

## 2009 TOWN WARRANT

**To the Inhabitants of the Town of Farmington** in the County of Strafford qualified to vote in Town affairs. You are hereby notified to meet at Town Hall in said Town of Farmington on Tuesday, the tenth day of March next (3/10/2009), at eight o'clock in the forenoon (8:00AM) to cast your ballot for Town Officers and for questions required by law to be on the ballot. Polls will close no earlier than seven o'clock in the evening (7:00PM). The remainder of the Warrant will be acted upon beginning at seven o'clock in the evening (7:00PM), Wednesday, the 11<sup>th</sup> day of March 2009 (3/11/2009).

### **Article 1. Election of Officers**

To choose two Selectmen for three years; three Budget Committee Members for three years; one Budget Committee Member for two years; one Budget Committee Member for one year; one Treasurer for one year; one Trustee of the Trust Fund for three years. **(Official Ballot)**

### **Article 2. – Zoning Amendments**

#### **Amendment 1**

Are you in favor of the adoption of Amendment No. 1 as proposed by the planning board for the town zoning ordinance as follows: Insert in Section 1.14 definitions for "Hazardous Impact", "Principal Structure", "Principal Use" and "Words and Phrases not Defined".

#### **Amendment 2**

Are you in favor of the adoption of Amendment No. 2 as proposed by the planning board for the town zoning ordinance as follows: Amend Section 1.02(D)(3) "Business Use Certificate Required", requiring a Business Use Certificate for all Site Plan Applications be obtained from the Code Enforcement Officer, prior to Site Plan approval.

#### **Amendment 3**

Are you in favor of the adoption of Amendment No. 3 as proposed by the planning board for the town zoning ordinance as follows: Move Appendix 2 – "Impact Fees" to Section 3.23 "Impact Fees".

#### **Amendment 4**

Are you in favor of the adoption of Amendment No. 4 as proposed by the planning board for the town zoning ordinance as follows: Amend Section 3.04 "Development of Rear Lots" by adding the effective date of "March 14, 2006" to subsection (B) 1).

#### **Amendment 5**

Are you in favor of the adoption of Amendment No. 5 as proposed by the planning board for the town zoning ordinance as follows: Establish the Commercial Business (CB) District, eliminate the Office Research Business (ORB) District, establish a Commercial/Industrial Overlay (C/IBO) District, and amend boundaries of the districts and the official Town Map as proposed on the map entitled "Town of Farmington New Hampshire Zoning Districts and Other Protected Areas", with a print date of 6 January 2009. And also to amend Sections 2.00, 2.07 and 2.08 to be consistent with the new district regulations.

#### **Amendment 6**

Are you in favor of the adoption of Amendment No. 6 as proposed by the planning board for the town zoning ordinance as follows: Amend Section 1.02(D) "Site Plan Authority", establishing a Site Plan Review Committee and a review process to review all Site Plan Applications under 1,000 sq.ft. or 25% of building area, whichever is less, which do not create a "Hazardous Impact". All other applications, and those with a "Hazardous Impact", will go to the Planning Board.

#### **Amendment 7**

Are you in favor of the adoption of Amendment No. 7 as proposed by the planning board for the town zoning ordinance as follows: Amend Appendix I "Landscaping" by moving it to Section 3.21 "Landscape", and amending the Zoning District names to the renamed Districts if Amendment 5 passes.

**Amendment 8**

Are you in favor of the adoption of Amendment No. 8 as proposed by the planning board for the town zoning ordinance as follows: Add Section 3.20 "Access Management Ordinance" establishing Access Management requirements for all lots fronting on NH Route 11 that require Site Plan or Subdivision Approval.

**Amendment 9**

Are you in favor of the adoption of Amendment No. 9 as proposed by the planning board for the town zoning ordinance as follows: Amend Section 3.01 "Relationship of Buildings to Lots" by allowing more than one (1) principal structure on a single lot in the CB, IB and C/IBO Districts with frontage on Route 11 and following Site Plan and Access Management regulations, and adding subsection (3) establishing minimum setbacks between such principal structures on a single lot. **This amendment will only be effective if Amendments 5 and 8 are approved.**

**Article 3: Wastewater Facilities Plan**

To see whether the Town will vote to raise and appropriate the sum of **\$12,600,000** (twelve million six hundred thousand dollars) for the purposes of design and construction of a Wastewater Treatment Facility in order to meet the requirements of US Environmental Protection Agency Administrative Order dated April 30, 2008 and New Hampshire Department of Environmental Services Sewer Moratorium dated January 5, 2009, and further to issue up to **\$5,700,000** (five million, seven hundred thousand dollars) of bonds or notes for these purposes in accordance with RSA Chapter 33, the Municipal Finance Act, and to authorize the Board of Selectmen to issue, negotiate, sell and deliver such bonds or notes and to determine the rate of interest, maturity and other terms for this purpose, and furthermore to authorize the Board of Selectmen to apply for, accept and expend grants in the amount of up to **\$ 6,900,000** ( six million nine hundred thousand dollars)for this purpose.

The proposed project will consist of the design and construction of: wastewater treatment facility upgrades, effluent disposal rapid infiltration basins and collection system investigations and improvements to reduce infiltration and inflow. Failure of this article will result in the US Environmental Protection Agency requiring the Town to immediately schedule a Special Town Meeting for the purpose of re-voting this matter.

The debt service of this project will be funded by **Sewer User Rates - 50%; General Taxation 50%**. (See **Informational Page for dollar amount breakdowns**)

|                                     |                             |                        |
|-------------------------------------|-----------------------------|------------------------|
|                                     | <b>Appropriation</b>        | <b>12.6 Million</b>    |
| State/Federal Grants & Misc Funding |                             | 6.9 Million (Estimate) |
|                                     | <u>Proceeds Bonds/Notes</u> | <u>5.7 Million</u>     |
| Amount to be raised 2009 Taxes      |                             | 0.00                   |

**Recommended by Board of Selectmen.  
Recommended by the Budget Committee  
(2/3-majority ballot vote required)**

**Article 4 Operating Budget**

To see if the Town will vote to raise and appropriate the sum of **\$ 5,866,792 (Five Million, Eight Hundred Sixty Six Thousand and Seven Hundred Ninety Two Dollars)** for the operation, expenses, and commitments of Town Government which represents the bottom line of column No. 6 (The Budget Committee's Budget) in the posted budget (MS-7). This appropriation does not include any of the appropriations presented individually in Articles 5 through 21. **(Majority Vote Required)**

**Article 5 Fire Dept Command Vehicle**

To see if the Town will raise and appropriate the sum of **\$24,000 (Twenty Four Thousand Dollars)** for the purchase of a Fire Chief Command Vehicle, those monies to be withdrawn from the Fire Vehicle/ Equipment Capital Reserve Fund. **(Majority Vote required)**

**Article 6 Fire Dept Defibrillator**

To see if the Town will raise and appropriate the sum of **\$17,000 (Seventeen Thousand Dollars)** for the purchase of a 12 lead LifePak Defibrillator for use on the Farmington Ambulance, and to withdraw those monies from the Fire Department Vehicle/Equipment Capital Reserve Fund. **(Majority Vote Required)**

**Article 7 Recreation Dept Van**

To see if the Town will raise appropriate the sum of **\$16,000 (Sixteen Thousand Dollars)** for the purchase of a used multi passenger van for the Recreation Department, those monies to be withdrawn from the from the Recreation Equipment Capital Reserve Fund. **(Majority Vote required)**

**Article 8 Police Cruiser**

To see if the Town will vote to raise and appropriate **\$26,150.00 (Twenty Six Thousand, One Hundred and Fifty Dollars)** for the purchase of one Chevrolet Impala police cruiser and to authorize the withdrawal of **\$6500.00 (Six Thousand Five Hundred Dollars)** of surplus funds from the Police Outside Details Special Revenue Fund to apply toward this purchase, with the balance of **\$19,650.00 (Nineteen Thousand, Six Hundred and Fifty Dollars)** to come from general taxation. **(Majority Vote Required)**

**Article 9 Generator Municipal Offices**

To if the Town will raise and appropriate the sum of **\$12,000 (Twelve Thousand Dollars)** for the purchase and installation of an emergency generator system for power back up at the Municipal Town Offices. This will allow the Municipal Offices to be used as an Emergency Operations Center (EOC) in the case of catastrophic events, i.e. ice storms, floods. **(Majority Vote required)**

**Article 10 Emergency Medical Motorized CRF**

To see if the Town will vote to raise and appropriate the sum of **\$15,000.00 (Fifteen Thousand Dollars)** to be added to the previously established Emergency Medical Motorized Equipment Capital Reserve Fund. **The Selectmen and Budget Committee recommend this appropriation. (Majority vote required)**

**Article 11 Future Technology CRF**

To see if the Town will vote to raise and appropriate the sum of **\$11,000 (Eleven Thousand Dollars)** to be added to the previously established Future Technology Improvements Capital Reserve Fund. **The Selectmen and Budget Committee recommend this appropriation. (Majority vote required)**

**Article 12 Public Buildings Maintenance CRF**

To see if the Town will vote to raise and appropriate the sum of **\$8,500.00 (Eight Thousand Five Hundred Dollars)** to be added to the previously established Public Buildings Maintenance Capital Reserve Fund. **The Selectmen and Budget Committee recommend this appropriation. (Majority vote required)**

**Article 13 Public Safety Building CRF**

To see if the Town will vote to raise and appropriate the sum of **\$10,000.00 (Ten Thousand Dollars)** to be added to the previously established Public Safety Building Capital Reserve Fund. **The Selectmen recommend this appropriation. The Budget Committee does not recommend this appropriation. (Majority vote required)**

**Article 14 Recreation Equipment CRF**

To see if the Town will vote to raise and appropriate the sum of **\$3,500 (Three Thousand Five Hundred Dollars)** to be added to the previously established Recreation Equipment Capital Reserve Fund. **The Selectmen and Budget Committee recommend this appropriation. (Majority vote required)**

**Article 15 Fire Vehicle/Equipment CRF**

To see if the Town will raise and appropriate the sum of **\$7,500 (Seven Thousand, Five Hundred Dollars)** to be added to the previously established Fire Vehicle/Equipment Capital Reserve Fund. **The Selectmen and Budget Committee recommend this appropriation. (Majority Vote required)**

**Article 16 Water Infrastructure Replacement CRF**

To see if the Town will vote to establish a new **Water Infrastructure Replacement Capital Reserve Fund** for the purpose of replacing and/or rehabilitating aging water infrastructure such as water lines, water pumps, wells and to raise and appropriate the sum of **\$25,000 (Twenty Five Thousand Dollars)** to be placed into The Water Infrastructure Replacement Fund with the Board of Selectmen to be named as agents for said Fund. **The Board of Selectmen and Budget Committee recommend this Article. (Majority Vote Required)**

**Article 17 Town Employee Financial Obligation CRF**

To see if the Town will vote to raise and appropriate the sum of **\$8,500 (Eight Thousand Five Hundred Dollars)** to be added to the previously established Town Employee Financial Obligation Capital Reserve Fund in order to meet an obligation towards one anticipated retirement this year. **The Board of Selectmen and Budget Committee recommend this Article. (Majority Vote Required)**

**Article 18 Building Permit Fee Allocation SRF**

To see if the Town will vote to change the allocations under the provisions of RSA 31:95-c which the Town voted in 2004 and which provided for the establishment of a Building Inspector Special Revenue Fund. The Town voted to allocate 50% of collected Building/Construction permit fees to be used for the funding of a Building Inspector/Code Enforcement Officer. This vote will change that allocation to **100% of all fees collected** to be used for funding the position. This change is necessary due to the shortfall as a result of the economic and building construction downturn. **(Majority Ballot vote required)**

**Article 19 Current Use Change Tax Allocation**

To see if the Town will vote to **change** the allocation of Land Use Change Tax which the Town voted in 2006 in accordance with RSA 36-A:5 III, **from the present rate of 100%** being paid to the Conservation Fund, to 50% being paid to the Conservation Fund, and the remaining 50% to be paid to the General Revenue Fund. **(Majority Vote Required)**

**Article 20**

To see if the Town will vote to authorize the Selectmen to sell to the highest bidder municipal vehicles and other equipment as determined by the Selectmen, with proceeds to go into the General Fund. **(Majority Vote Required)**

***Warrant Articles by Petition***

**Article 21:** To see if the Town will vote to raise and appropriate \$34,000.00 (Thirty Four Thousand Dollars) for the repair and maintenance of the Town Clock located in the steeple of the First Congregational Church. The repair to include all of the wood surfaces of the four faces of the clock, all of the wooden casings and trim. Replace all four sills at the base of the clock, then paint all surfaces. **The Selectmen Recommend this Appropriation. The Budget Committee does not recommend this appropriation. (Majority Vote Required)**

**Article 22:** To see if the town will vote to accept the streets known as Labrador Road and Cottontail Lane as Class V town-owned and maintained roads. The acceptance of the roads is conditioned upon (1) addition of the final one inch top coat pavement (and any other related touchup work required by the Farmington Road Agent) and (2) approval by the Farmington Road Agent that the roads have been constructed according to applicable standards. The developer donated a 203 acre parcel of land adjacent to the residential development for conservation recreational use by the public. The Farmington Road Agent has commented that the quality of the roads is very good **(Majority Vote Required)**

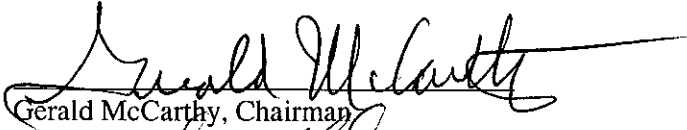
**Article 23:** To see if the Town will vote to accept the roads known as Sky View Drive and Whippoorwill Ridge as Class 5 Town roads. **(Majority Vote Required)**

**Article 24:** To see if the Town will vote to accept the roads known as Holly Lane and Cherub Drive as a Class V town road. **(Majority Vote Required)**

**Article 25:** To see if the Town will vote to approve the following resolution to be forwarded to our State Representatives, our State Senator and our Governor: "Resolved: We the citizens of Farmington, NH believe in a New Hampshire that is just and fair. The property tax has become unjust and unfair. State leaders who take a pledge for no new taxes perpetuate higher and higher property taxes. We call on our State Representatives, our State Senator and our Governor to reject the "Pledge", have an open discussion covering all options, and adopt a revenue system that is just and fair" **(Majority Vote Required)**

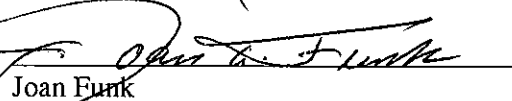
**Article 26.**

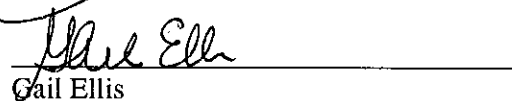
To transact such other business as may legally come before this meeting. **(Majority Vote Required)**

  
Gerald McCarthy, Chairman


  
Martin Gilman, Vice-Chairman

  
Paula Proulx

  
Joan Funk

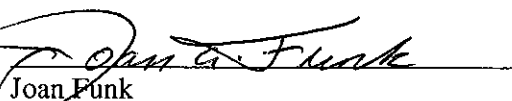
  
Gail Ellis

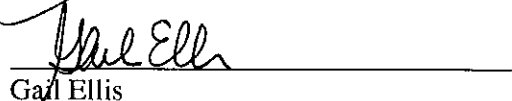
We hereby certify that on the 23<sup>RD</sup> day of February 2009, we posted an attested copy of the warrant at the place of Meeting within named and a like copy of the Municipal Office Building, a public place in said Town.

  
Gerald McCarthy, Chairman

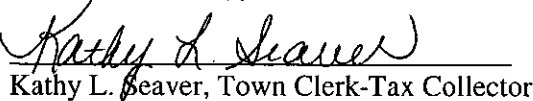
  
Martin Gilman, Vice-Chairman

  
Paula Proulx

  
Joan Funk

  
Gail Ellis

Then personally appeared the above named and made oath that the above certificate by them is true.

  
Kathy L. Beaver, Town Clerk-Tax Collector