Zoning Board of Adjustment as set forth in RSA 676:5.
2. If the applicant, upon appeal, requests a variance as authorized by RSA 674:33, I (b), the applicant shall have the burden of showing in addition to the usual variance standards under state law that:
 - a. the variance will not result in increased flood heights, additional threats to public safety, or extraordinary public expense.
 - b. if the requested variance is for activity within a designated regulatory floodway, no increase in flood levels during the base flood discharge will result.
 - c. the variance is the minimum necessary, considering the flood hazard, to afford relief.
3. The Zoning Board of Adjustment shall notify the applicant in writing that:
 - (iv) the issuance of a variance to construct below the base flood level will result in increased premium rates for flood insurance up to amounts as high as \$25 for \$100 of insurance coverage; and
 - b. such construction below the base flood level increases risks to life and property.

Such notification shall be maintained with a record of all variance actions.
4. The community shall:
 - a. maintain a record of all variance actions, including their justification for their issuance, and
 - b. report such variances issued in its annual or biennial report submitted to FEMA's Federal Insurance Administrator.

Yes: 216 No: 68

ARTICLE 3: To see if the Town will vote to raise and appropriate the sum of *Fifty Thousand Dollars (\$50,000.00)* to be placed in the existing Conservation Fund established in accordance with RSA 36-A:5 to be used for expenses associated with the purchase of Conservation Land and open space, easements, wetlands, and other land management acquisitions.

**THIS ARTICLE IS RECOMMENDED BY THE SELECTMEN
THIS ARTICLE IS RECOMMENDED BY THE BUDGET COMMITTEE**

Approved by voice vote

ARTICLE 4: To see if the Town will vote to raise and appropriate the sum of *Seventeen Thousand Dollars (\$17,000.00)* to be placed in the existing Capital Reserve Fund for the purpose of major Municipal Building Emergency Repairs.

**THIS ARTICLE IS RECOMMENDED BY THE SELECTMEN
THIS ARTICLE IS RECOMMENDED BY THE BUDGET COMMITTEE**

Approved by voice vote

ARTICLE 5: To see if the Town will vote to authorize the Selectmen to enter into a 10 year lease/purchase agreement in the amount of the truck not to exceed *Five Hundred Seventy Five Thousand Dollars (\$575,000.00)*, for the purpose of leasing a 2006 75' Ladder/Pumper Truck, and to raise and appropriate the sum of \$70,668.00 for the first year's payment for that purpose. (Principal \$4,791.00; Interest \$1,097.00 p/mo) This lease/purchase agreement contains an escape clause. (Majority vote required per RSA 33:7-e.)

**THIS ARTICLE IS RECOMMENDED BY THE SELECTMEN
THIS ARTICLE IS RECOMMENDED BY THE BUDGET COMMITTEE**

Yes: 73 No: 19

ARTICLE 6: To see if the Town will vote to raise and appropriate the sum of *Fifty Thousand Dollars (\$50,000.00)* to be placed in the existing Capital Reserve Fund for the Replacement and/or Repair of Vehicles Operated by the Fire Department.

**THIS ARTICLE IS RECOMMENDED BY THE SELECTMEN
THIS ARTICLE IS RECOMMENDED BY THE BUDGET COMMITTEE**

Yes: 85 No: 0

ARTICLE 7: To see if the Town will vote to raise and appropriate the sum of *Twenty Five Thousand Dollars (\$25,000.00)* to be placed in the existing Capital Reserve Fund for the Fox Point Pavilion.

**THIS ARTICLE IS RECOMMENDED BY THE SELECTMEN
THIS ARTICLE IS RECOMMENDED BY THE BUDGET COMMITTEE**

Yes: 54 No: 27

ARTICLE 8: To see if the Town of Newington will vote to raise and appropriate the sum of *Fifteen Thousand Dollars (\$15,000.00)* to be added to the existing Capital Reserve Fund under the provisions of RSA 35:1 for the purpose of maintenance, repair and improvements of Town Recreational Facilities and Equipment.

**THIS ARTICLE IS RECOMMENDED BY THE SELECTMEN
THIS ARTICLE IS RECOMMENDED BY THE BUDGET COMMITTEE**

Motion Failed

ARTICLE 9: To see if the Town will vote to raise and appropriate the sum of *Forty Five Thousand Dollars (\$45,000.00)* to be placed in the existing Capital Reserve Fund for the purpose of payments of Severance to Town Employees in accordance with the Town's Personnel Policy.

**THIS ARTICLE IS RECOMMENDED BY THE SELECTMEN
THIS ARTICLE IS RECOMMENDED BY THE BUDGET COMMITTEE**

Approved by voice vote

ARTICLE 10: To see if the Town will vote to raise and appropriate the sum of *Fifteen Thousand Dollars (\$15,000.00)* to be placed in the existing Capital Reserve Fund for the Replacement of the Town Ambulance and any Major Medical Equipment.

**THIS ARTICLE IS RECOMMENDED BY THE SELECTMEN
THIS ARTICLE IS RECOMMENDED BY THE BUDGET COMMITTEE**

Approved by voice vote

ARTICLE 11: To see if the Town will vote to raise and appropriate the sum of *Ten Thousand Dollars (\$10,000.00)* to be placed in the existing Capital Reserve fund which was established to fund capital improvements for the Cemetery.

**THIS ARTICLE IS RECOMMENDED BY THE SELECTMEN
THIS ARTICLE IS RECOMMENDED BY THE BUDGET COMMITTEE**

Approved by voice vote

ARTICLE 12: To see if the Town will vote to raise and appropriate the sum of *Ten Thousand Dollars (\$10,000.00)* to be placed in the existing Capital Reserve Fund for Fire Department Communications.

**THIS ARTICLE IS RECOMMENDED BY THE SELECTMEN
THIS ARTICLE IS RECOMMENDED BY THE BUDGET COMMITTEE**

Approved by voice vote

ARTICLE 13: Shall the Town of Newington vote to raise and appropriate the sum of *Fifty Thousand Dollars (\$50,000.00)* for the purpose of preparing a Floodplain Map consistent with FEMA requirements - to help Newington residents qualify for flood insurance ? This appropriation is in addition to the operating budget.

**THIS ARTICLE IS RECOMMENDED BY THE SELECTMEN
THIS ARTICLE IS RECOMMENDED BY THE BUDGET COMMITTEE**

Vote for Article 13 OR 1 4 - One is sponsored by the Selectmen and the other is via Petition.

Amended to \$30,000. Approved by voice vote

ARTICLE 14: On petition of Vincent Frank of 19 Fox Point Road and at least 24 other registered voters of the Town of Newington, shall the Town of Newington vote to raise and appropriate *Fifty Thousand Dollars (\$50,000.00)* for the purpose of preparing a floodplain map to help Newington residents qualify for flood insurance? This appropriation is in addition to the operating budget.

**THIS ARTICLE IS NOT RECOMMENDED BY THE SELECTMEN
THIS ARTICLE IS NOT RECOMMENDED BY THE BUDGET COMMITTEE**

No Vote Taken

ARTICLE 15: To see if the Town shall vote to establish a Expendable Trust Fund under the provisions of RSA 31:19-a to be known as a Grant Fund for the purpose of funding the Town's portion of Unanticipated State and Federal Grants that require matching funds not budgeted and to raise and appropriate the amount of *Twenty Five Thousand Dollars (\$25,000.00)* to be placed in this fund and to appoint the Board of Selectmen as Agents to expend from this fund. This appropriation is in addition to the operating budget. (Majority Vote Required)

**THIS ARTICLE IS RECOMMENDED BY THE SELECTMEN
THIS ARTICLE IS RECOMMENDED BY THE BUDGET COMMITTEE**

Approved by voice vote

ARTICLE 16: To see if the Town will vote to allow the Historic District Commission to Assume the Duties of a Heritage Commission, while continuing its responsibility to act as a Historic District Commission, in accordance with the provisions of RSA 673 and RSA 674, and Chapter 138, Laws of 1995, or take any action relating thereto.

THIS ARTICLE IS RECOMMENDED BY THE SELECTMEN

Yes: 26 No: 43

ARTICLE 17: To see if the Town, if having authorized the Historic District Commission to assume the duties of the Heritage Commission, will vote to raise and appropriate the sum of *One Hundred Dollars (\$100.00)* to carry out the purposes of the Heritage Commission and to establish a Heritage Fund in accordance with the provisions of RSA 674:44-d, or take any other action relating thereto; and to name the Board of Selectmen as Agents to authorize expenditures from this fund.

**THIS ARTICLE IS RECOMMENDED BY THE SELECTMEN
THIS ARTICLE IS RECOMMENDED BY THE BUDGET COMMITTEE**

No Vote Taken

ARTICLE 18: To see if the Town will vote to establish a Capital Reserve Fund under the provisions of RSA 35:1 for the purpose of funding the replacement of Self-Contained Breathing Apparatus (SCBA) equipment used by the Fire Department. This fund is to be known as the Fire Department SCBA Fund and appoints the Board of Selectmen as Agents to expend from this fund and to see if the Town will vote to raise and appropriate the sum of *Forty Thousand Dollars (\$40,000.00)* to be placed in the Capital Reserve Fund known as the Fire Department SCBA Fund for the replacement of the SCBAs now in use by the Fire Department.

**THIS ARTICLE IS RECOMMENDED BY THE SELECTMEN
THIS ARTICLE IS RECOMMENDED BY THE BUDGET COMMITTEE**

Approved by voice vote

ARTICLE 19: To see if the Town of Newington will vote to raise appropriate the sum of *Thirty Five Thousand Dollars (\$35,000.00)* to be added to our existing Capital Reserve Fund for the purpose of Replacement and/or Major Repairs of Vehicles and equipment operated by Highway.

**THIS ARTICLE IS RECOMMENDED BY THE SELECTMEN
THIS ARTICLE IS RECOMMENDED BY THE BUDGET COMMITTEE**

Approved by voice vote

ARTICLE 20: To see if the Town will vote to authorize the Board of Selectmen (effective 2007) to grant an annual Cost of Living Adjustment (C.O.L.A.) to those positions who are compensated by stipends that fall under the jurisdiction of the Selectmen.

THIS ARTICLE IS RECOMMENDED BY THE SELECTMEN

Approved by voice vote

ARTICLE 21: To see what sum the municipality will vote to raise and appropriate for the operating budget. The Budget Committee recommends *\$5,003,365.00*; the Board of Selectmen recommends *\$5,034,028.00*. This article does not include appropriations voted in other warrant articles.

Approved by voice vote

ARTICLE 22: To hear the report of the Moderator on the election of officers.

Given under our hands and seal this 15 day of February 2006.

We certify and attest that on this 15 day of February 2006, we posted a true and attested copy of the within Warrant at the place of Meeting, and like copies at the South Newington Bulletin Board and the Meeting House, and delivered the original to the Town Clerk.

The Town of Newington Board of Selectmen

Cosmas Iocovozzi, Chairman

John O'Reilly, Selectman

Janice Stuart, Selectman

A True copy of Warrant: Attest

Cosmas Iocovozzi, Chairman

John O'Reilly, Selectman

Janice Stuart, Selectman

