

**2013 CONWAY TOWN WARRANT RESULTS
ANNUAL TOWN ELECTION
CONWAY, NEW HAMPSHIRE
APRIL 9, 2013**

ARTICLE 1: To choose all necessary officers.

FOR SELECTMAN

Three year term – vote for one

Howard “Crow” Dickinson 429
Kevin F. Flanagan 238
Carl J. Thibodeau 608
Write-in _____

FOR POLICE COMMISSIONER

Three year term – vote for one

Larry Martin 740
Johnny P. Mazmanian 43
Dorothea Seybold 539
Write-in _____

FOR TOWN TREASURER

Three year term – vote for one

Kevin Madden 1107
Write-in _____

FOR PLANNING BOARD

Three year term – vote for two

Steven R. Porter 1099
Raymond Shakir 523
Write-in _____
Write-in _____

FOR BUDGET COMMITTEE

Three year term – vote for four

Danielle Richey Santuccio 867
Richard Klement 748
Frank H. McCarthy 808
Joseph N. Mosca 710
Write-in _____
Write-in _____
Write-in _____
Write-in _____

FOR BUDGET COMMITTEE

One year term – vote for one

Terry McCarthy 555
Richard “Dick” Pollock 563
Write-in _____

FOR LIBRARY TRUSTEES

Three year term – vote for two

David Merrill Paige 372
Mark Hounsell 626
“Trina” Jones 408
Alexa Kimberley-Bryant 441
William Marvel 596
Write-in _____
Write-in _____

FOR TRUSTEE OF TRUST FUNDS

Two year term – vote for one

Jean A. Simon 1027
Write-in _____

FOR TRUSTEE OF TRUST FUNDS

Three year term – vote for one

Write-in _____

ARTICLE 2: To see if the Town will vote to adopt amendment No. 1 to Chapter 147 (Zoning Ordinance) subsection 147.13.7.5 as follows (**new text is in bold and underlined**): **147.13.7.5 STRUCTURE AND BUILDING HEIGHT.** Structure height is restricted to achieve several purposes. The town is economically dependent upon tourism and attracts visitors with its rural character and mountainous setting. Maintaining the traditional scale and style of structures aids in preserving the character of the town. Peaked roofs are encouraged because it is the traditional roof style here. (Care has been taken to prepare language, which does not unduly encourage the use of flat-roof buildings). The height restriction keeps structures and buildings below tree-top level, which is typically from sixty (60) to one hundred (100) feet for mature maple, beech, birch and pine trees. Structure height below treetop level helps maintain the rural atmosphere and preserve the view sheds throughout town. In addition, the height limit minimizes difficulty in providing fire protection. **Also, care must be taken to preserve the views to the west from the village.** The following shall apply throughout town:

- 147.13.7.5.1** Structure height shall not exceed fifty-five (55) feet for any structure. **For properties west of Route 16, structure height shall not exceed thirty (30) feet.**
- 147.13.7.5.2** Building height shall not exceed forty-five (45) feet. **For properties west of Route 16, building height shall not exceed twenty-five (25) feet.**

Submitted by Petition. **Not recommended by the Planning Board (3-4-0). PASSED 669-585.**

ARTICLE 3: (Operating Budget) Shall the Town 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 for the purposes set forth therein, totaling Nine Million Six Hundred Eighty Six Thousand Six Hundred Seventy Four Dollars (\$9,686,674). Should this article be defeated the default budget shall be Nine Million Six Hundred Two Thousand Five Hundred Thirty Dollars (\$9,602,530) which is the same as last year, with certain adjustments required by previous action of the Town of Conway 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. NOTE: This operating budget warrant article does not include appropriations contained in ANY other warrant articles. **Recommended by the Board of Selectmen (4-1-0). Recommended by the Budget Committee (14-3-0). PASSED 977-361.**

ARTICLE 4: (Separate - not included in Budget Appropriation Article #3). To see if the Town of Conway will vote to approve the **THREE-YEAR (2013-2015) COLLECTIVE BARGAINING AGREEMENT REACHED BETWEEN THE TOWN OF CONWAY POLICE COMMISSION AND AFSCME LOCAL 3657, POLICE DEPARTMENT** which calls for no increase in benefits or costs to the Town for fiscal years 2013, 2014 and 2015. This means that the contract results in no additional costs attributable to the increase in benefits over those of the appropriation at current staffing levels paid in the prior fiscal year.

Recommended by the Board of Selectmen (4-0-0). Not recommended by the Budget Committee (5-12-0). PASSED 703-618.

ARTICLE 5: (Special - not included in Budget Appropriation Article #3). To see if the Town will vote to raise and appropriate the sum of Three Hundred Twenty Five Thousand Dollars (\$325,000.00) to be placed in the **INFRASTRUCTURE RECONSTRUCTION CAPITAL RESERVE FUND** to be used according to the purposes for which the fund was established. This appropriation is in addition to Warrant Article 3, the Operating Budget Article. **Recommended by the Board of Selectmen (5-0-0). Recommended by the Budget Committee (13-4-0). PASSED 948-376.**

ARTICLE 6: (Special - not included in Budget Appropriation Article #3). To see if the Town will vote to raise and appropriate the sum of One Hundred Ninety Five Thousand Dollars (\$195,000.00) to be placed in the **HIGHWAY EQUIPMENT CAPITAL RESERVE FUND** to be used according to the purposes for which the fund was established. This appropriation is in addition to Warrant Article 3, the Operating Budget Article. **Recommended by the Board of Selectmen (5-0-0). Recommended by the Budget Committee (17-0-0). PASSED 998-330.**

ARTICLE 7: (Special - not included in Budget Appropriation Article #3). To see if the Town will vote to raise and appropriate the sum of Seventy Five Thousand Dollars (\$75,000.00) to be placed in the **SOLID WASTE EQUIPMENT CAPITAL RESERVE FUND** to be used according to the purposes for which the fund was established. This appropriation is in addition to Warrant Article 3, the Operating Budget Article. **Recommended by the Board of Selectmen (5-0-0). Recommended by the Budget Committee (15-2-0). PASSED 970-357.**

ARTICLE 8: (Special - not included in Budget Appropriation Article #3). To see if the Town will vote to raise and appropriate the sum of One Dollar (\$1.00) to be placed in the **LANDFILL CLOSURE CAPITAL RESERVE FUND** to be used according to the purposes for which the fund was established. This appropriation is in addition to Warrant Article 3, the Operating Budget Article. **Recommended by the Board of Selectmen (5-0-0). Recommended the Budget Committee (17-0-0). PASSED 1088-232.**

ARTICLE 9: (Special - not included in Budget Appropriation Article #3). To see if the Town will vote to raise and appropriate the sum of One Dollar (\$1.00) to be placed in the **LANDFILL EXPANSION CAPITAL RESERVE FUND** to be used according to the purposes for which the fund was established. This appropriation is in addition to Warrant Article 3, the Operating Budget. **Recommended by the Board of Selectmen (3-2-0). Recommended by the Budget Committee (16-0-0). PASSED 1064-262.**

ARTICLE 10: (Special - not included in Budget Appropriation Article #3). To see if the Town will vote to raise and appropriate the sum of One Hundred Fifty Thousand Dollars (\$150,000.00) to be placed in the **MAINTENANCE OF TOWN BUILDINGS AND FACILI-**

TIES CAPITAL RESERVE FUND to be used according to the purposes for which the fund was established. This appropriation is in addition to Warrant Article 3, the Operating Budget. **Recommended by the Board of Selectmen (5-0-0). Recommended by the Budget Committee (15-2-0). PASSED 964-362.**

ARTICLE 11: (Special - not included in Budget Appropriation Article #3). To see if the Town will vote to raise and appropriate the sum of Twenty Thousand Dollars (\$20,000.00) to be placed in the **PARKS DEPARTMENT VEHICLES AND EQUIPMENT CAPITAL RESERVE FUND** to be used according to the purposes for which the fund was established. This appropriation is in addition to Warrant Article 3, the Operating Budget. **Recommended by the Board of Selectmen (5-0-0). Recommended by the Budget Committee (17-0-0). PASSED 982-355.**

ARTICLE 12: (Special - not included in Budget Appropriation Article #3). To see if the Town will vote to raise and appropriate the sum of Sixty Thousand Dollars (\$60,000.00) to contribute to the **CAPITAL RESERVE FUND FOR POLICE VEHICLES** to be used according to the purposes for which the fund was established. This appropriation is in addition to Warrant Article 3, the Operating Budget Article. **Recommended by the Board of Selectmen (4-1-0). Recommended by the Budget Committee (17-0-0). PASSED 891-434.**

ARTICLE 13: (Special - not included in Budget Appropriation Article #3). To see if the Town will vote to raise and appropriate the sum of One Hundred Thirty Thousand Dollars (\$130,000) from the annual cable television franchise fees to add to the **PEG EXPENDABLE TRUST FUND**, to support the operations and equipment needs of Public Education and Government television services. No property tax funds will be raised to support this warrant article. **Recommended by the Board of Selectmen (5-0-0). Recommended by the Budget Committee (17-0-0). PASSED 957-369.**

ARTICLE 14: (Special - not included in Budget Appropriation Article #3). To see if the Town will vote to establish an **EXPENDABLE TRUST FUND FOR THE PURPOSE OF POLICE DEPARTMENT EQUIPMENT**, to appropriate the sum of Twenty One Thousand Dollars (\$21,000) to the fund and, further, to authorize the Board of Selectmen and the Police Commission as agents to expend from the fund. **Recommended by the Board of Selectmen (4-0-0). Not recommended by the Budget Committee (6-11-0). FAILED 506-817.**

ARTICLE 15: (Special - not included in Budget Appropriation Article #3). To see if the Town will vote to establish an **EXPENDABLE TRUST FUND FOR THE PURPOSE OF POLICE DEPARTMENT EARNED BENEFIT PAYMENTS**, to appropriate the sum of Thirty Thousand Dollars (\$30,000) to the fund and, further, to authorize the Board of Selectmen and the Police Commission as agents to expend from the fund. **Recommended by the Board of Selectmen (4-0-0). Not recommended by the Budget Committee (4-13-0). FAILED 438-895.**

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ARTICLE 16: (Separate - not included in Budget Appropriation Article #3). To see if the Town will vote to raise and appropriate the sum of Fifty Thousand Dollars (\$50,000) to purchase a **CONWAY EMERGENCY SHELTER GENERATOR** located at the Conway Recreation Building. **Recommended by the Board of Selectmen (5-0-0). Not recommended by the Budget Committee (3-14-0). FAILED 495-847.**

ARTICLE 17: (Separate - not included in Budget Appropriation Article #3). To see if the Town will vote to raise and appropriate the sum of Twelve Thousand Dollars (\$12,000) to purchase **SOFTWARE FOR THE TOWN CLERK/TAX COLLECTOR OFFICE**. **Recommended by the Board of Selectmen (5-0-0). Recommended by the Budget Committee (17-0-0). PASSED 1079-264.**

ARTICLE 18: (Separate - not included in Budget Appropriation Article #3). To see if the Town will vote to raise and appropriate the sum of Fifteen Thousand Dollars (\$15,000) to fund the **RE-CODIFICATION OF TOWN ORDINANCES**. **Recommended by the Board of Selectmen (5-0-0). Recommended by the Budget Committee (11-6-0). PASSED 795-528.**

ARTICLE 19: (Separate - not included in Budget Appropriation Article #3). To see if the Town will vote to raise and appropriate the sum of Six Thousand Dollars (\$6,000) to purchase **POLICE DRUG EVIDENCE TERMINATOR EQUIPMENT**. **Recommended by the Board of Selectmen (5-0-0). Recommended by the Budget Committee (15-2-0). PASSED 859-481.**

ARTICLE 20: (Special - not included in Budget Appropriation Article #3). To see if the Town will vote to raise and appropriate the sum of Thirty Five Thousand Five Hundred Sixty Five Dollars (\$35,565) for the support of **WHITE MOUNTAIN COMMUNITY HEALTH CENTER** to help meet the healthcare needs of the uninsured and underinsured residents of the Town of Conway. Submitted by petition. **Recommended by the Board of Selectmen (2-1-1). Recommended by the Budget Committee (16-1-0). PASSED 976-385.**

ARTICLE 21: (Special - not included in Budget Appropriation Article #3). To see if the Town will vote to raise and appropriate the sum of Thirty Five Thousand Dollars (\$35,000) to support the Conway home delivered meals (Meals on Wheels), congregate meals, transportation and program services provided by **THE GIBSON CENTER FOR SENIOR SERVICES, INC.** Submitted by petition. **Recommended by the Board of Selectmen (3-0-1). Recommended by the Budget Committee (15-2-0). PASSED 1164-198.**

ARTICLE 22: (Special - not included in Budget Appropriation Article #3). To see if the Town will vote to raise and appropriate the sum of Thirteen Thousand Dollars (\$13,000) for **TRI-COUNTY COMMUNITY ACTION** for the purpose of continuing services of the Fuel Assistance Program for the residents of Conway. Submitted by petition. **Recommended by the Board of Selectmen (3-0-1). Recommended by the Budget Committee (16-1-0). PASSED 1012-338.**

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ARTICLE 23: (Special - not included in Budget Appropriation Article #3). To see if the Town will vote to raise and appropriate the sum of Twelve Thousand Dollars (\$12,000) for the Early Supports & Services Program (birth to 3 years) of **CHILDREN UNLIMITED, INC.** (Level funding request). Submitted by petition. **Recommended by the Board of Selectmen (4-0-0). Recommended by the Budget Committee (16-1-0). PASSED 961-398.**

ARTICLE 24: (Special - not included in Budget Appropriation Article #3). To see if the Town will vote to raise and appropriate the sum of Seventy Five Thousand Dollars (\$75,000), said sum to be allocated to the **NORTH CONWAY COMMUNITY CENTER** for programs of the North Conway Community Center. Submitted by petition. **Recommended by the Board of Selectmen (3-0-1). Recommended by the Budget Committee (16-1-0). PASSED 876-481.**

ARTICLE 25: (Special - not included in Budget Appropriation Article #3). To see if the Town will vote to raise and appropriate the sum of Three Thousand Dollars (\$3,000) in support of **CARROLL COUNTY TRANSIT'S PUBLIC TRANSPORTATION.** Submitted by petition. **Not recommended by the Board of Selectmen (1-1-2). Recommended by the Budget Committee (13-4-0). PASSED 723-620.**

ARTICLE 26: (Special - not included in Budget Appropriation Article #3). To see if the Town will vote to raise and appropriate the sum of Six Thousand Nine Hundred Thirty Five Dollars (\$6,935) in support of **STARTING POINT** providing advocacy and support to victims of domestic and sexual violence and their children. Submitted by petition. **Recommended by the Board of Selectmen (4-0-0). Recommended by the Budget Committee (15-2-0). PASSED 1015-345.**

ARTICLE 27: (Special - not included in Budget Appropriation Article #3). To see if the Town will vote to raise and appropriate Five Thousand Dollars (\$5,000) for **VAUGHAN COMMUNITY SERVICE, INC.** Submitted by petition. **Recommended by the Board of Selectmen (4-0-0). Recommended by the Budget Committee (15-1-1). PASSED 937-386.**

ARTICLE 28: (Special - not included in Budget Appropriation Article #3). To see if the Town will vote to raise and appropriate Three Thousand Dollars (\$3,000) for **NORTH CONWAY DAYCARE.** Submitted by petition. **Recommended by the Board of Selectmen (2-1-1). Recommended by the Budget Committee (14-2-1). PASSED 853-476.**

ARTICLE 29: (Special - not included in Budget Appropriation Article #3). To see if the Town will vote to raise and appropriate Ten Thousand One Hundred Fifteen Dollars (\$10,115) to assist **NORTHERN HUMAN SERVICES: THE MENTAL HEALTH CENTER.** Submitted by petition. **Not recommended by the Board of Selectmen (2-2-1). Not recommended by the Budget Committee (5-11-1). FAILED 477-835.**

ARTICLE 30: (Special - not included in Budget Appropriation Article #3). To see if the Town will vote to raise and appropriate the sum of Five Thousand Dollars (\$5,000) in support of the operation of the **PUBLIC SKATING RINK IN SCHOULER PARK.** Submitted

by petition. **Not recommended the Board of Selectmen (1-2-1). Recommended by the Budget Committee (12-5-0). PASSED 757-561.**

ARTICLE 31: Shall the Municipality approve the Charter Amendments summarized below?

- A. Page 4, paragraph III, Rules of Town Meeting: Quorum. This paragraph shall be deleted and the word "Quorum" shall be deleted from the title.
- B. Page 4, paragraph VI, Petitioner's Warrant Articles. This paragraph shall be amended to 25 or more registered voters or 2% of the registered voters of the town (whichever is less), per RSA 39:3.
- C. Page 5, paragraph VIII, Closing and Posting of Warrant. This paragraph shall be amended to say "The Warrant for the Annual Town Meeting shall be closed to the insertion of Petitioned Warrant Articles on the 5th Tuesday before the day prescribed for the Annual Meeting (RSA 39:3), except the Selectmen may originate...". The last sentence shall be changed to: "The Warrant must be posted and copies available to the general public on or before the last Monday in February, per RSA 40:13, II-b(d)."
- D. Page 5, paragraph IX, Special Town Meetings. This paragraph shall be amended to require the Selectmen to call a Special Town Meeting upon petition filed by 5% of the Town's registered voters, per RSA 39:3.
- E. Page 5, paragraph X, Election of Officials. This paragraph shall be amended to eliminate the one year residency requirement, as well as the \$1.00 filing fee.
- F. Page 7, paragraph XV.B, Organization of the Board of Selectmen (3rd paragraph). A majority of selectmen are competent to conduct the town's business (per RSA 41:8), and therefore "2" shall be changed to "3." Also, in the 4th paragraph, the reference to executive session shall be changed to nonpublic session.
- G. Page 8, paragraph XV.C, Term (of Selectmen). This paragraph shall be deleted.
- H. Page 9, paragraph XX, Library Trustees. This paragraph shall be amended to require seven (7) Library Trustees.
- I. Page 10, paragraph C, Conway Conservation Commission. This paragraph shall be amended to allow no more than six (6) appointed members plus an "ex officio" member from the Board of Selectmen.
- J. Page 10, paragraph XXII.D, Conway Planning Board. The last two sentences of this paragraph shall be deleted because they contain term limits.
- K. Page 13, paragraph II, Adoption and Enforcement of Ordinances and By-Laws. A sentence shall be added to this paragraph which states: "Notwithstanding the above, RSA 41:11 authorizes the Board of Selectmen to adopt regulations to regulate highways not otherwise regulated by the Commissioner of the Department of Transportation."
- L. Page 13, paragraph III, Emergency Ordinances and By-Laws. This paragraph shall be deleted because there is no provision in state law for the Selectmen to adopt "emergency ordinances." PASSED 722-381.

ARTICLE 32: To see if the Town will vote to totally **DISCONTINUE COMPLETELY AND ABSOLUTELY THE FOLLOWING CLASS VI ROADS** within the Town of Conway:

Henderson Road
Rock House Mountain Road

Recommended by the Board of Selectmen (4-0-0). PASSED 983-270.

ARTICLE 33: RESOLUTION

WHEREAS, the Founders of our nation intended that government should be answerable to, controlled by, and dependent upon "the people alone" (James Madison, *Federalist No. 52, 1788*); and

WHEREAS, the influence of corporate and other moneyed interests on the political process has diminished the dependency on the people alone;

BE IT RESOLVED that the voters of Conway, New Hampshire instruct Conway's state representatives to call for, and Conway's congressional representatives to propose, an amendment to the United States Constitution declaring that; the rights and protections afforded to citizens by the Constitution of the United States apply only to natural persons, and; the federal and state legislatures shall have the authority to regulate and limit, but not ban, all expenditures from any source supporting or opposing the election of any candidate for federal or state office, or for any initiative or referendum. Conway's state legislators are instructed to ratify such a constitutional amendment.

IF A MAJORITY of voters support the question, the Selectmen shall immediately, and on the twenty-first of January of each year, until Congress has proposed an amendment and such amendment is ratified by the state, send a written notice to Conway's congressional delegation, and to Conway's state legislators, informing them of the instructions from their constituents.

(Submitted by Petition)

PASSED 705-520.

ARTICLE 34: To see if the Town will require the electronic posting of meeting agendas, public hearings, and minutes pertaining to all elected town boards and committee by the town of Conway.

a) Meeting Agendas will be available within 2 business days of meetings and hearings, and

b) Meeting minutes will be posted in their draft format within 5 business days of all meetings and hearings.

(Submitted by Petition)

PASSED 972-302