

TO THE RESIDENTS OF EAST KINGSTON, NH

Greetings from the Board of the Selectmen. We would like to take this opportunity to ask you to mark your calendars to vote on Tuesday, March 10, 2009, at the East Kingston Elementary School. The voting polls will open be open from 8:00AM - 7:00PM. We urge everyone to register and vote. If you need transportation/assistance to the polls, please contact the Selectmen’s Office at 642-8406. Absentee ballots will be available from the Town Clerk’s Office at 642-8794.

TAX RATE

The Department of Revenue Administration set the 2008 tax rate at \$22.88, with the breakdown of:

County	\$.98
Town	\$ 6.08
School	<u>\$15.82</u>
TOTAL	\$22.88

The breakdown of the school portion of \$15.82 is as follows:

	<u>STATE</u>	<u>LOCAL</u>	<u>TOTAL</u>
EKES (Grades K – 5)	\$ 1.04	\$ 6.22	\$ 7.26
COOP (Grades 6 – 12)	<u>\$ 1.46</u>	<u>\$ 7.10</u>	<u>\$ 8.56</u>
TOTAL	\$ 2.50	\$13.32	\$15.82

Please note the Board of Selectmen do NOT have any control over the school or county portion of the tax rate.

WARRANT ARTICLES

THE DELIBERATIVE FIRST SESSION WAS HELD ON FEBRUARY 2, 2009 AT THE ELEMENTARY SCHOOL. THE FOLLOWING REFELCTS THE ORIGINAL WARRANT ARTICLE AND ANY APPROVED AMENDMENTS FROM THE FIRST SESSION THAT WILL BE VOTED ON BY BALLOT ON TUESDAY, MARCH 10, 2009.

1. Election of Elected Officials.

2.–11. Planning Board - Zoning Amendments.

12. ORIGINAL: To see if the Town will vote to amend the percentage of land use change tax that is currently being deposited into the existing Conservation Fund from 50 per cent down to 10 per cent, which was originally approved by Warrant Article #13, at Town Meeting, 1998. If adopted this article shall take effect April 1, 2009 and shall remain in effect until rescinded. **MAJORITY VOTE REQUIRED.** The Board of Selectmen recommended approval of this original article: 2-1.

If the article had not been amended, The funds received by the town for land use change tax are unanticipated funds, and would have been placed in the general fund to be used to offset the tax rate. (Example: If town received \$20,000 at the current 50%, town would have received \$10,000 and conservation fund \$10,000. If the article had passed, of the \$20,000 received, town would have received \$18,000 and the conservation fund would have received \$2,000). As of 12/31/08 the balance in the Conservation Fund is \$73,968.57.

AMENDED: The article was amended to read, “To see” at the deliberative session.

13. Shall the Town of East Kingston 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 \$2,550,000? Should this article be defeated, the default budget shall be \$2,436,000, which is the same as last year, with certain adjustments required by previous action of the Town of East Kingston 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.

MAJORITY VOTE REQUIRED. The Board of Selectmen recommend approval of this article: 2-1.

The operating budget includes increased costs for operating expenses of all departments, bond payments of principal and interest of \$440,000, plus maintenance of all town owned buildings. The default budget is based on last year’s approved budget +/- one-time costs, plus contractual costs.

14. To see if the Town will vote to raise and appropriate the sum of twenty five thousand dollars (\$25,000) for the purpose of purchasing five (5) self-contained breathing apparatus (SCBA's), to replace the outdated equipment for the Fire Department.

MAJORITY VOTE REQUIRED. The Board of Selectmen recommend approval of this article: 3-0.

The fire department's current SCBAs are now outdated and are recommended to be replaced. The Fire Dept. has developed a scheduled plan to replace the necessary SCBA's versus full replacement of all SCBAs. Approval of this article could increase the tax rate by approximately \$.09 cents per thousand.

15. To see if the Town will vote to raise and appropriate the sum of sixty five thousand dollars (\$65,000) to be added to the existing Fire Apparatus Capital Reserve Fund previously established at the 1999 Town Meeting.

MAJORITY VOTE REQUIRED. The Board of Selectmen recommend approval of this article: 3-0.

The Capital Improvements Plan reflects that setting aside funds for the replacement of fire department apparatus, on an annual basis, decreases the overall cost at the time of the purchase. The next scheduled replacement is the tanker truck. As of 12/31/08, the fund account balance is \$191,369.00.

Approval of this article could increase the tax rate by approximately \$.22 cents per thousand.

16. To see if the Town will vote to authorize the Selectmen to enter into a three-year lease/purchase agreement for \$26,000 for the purpose of lease/purchasing a fully equipped police vehicle for the Police Dept. and to raise & appropriate the sum of eight thousand seven hundred dollars (\$8,700) for the first year's payment for that purpose. This lease agreement contains an escape clause.

MAJORITY VOTE REQUIRED. The Board of Selectmen recommend approval of this article: 3-0.

The Police Department replaces the oldest vehicle to ensure the safe operation of all vehicles on the dept. The current fleet includes: 2000 Ford Explorer purchased by the Police Association (approx. 150,000 miles), 2001 Ford cruiser used for Special Details by the department (approx. 139,000 miles), 2003 Chevy cruiser used by the Chief (approx. 60,000 miles), 2005 Ford cruiser used by full-time Police Officers (approx. 103,000 miles), & 2007 Ford cruiser used by the Sergeant (approx. 28,000 miles). The oldest cruiser is slated to go to the Fire Department, as the 1999 fire department cruiser needs replacement.

Approval of this article could increase the tax rate by approximately \$.03 cents per thousand.

17. To see if the Town will vote to raise and appropriate the sum of forty-three thousand five hundred dollars (\$43,500) to conduct a revaluation and authorize the withdrawal of forty-three thousand five hundred dollars (\$43,500) from the Revaluation Capital Reserve Fund created for that purpose.

MAJORITY VOTE REQUIRED. The Board of Selectmen recommend approval of this article: 3-0.

The funds are already in the Capital Reserve Fund for this purpose of conducting the revaluation in 2009. The revaluation is a State requirement to be conducted every 5 years. The last revaluation was conducted in 2003, the Town was certified in 2004, therefore, the next revaluation is scheduled for 2009. The balance of the account as of 12/31/08 is \$51,978.52, & we want to withdraw \$43,500, leaving a balance of \$8,478.52.

Approval of this article would NOT impact the tax rate.

18. To see if the Town will vote to discontinue the Highway Department Salt Shed Capital Reserve Fund established at the 2005 Town Meeting for the purpose of erecting a Highway Department Salt Shed. The funds of \$35,800 with accumulated interest to date of withdrawal are to be transferred to the Town's unreserved fund balance.

MAJORITY VOTE REQUIRED. The Board of Selectmen recommend approval of this article: 3-0.

Due to the retirement of our long time Road Agent in 2008, the town no longer could use his private property to store sand and salt, therefore, a salt storage area was built on town property. Without the purpose it was created for, the fund must be closed. As of 12/31/08, the fund account has \$36,132.78.

Approval of this article would NOT increase the tax rate.

19. To see if the Town will vote to raise and appropriate the sum of \$35,800 for the purpose of repairing and maintaining Andrews Lane, Forest Drive, Pheasant Run and Sanborn Road that were not able to be addressed last year. This sum to come from unreserved fund balance and no amount to be raised by taxation.

MAJORITY VOTE REQUIRED. The Board of Selectmen recommend approval of this article: 3-0.

During 2008, roads were not maintained as needed, due to funds used to construct a salt storage area on town property. The funds from closing the capital reserve fund (Article 18) can be used in 2009 to maintain those roads as previously scheduled. Approval of this article would NOT increase the tax rate.

20. To see if the Town will vote to authorize indefinitely, until rescinded, in accordance with the provisions of New Hampshire RSA 72:27-a, to provide a property tax exemption for the blind in the amount of fifteen thousand dollars (\$15,000). MAJORITY VOTE REQUIRED. *The Board of Selectmen recommend approval of this article: 3-0. The statute now requires towns to individually adopt this provision. Approval of this article would NOT increase the tax rate.*

21. To see if the Town will vote in accordance with the provisions of New Hampshire RSA 31:95-b, providing that any town at an annual meeting may adopt an article authorizing indefinitely, until specific rescission of such authority, the selectmen to apply for, accept and expend, without further action by the town meeting, unanticipated money from a state, federal, or other governmental unit or a private source which becomes available during the fiscal year. MAJORITY VOTE REQUIRED. *The Board of Selectmen recommend approval of this article: 3-0. The statute now requires towns to individually adopt this provision. The Town currently has adopted RSA 31:19, which is another means of accepting funds into the Town. This article, if adopted, shall cover the other means, such as Grants, when applicable. Approval of this article would NOT increase the tax rate.*

22. ORIGINAL: To see if the Town will vote, as required by RSA 154:1, (b) to establish the organizational structure of the Town of East Kingston Fire Department, which requires the appointment of a fire chief by the Board of Selectmen, with firefighters appointed by the Board of Selectmen, upon recommendation of the fire chief. MAJORITY VOTE REQUIRED. *The Board of Selectmen recommend approval of this article: 3-0.*

The statute now requires towns to individually adopt this provision. Since the creation of the Town Fire Department it has been and currently continues to operate per this RSA 154:1, I. (b). The Fire Chief is appointed by the local governing body (Selectmen), with firefighters appointed by the Selectmen upon the recommendation of the Fire Chief, along with a required successful background check. Approval of this article would NOT increase the tax rate.

AMENDED: This article was amended to reflect the correct statute of RSA 154:1, I. (b).

23. To see if the Town will vote to authorize the Board of Selectmen to accept the deed from the East Kingston School District, removing the limitation on the use of the Pound School for library purposes only, and allowing the Town to use the Pound School for all Town purposes.

MAJORITY VOTE REQUIRED. *The Board of Selectmen recommend approval of this article: 3-0.*

The purpose of this article is to accept the new deed that removes the restrictive language of "for the sole purpose of being used as a library" from the original deed conveying the property (Pound School at 41 Depot Road) from the School District to the Town as approved by the voters on March 14, 1972. This article would accept the building from the School District, with no restrictions, pending approval of the East Kingston School District warrant article. The Town wants to fully utilize this building, without restrictions, as a common meeting area for Planning Board, Zoning Board of Adjustment, and other organizations and functions.

Approval of this article would NOT increase the tax rate.

24. ORIGINAL: To see if the voters of the Town of East Kingston will authorize the Planning Board to amend, but not limited to, the recorded plans, covenants, and by-laws, at the expense of the individual elderly housing developments homeowners associations, for the removal of "private" trash pick-up at Cricket Hill, Maplevale Farms & Woods, Country Hills and Cornerstone for trash services to be provided by the Town, with the additional expense of the services provided for by all taxpayers.

MAJORITY VOTE REQUIRED. *The Board of Selectmen recommended approval of the orig. article: 2-1*

The elderly housing developments were all approved by the Planning Board in accordance with the town's ordinance and individual development covenants. It provides for private trash up to be covered by their individual homeowner's associations. The developments' Associations would prefer to have the town remove their trash dumpsters at the taxpayer's cost. The original article does not include a provision for recycling.

AMENDED: To see if the voters of the Town of East Kingston will authorize the Planning Board to

amend (but not limited to) the recorded plans, covenants, and by-laws, at the expense of the individual elderly housing developments homeowners associations, for the removal of “private” trash pick-up and recycling at Cricket Hill, Maplevale Farms & Woods, Country Hills and Cornerstone for trash services to be provided by the Town. This article was amended to include recycling and to delete the last sentence “with the additional expense of the services to be provided for by all taxpayers.” **MAJORITY VOTE REQUIRED. The Board of Selectmen recommended approval of the amended article: 3-0.**

The article, if approved, would allow the individual Homeowner’s Associations & their Legal Counsel to work with the Planning Board. Based on the current Waste Management price quoted the total annual cost would be approximately \$6,000.00 for the dumpster removal on all 4 developments. Recycle dumpster removal in addition would be approximately \$5,800.00, with all recycle profits remaining at WM. This is the last year of the WM contract, which will require the Town to generate new RFQ’s (Request for Quote) for solid waste disposal and recycle. The recycle piece is important in reducing the solid waste tonnage, and the environment. Approval of this article could increase the tax rate by approximately \$.05 per thousand based on these figures.

25. To see if the Town will vote to accept Bowley Road as a town-owned road as recommended by the Town Engineer. MAJORITY VOTE REQUIRED. The Board of Selectmen recommend approval of this article: 3-0.

The requirements have all been met as set forth in the town’s ordinance for acceptance. Approval of this article would NOT increase the tax rate.

26. To see if the Town will vote to accept Sullivan Drive as a town-owned road as recommended by the Town Engineer. MAJORITY VOTE REQUIRED. The Board of Selectmen recommend approval of this article: 3-0.

The requirements have all been met as set forth in the town’s ordinance for acceptance. Approval of this article would NOT increase the tax rate.

27. To see if the Town will vote to accept Taylor Way as a town-owned road as recommended by the Town Engineer. MAJORITY VOTE REQUIRED. The Board of Selectmen recommend approval of this article: 3-0.

The requirements have all been met as set forth in the town’s ordinance for acceptance. Approval of this article would NOT increase the tax rate.

28. ORIGINAL: On the petition of Edward A. Lloyd Jr. and 36 other registered voters of the Town of East Kingston we, the undersigned registered voters present the following petition to the selectmen to have the following question placed on the 2009 Warrant Article as provided in RSA 49-D:3, II-a. "Shall we repeal the provisions of RSA 40:12-:16 (known as SB2) to allow the town to return to the Official Ballot Town Meeting voting process on all issues before the Town of East Kingston and the East Kingston Elementary School?" We put forth the Town Meeting to be held on the same Saturday as the School Budget meeting. The original article, as stated, was incorrect, and the article was amended to reflect the required verbiage by state statute. 3/5 VOTE REQUIRED.

The Board of Selectmen did NOT recommend approval of the original article as written: 3-0. Approval of this article would NOT increase the tax rate.

AMENDED: Shall we rescind the provisions of RSA 40:13 (known as SB2), as adopted by the Town of East Kingston on March 11, 2008, so that the official ballot will no longer be used for voting on all questions, but only for the election of officers and certain other questions for which the official ballot is required by state law? 3/5 VOTE REQUIRED. The Board of Selectmen recommend approval of the amended article: 2-1.

Given under our hands and seal, this 17th day of February, in the year of our Lord Two Thousand Nine.

A true copy of Warrant – Attest:

Robert A. Caron, Chairman
Town of East Kingston
Board of Selectmen

Richard S. Poelaert

David R. Pendell, Jr.