

Newbury Update is published by the Town of Newbury to offer residents a view of the town government operations and activities. Copies are available at the town office, library, transfer station and post office, but we strongly encourage you to 'get your copy' at the town website: [www.newburynh.org](http://www.newburynh.org). To receive a copy via e-mail, send a request (and any comments or suggestions) to: [newburyupdate@gmail.com](mailto:newburyupdate@gmail.com).

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## IN THIS ISSUE

This issue of *Newbury Update* reviews the matters to be voted by ballot on Tuesday, March 10, and the warrant articles to be presented at town meeting on Wednesday, March 11.

For those who read the last issue, there are no substantive changes to what was presented as to the budget and 'money' articles. This issue also includes the rest of the warrant articles with explanations.

< Town Report is available at the town office >

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### Ballot voting on Tuesday, March 10

Ballot voting at town office on Tuesday, March 10, from 1-7 p.m. will ask voters to select town officers for open positions and vote on two amendments to the Newbury Zoning Ordinance proposed by the planning board. Girl Scouts will be selling cookies at town office during voting from 3-7 p.m. that day.

[A correction to a statement in the last issue: You must be at least 18 to vote.

### The positions open for election and the registered candidates are:

Selectman (vote for one)	Gary Budd Thomas Vannatta
Town clerk/tax collector	Linda Plunkett
Trustee of Trust Funds	Claire Vannatta
Library trustee, 3-year term	Pamela Ritchie
(vote for one)	Claire Vannatta
Library trustee, 2-year term	Patricia Sherman
Supervisor of the checklist	Albert Bachelder
Cemetery trustee	Judith Healey
Planning Board (vote for 2)	Travis Dezotell Bruce Healey Ron Williams
Zoning Board of Adjustment	No candidate filed

### Proposed amendments to the zoning ordinance:

1. Are you in favor of the adoption of Amendment No. 1 as proposed by the Planning Board for the Newbury Zoning Ordinance?

The *Planning Board's Amendment No. 1 to the Zoning Ordinance* proposes to add a new Article XXII (Small Wind Energy Systems Ordinance) in response to new state legislation that encourages small wind energy systems and requires that ordinances adopted by towns to regulate the installation and operation of small wind energy systems shall not unreasonably limit such installations or unreasonably hinder the performance of such installations. In addition to the new Article XXII (Small Wind Energy Systems Ordinance), the amendment would add new definitions to Article II (Definitions).

Yes \_\_\_ No \_\_\_

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### Your presence is requested...

**Tuesday, March 10**

**1 p.m. – 7 p.m.**

**Ballot voting**

**Newbury Town Office**

for town officers and amendments of the zoning ordinance, as well as the school district warrant.

**Wednesday, March 11**

**6 p.m. Ham & Bean Dinner**

**7 p.m. Town meeting**

**Mount Sunapee Resort**

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**RATIONALE:** The purpose of this new article is to implement new state legislation (RSA 674:62-66) that allows municipalities to adopt regulations for the installation and operation of small wind energy systems. The intent is to facilitate the installation of small wind energy systems by removing the current requirement to obtain approval of a height variance from the zoning board of adjustment and replacing it with a straightforward building permit process approved by the board of selectmen. The proposed ordinance provides the property owner, the abutters and the town with standards for the installation of small wind energy systems.

2. Are you in favor of the adoption of Amendment No. 2 as proposed by the Planning Board for the Newbury Zoning Ordinance?

The *Planning Board's Amendment No. 2 to the Zoning Ordinance* proposes to amend Article VII (Shore Land Overlay District) and Article II (Definitions) to be consistent with some of the changes in the New Hampshire Comprehensive Shoreland Protection Act and some other revisions to the local ordinance. Yes \_\_\_ No \_\_\_

**RATIONALE:** The primary purpose of this amendment is to revise the town's Shore Land Overlay District to conform with the new amendments to the Comprehensive Shoreland Protection Act adopted by the state legislature over the past two years. Major changes in the state's requirements for shoreland lots include incorporating the new provisions on waterfront buffers, natural woodland buffers, impervious surface coverage restrictions and requirements to retain a minimum percentage of the lot in an unaltered state. The intent is to make the state and town shore land regulations consistent in order that property owners proposing to develop or construct on their lot need to prepare only one set of plans and calculations to demonstrate conformity with both the state and town regulations that are consistent.

### Town meeting on Wednesday, March 11

Town meeting will be held on the second floor of Spruce Lodge at the Mount Sunapee Resort, beginning at 7 p.m.

Before the meeting starts, everyone is again invited to a free Ham & Bean Supper prepared by the members of the Newbury Beautification Committee. Serving will begin at 6 p.m. and the menu includes ham, beans, coleslaw and rolls. Mount Sunapee Resort is providing the drinks. There's no need to bring anything but an appetite; if you feel you must, bring a dessert, but don't miss the dinner just because you didn't have time to bake.

At town meeting on Wednesday at 7 p.m. the following articles of the warrant will be addressed, beginning with the operating budget.

To see if the town will vote to raise and appropriate the sum of \$3,223,680 for general operations.

ANNUAL BUDGET	2008	2009
1. Executive	\$175,886	\$178,522
2. Elections	11,067	4,802
3. Financial Administration	437,999	440,795
4. Legal Expenses	25,000	23,000
5. Personnel Administration	2,800	2,800
6. Planning	50,349	46,726
7. Zoning	13,017	13,006
8. General Government Bldg.	51,981	53,271
9. Cemeteries	25,780	25,610
10. Insurance	50,865	52,100
11. Other General Govt.	14,000	14,000
12. Police Department	438,848	450,288
13. Fire Department	139,968	159,875
14. Forest Fire	1,038	1,053
15. Code Enforcement	28,124	28,813
16. Emergency Management	4,478	4,413
17. Highway Maintenance	565,980	578,780
18. Highway Reconstruction	243,000	232,000
19. Street Lighting	14,040	14,600
20. Transfer Station	290,418	284,805
21. Health Agencies	31,324	33,616
22. Welfare	16,294	22,894
23. Information Booth	6,565	6,689
24. Parks & Recreation	72,644	77,648
25. Library	81,297	85,494
26. Conservation Commission	1,603	1,495
27. Historical Society	1,000	1,000
28. Tax Anticipation Notes	100	100
29. Sewer Department	141,825	137,440
30. Bond/Note Principal	195,000	165,000
Bond/Note Interest	58,675	49,000
31. Safety Communication Svcs.	35,708	34,045
32. Capital Outlay	0	0
<b>TOTAL:</b>	<b>\$3,226,673</b>	<b>\$3,223,680</b>

### Points to note about the 2009 operating budget

*The operating budget is down.* The members of the budget committee – Jim Powell, Gary Budd, Dick Wright, Dennis Pavlicek, Joy Nowell, Ivor Freeman and Tom Vannatta – met the goal of keeping the budget even with or lower than last year’s. The total operating budget is down \$2,993, just under one percent.

*Wages & benefits.* Selectmen budgeted an average of 3.7% overall for wage increases, to cover both cost-of-living adjustments (COLA) and merit raises for town employees. The total 2009 budget amount to cover the salary increases and related benefits is \$33,469 across all departments.

COLA is based on the consumer price index (CPI) which for the period 11/07 to 11/08 is 1.7 percent. Health benefit rates are down, a small amount but down, which is a positive change for a factor that tends to drive higher budgets.

*Revenues.* Town administrator Dennis Pavlicek said we are looking at decreased revenues, particularly from motor vehicle registrations, yield (timber) tax and interest earned on investments. He doesn’t expect a decrease in state and federal monies.

*Petroleum impact.* Fuel costs are still making a good-sized impact. The prices are lower than they were a few months ago, but they have begun going up again. Vehicle fuel and heating oil – and other items

affected by petroleum costs, such as tires and paving – are up from what was budgeted last year (before the height of increases), but lower than what we actually had to spend in 2008.

*Overlay looks good.* Back to better news, the amount of overlay – money set aside for abatements and refunds – should be down because our assessors have assessments where they should be so fewer abatements are anticipated. The Dept. of Revenue Administration looks at this number when setting our tax rate.

*Tax rate forecast.* All things considered and at current valuations, Pavlicek figures that, if all the money articles pass, the town portion of the tax rate will go up no more than five cents. The town tax rate is \$3.41/\$1,000 right now.

### Background on Operating Budget, by line item:

#### 1. Executive \$178,522 – up \$2,636 – 1.5%

This line largely reflects an increase in salaries and related benefits. Other items covered by this line include the town website, supplies, postage, mileage, telephone, publications, training, computer service, server, copier rental, advertising and organization dues.

#### 2. Elections \$4,802 – down \$6,265 – -56.61%

The reduction in this line – which covers elections, registration and vital statistics – mostly reflects fewer scheduled elections. Line includes election supplies (such as ballots), advertising, and wages/benefits for supervisors of checklist, moderator and ballot clerks. The pay rates were increased for ballot clerks (up 75 cents to \$8.00) and supervisors of the checklist (up 50 cents to \$8.50).

#### 3. Financial Administration \$440,795 – up \$2,796 – 0.64%

Increases are mostly in salaries/benefits, and largely offset by other reductions. The line covers the finance director, treasurer, town clerk/tax collector, assessors and assessing clerk as well as expenses of these offices including tax maps, auditor and printing and mailing of tax bills.

This line includes the full cost of the tri-town assessing office, which will be offset by Sunapee and New London shares, a combined total of about \$170,000 that we will be reimbursed. Our share is about \$70,000, less because we have fewer lots than the other towns.

There are other minor increases such as tax maps (\$2,500 to \$3,500) and software and computer services and support (\$13,525 to \$15,300), though much is unchanged.

#### 4. Legal Expenses \$23,000 – down \$2,000 – -8.00%

Reduced to better reflect recent spending levels.

#### 5. Personnel Administration \$2,800 – no change

Once the line for all employee benefits, this line now is largely for state unemployment insurance and unreimbursed medical.

#### 6. Planning \$46,726 – down \$3,623 – -7.2%

Largest changes in this line are the completion of work on the master plan for a reduction of \$7,000 and a decrease in consultant fees of \$1,500 for a new total of \$15,000.

#### 7. Zoning \$13,006 – down \$11 – -0.08%

Overall balance of minor changes

#### 8. General Government Buildings \$53,271 – up \$1,290 – 2.48%

Increased are wages/benefits up \$290, heat up \$700 and electric up \$300. Larger ticket items that remain level: general repair (\$10,000), mowing/landscaping (\$7,500), vehicle fuel (\$2,880) and supplies (\$2,850). Includes use of town office and meeting room plus maintenance, repairs and mowing for town office and South Newbury town buildings.

**9. Cemeteries** \$25,610 – down \$170 – -0.66%

Advertising reduced by half to \$100 and cemetery signs reduced from \$800 to \$10. General repair remains at \$2,000, restoration/cleaning remains at \$3,500, trees and mileage are unchanged. Mowing is up \$720 to \$17,520.

**10. Insurance** \$52,100 – up \$1,235 – 2.43%

Workers' comp is up 3.35% from \$15,965 to \$16,500 as a function of wage increases. Property liability insurance is up 2% from \$34,900 to \$35,600 based on the increase in the number of buildings and vehicles covered: new fire truck and the snack shack and storage building at Fishersfield Park.

**11. Other General Government** \$14,000 – no change

All items in this line remain level funded: town report printing \$3,900, newsletter \$100, selectmen's project \$10,000. The selectmen's project money in 2008 was spent on Fishersfield Park and the playground. The selectmen's project funding is for a town enhancement project. The money gives the selectmen the option to act on opportunities that present themselves during the course of the year to visually or functionally enhance the town and benefit its residents. If unused, the money goes back to the General Fund.

**12. Police Dept.** \$450,288 – up \$11,440 – 2.61%

There is a \$7,800 increase for the third leased car, so the cycle is completed and costs will remain level while cruisers rotate out. Going with a leased fleet vs buying out of a capital reserve fund saves money. At the end of three years, we own the cruiser and in the interim we have the advantages of the finance program, not the least of which is full insurance coverage. For example, if a car is damaged it gets replaced; there's no out-of-service down time while it's repaired. Chief Lee has also instituted a practice where each cruiser's maintenance is the responsibility of a particular officer, creating more accountability for the vehicles' upkeep.

In addition to the lease, cruiser equipment is up \$1,000 to \$4,500 reflecting the escalating cost of the lights, electronics and other gear. The lines for salaries and related benefits have changed as the result of cost-of-living adjustments and insurance updates.

The Crimestar costs are down two-thirds from \$8,350 to \$3,000. Last year covered putting the software system and initial licensing in place. Now the line is for all software licensing year to year.

The other items are flat or show smaller changes up and down, but overall operating expenditures have remained stable.

**13. Fire Department** \$159,875 – up \$19,907 – 14.22%

Two new pieces of equipment account for most of the increase. A 12-lead heart monitor / defibrillator will replace a 3-lead model and cost about \$17,000. A hydraulic pump to run the auto and building extrication tools is included at \$9,000. Each has other expenses for service and/or supplies.

Also up are training by 22% to \$3,900 and the wages / benefits lines.

With less building maintenance and repair scheduled or expected for this year that line is decreased 36% (\$4,300 to \$2,750). Vehicle repair is down 10% to \$5,900 now that the old tanker has been replaced. Radios have gone from \$3,000 to \$2,120, nearly a third lower.

**14. Forest Fire** \$1,053 – up \$15 – 1.45%

Reflects increase in wages/benefits. The state reimburses 50% of this expense incurred mostly for issuing fire permits.

**15. Code Enforcement/Inspection** \$28,813 – up \$689 – 2.45%

Increase in salary/benefits. Rest remains the same. Costs are largely offset by permit fees.

**16. Emergency Management** \$4,413 – down \$65 – -1.45%

This line covers the emergency management director and health officer stipends. There are decreases in health office supplies of \$425, an increase in miscellaneous expenses from \$600 to \$1,000, and the rest is unchanged, such as training and the emergency operations center (EOC).

**17. Highway Maintenance** \$578,780 – up \$12,800 – 2.26%

Vehicle fuel is up \$12,000 to \$48,000 which is still less than last year's actual costs. Heating oil is up some as well as the salary and benefits line.

Salt is doubled to \$20,000. Fuel prices increased the cost of salt last year, and this also covers the pretreatment product Ice Magic that is being used on all paved roads now. The test uses of Ice Magic in town at the start of winter worked out very well, making it worth the extra cost. It also cuts down on the use of sand, and is more environmentally friendly than salt.

Tires line is up 300% to \$16,200. The grader needs six new tires and the front-end loader needs a couple, and they are expensive.

Several areas were reduced or cut entirely. Blasting was cut in half to \$2,500 because less will be needed for the work on Baker Hill Rd. Cracksealing was zeroed out (was \$8,000) as a place to save money. Guardrails (\$4,000) and engineering (\$1,000) were both zeroed out because there's no need for either this year. Dust control was cut 80% to \$1,000 to save money; it won't impact service for places that need it. Equipment rental is down 75% to \$1,000 in light of less expected need.

**18. Highway Reconstruction** \$232,000 – down \$11,000 – -4.53%

Two items make up this line. Gravel is down, from \$35,000 to \$25,000. Paving/grinding is relatively flat, down \$1,000 to \$207,000.

The planned projects are: Repaving the first approximately 980 feet of Haynes Rd (the part reclaimed last year). Repaving the second half of Baker Hill Rd., from Stony Brook Rd. to the Sutton town line. Gravel for Fishersfield Rd. Reclaiming about 4,000 feet of Newell Rd. beginning from just beyond Brown Rd. to where work left off the last time. Reclaiming the paved portions of Brown and Proctor roads.

**19. Street Lighting** \$14,600 – up \$560 – 3.99%

Reflects PSNH rate increase. Once we pay off the metal halide lights in a few years this expense will decrease by about half. Until then, our savings from using less energy are paying for the equipment and installation over that period.

**20. Transfer Station** \$284,805 – down \$5,613 – -1.93%

The decrease is mostly due to an increase in recycling. Also, demolition costs are down because of a decline in construction. Broken down by categories...

*Solid Waste Collection* \$144,755 – up \$787 – 0.5%  
Salary/benefit increases, but also nearly \$8,000 saved with a correction to a health plan selection. That saving largely balanced out this line, including the heating oil up \$700 to \$2,200 and a \$6,000 increase for more concrete pads.

*Disposal* \$132,950 – down \$2,000 – -1.48%  
Equipment (compactors) rental, trucking and tires remain unchanged. Disposal is down \$2,000 to \$82,000, because the Lebanon landfill rate is unchanged and the amount of trash (in tons) is down.

*Recycling* \$7,100 – down \$4,400 – -38.26%  
Largest decrease is a two-third reduction in hazardous waste day expenses, from \$6,000 to \$2,000 to save money. There are reductions of \$200 each in recyclables disposal fees and equipment rentals. Trucking stayed level

Costs are mostly for trucking when needed and pods and are in part offset by fees charged on electronics and revenue from the sale of some of the materials. Plastics and tin cans are often being picked up with paper for disposal, which cuts expense.

**21. Health Agencies** \$33,616 – up \$2,292 – 7.32%  
 This line is for health agencies and community/school programs. Funds go to the following organizations:  
 New London Hospital Ambulance \$18,220 (up \$1,995 / 12.3%)  
 Visiting Nurse Assoc. \$5,628 (up \$297 / 5.57%)  
 Rescue/Ambulance \$1,500 (unchanged)  
 Kearsarge Area Preschool \$3,000 (unchanged)  
 Community Action Program \$2,768 (unchanged)  
 Kearsarge Area Council on Aging \$2,500 (unchanged)

**22. Welfare** \$22,894 – up \$6,600 – 40.5%  
 The line covers welfare administration (unchanged at \$2,944) and direct assistance for rent, food, utilities, gasoline and misc. which is increased by \$6,600 to \$19,950 based on anticipated need.

**23. Information Booth** \$6,689 – up \$124 – 1.89%  
 Increase reflects wage/benefit increase. Line also covers expenses for telephone, public service and repairs.

**24. Parks & Recreation** \$77,648 – up \$5,004 – 6.89%  
 Increased wages / salaries plus related benefits, and increased hours for part-time recreation coordinator.  
 Old Home Day is increased from \$14,000 to \$17,000, with the biggest expense being fireworks. Revenues help defray some of the cost, and sponsors are being sought to defray fireworks.  
 There are decreases in allocations for advertising (\$1,000 to \$300) and concerts (\$7,500 to \$6,500); both usually get some sponsorship, and the number of concerts is being lowered.  
 Funding for programs is being cut \$700 to \$100 due to a greater accent on fee-funded programs. The line for trails is down 40% to \$300

Funding remains level in many areas including supplies (\$3,500), Public Service (\$2,500), equipment (\$1,000), maintenance & repair (\$3,000) and landscaping (\$3,000).  
 On the waterfront(s), dock fingers switchover is going from \$960 to \$1,100, swimline costs are up (\$800 to \$1,000), bubblers are static at \$100 and beach sand is level at \$200.

This line also includes \$3,500 for Bradford / Newbury / Sutton Youth Sports.

**25. Library** \$85,494 – up \$4,197 – 5.16%  
 Reflects increases for heat (\$400) and PSNH (\$300) plus wage/salary increases with related benefits. There is also some increase in part-time hours.

**26. Conservation Commission** \$1,495 – down \$108 – -6.74%  
 Mostly a reduction in hours needed for recording secretary.

**27. Historical Society** \$1,000 – unchanged  
 The line is for supplies (\$750) and building (\$250).

**28. Tax Anticipation Notes** \$100 – unchanged  
 For potential debt service/interest

**29. (Blodgett) Sewer Dept.** \$137,440 – down \$4,385 – -3.09%  
 Salaries and related benefits are up (raise plus increase in hours). Waste disposal is down from \$3,000 to \$2,000 because of work done to the distribution system which cuts down on infiltration and hence the waste needing disposal. Repair and maintenance are down for the same reason, from \$10,000 to \$8,000.

Water testing is up \$500 to \$2,500 because the state is requiring additional testing to monitor the nitrate level.

Bond issuance costs are down 62.5% (\$8,000 to \$3,000) because the work to upgrade the treatment plant hasn't begun yet. Bond issuance costs won't appear before 2010.

This line is covered 100 percent by user fees.

**30. Bond/Note Principal** \$165,000 – down \$30,000 – -15.38%  
**Bond/Note Interest** \$49,600 – down \$9,675 – -16.49%  
 This line covers the bonds for the town office and highway garage; the library bond has been retired, hence the reduction.

**31. Safety Communication Svcs** \$34,045 – down \$1,663 – -4.66%  
 Dispatch fees declined 2.49% to \$25,945. This year's dispatch fees were calculated using the same formula as last year: a base fee of \$3,000 per town plus a usage fee based on each town's 3-year average call volume.

Other items, including radios and pagers, are unchanged.

The overall decrease is largely from the elimination of \$7,300 for Reverse 911 carried in last year's budget but unspent. The town is looking at a cheaper option through New London Dispatch.

With Reverse 911 we could call people in the event of a localized emergency, such as an oil leak into the lake or an ice storm, with announcements and updates of information relevant to residents in the affected area.

Warrant articles continued...

**4. To see if the Town will vote to raise and appropriate the sum of \$159,000 to be placed in the following capital reserve funds: (Recommended by the Selectmen.)**

<b>Fire Equipment</b>	<b>\$ 45,000</b>
<b>Highway Equipment</b>	<b>\$111,000</b>
<b>Ambulance</b>	<b>\$ 3,000</b>

There are two changes in this article from last year that result in a net decrease of \$22,000. The bridges allotment of \$35,000 is not needed as enough money is now reserved for our share of those projects. Highway equipment is up \$13,000 to cover the increased cost of that equipment as reviewed by the capital improvements program (CIP) committee.

**5. To see if the Town will vote to raise and appropriate the sum of \$40,000 to be placed in the following existing RSA 31:19-a maintenance expendable trust funds previously established: (Recommended by the Selectmen.)**

<b>Docks</b>	<b>\$ 12,000</b>
<b>Town Office Equipment</b>	<b>\$ 6,000</b>
<b>Town Buildings</b>	<b>\$ 7,000</b>
<b>Milfoil Control</b>	<b>\$ 5,000</b>
<b>Fire Dept. Personal Protection</b>	<b>\$ 10,000</b>

Money is regularly put in these expendable funds to cover maintenance and replacement needs in these categories. The amounts are level with last year but for Docks which is up \$4,000. As the town docks (in the harbor and Blodgett's Landing) age they've needed more repair and replacement, and costs to do that are up. We've been spending more on them every year.

**6. To see if the Town will vote to raise and appropriate the sum of \$148,000 to expand the town office parking lot, connect the parking lot to Fishersfield Road, reconstruct and pave Fishersfield Road, conduct further studies for future uses of town center property to be brought before future town meeting(s) and remove the oil tank that is buried in the safety services lot.**

This article deals with items that came out of the ongoing facilities study. Taking them in the sequence listed in the article:

One issue that comes up increasingly is the shortage of parking, especially at the town office. The parking lot is not large enough, people end up parking around its edges and along Route 103, and the amount of traffic in and out of the lot as it is currently arranged is a safety issue of concern to both the police chief and the fire chief. The selectmen have watched the problems grow over the last several years, becoming more of an issue with increased activities at the town office and in town center. The selectmen and the chiefs would like to solve the problem now.

The lot behind the town office will be extended back to increase its capacity from 16 to 44 spaces. The work includes the underlying culvert, wetlands permit and fees, gravel base and paving, lighting, striping and landscaping. The cost, including contingency, is \$96,000.

In addition to enlarging the parking lot, another access via Fishersfield Road will be created. Following a question posed at a public hearing, United Construction has confirmed it will cost less than \$20,000 to pave Fishersfield Rd. Traffic flow for the parking lot safety issue is under review. The facilities committee and vendor are considering, for example, having traffic flow in off Rte. 103 and out via Fishersfield Road, among other possibilities.

This article also includes \$20,000 to conduct further studies of how best to meet future town facility needs with the town center property. Two public hearings were held in January to get input on the progress to date. The process will continue to define the needs and refine the plans to best accomplish the goals at reasonable costs. Time and effort now spent looking at the details of what, where, when and how will ensure the best result. The facilities committee has many possibilities currently on the table that need to be narrowed down. Watch for further public sessions on this project's status.

The removal of the oil tank buried to the side of the safety services building is a safety and code issue, best dealt with now. Its removal will cost \$12,000.

**7. To see if the Town will vote to raise and appropriate the sum of \$146,537 to purchase a six-wheel dump truck equipped with dump body and sander and authorize the withdrawal of \$141,537 from the highway equipment Capital Reserve Fund and a trade-in amount of \$5,000 for the 1986 Mack truck. (Recommended by the Selectmen.)**

The replacement of this truck has been pushed off a couple of years but it's become less reliable so its time has come.

Highway administrator Cal Prussman has looked at both Mack and International models. Most of our highway trucks are Macks, but he hears good things about International from colleagues who use them. The Mack price is included above; the International is about \$13,000 lower. Prussman and the selectmen will offer the choice to the voters at town meeting.

**8. To see if the Town will vote to discuss the merits of a "pay as you throw" program for household trash in the town.**

The selectmen would like to gauge residents' initial reaction to the concept of a so-called 'pay-as-you-throw' (PAYT) program at the transfer station.

The program's appeal is more clearly stated in another acronym: SMART, which stands for Save Money And Reduce Trash. The selectmen think the idea is worth looking into to lower the cost of Newbury's solid waste disposal.

The basic premise is that users buy bags (or tickets or coupons) for their trash, but pay nothing for materials they recycle. If you recycle you pay less for your trash. If you choose not to recycle, you pay for your own choice without others having to subsidize your decision with their dollars.

If the program reduces the amount of trash, then costs for hauling and tipping go down. Even without revenue from recycled materials, we still avoid the costs for hauling or tipping.

Revenue from the program would be applied to offset the transfer station costs, reducing the amount needed to be raised by taxation. It's basically direct vs indirect payment, treating waste disposal as a public utility which is paid for by its users based on their amount of use, rather than wholly indirectly through property taxes.

Those who recycle will have less trash and therefore pay less. Those who choose not to recycle can pay to throw more trash. While we could try to increase recycling by making it mandatory, that creates the problem of policing. It seems better to leave the choice to individuals/

A survey of the 45 NH communities already using the program – some 25 for more than a decade – show very positive results in covering costs and few if any problems. The most expected problem, illegal dumping, isn't an issue in 36 of the towns, and the other 9 describe it as rare.

While the advantages seem clear enough the selectmen want to look deeper into it. They see a number of questions that need to be researched, particularly about how to administer such a program in Newbury, and whether we can set it up in a way that the costs to run it don't outweigh the benefits.

Before investing time and effort on the inquiry the selectmen want to see if town minds are open to the possibility, and town meeting offers a large number of residents for the discussion.

**9. To see if the Town will vote to raise and appropriate the sum of \$3,000 to remove and replace the existing chain-link fence approximately 500 feet along the front of Chandler Cemetery and to remove and replace the two existing gates.**

Chandler Cemetery is located on Route 103B by the traffic circle. The cemetery trustees report that while the fence posts are in good shape, the rusty fencing is not, so they want to change the chain-link. One side of one of the gates is completely off and doesn't align; the other is in bad repair.

**10. To see if the Town will vote to appropriate the sum of \$3,700 to be placed in the Cemetery Maintenance Trust Fund and authorize the transfer of \$3,700 from the December 31, 2008 undesignated fund balance for this purpose. Said sum represents the sale of cemetery lots in the prior fiscal year. (Recommended by the Selectmen.)**

This is a regularly appearing housekeeping article that transfers revenue from the sale of cemetery lots into the appropriate maintenance trust fund.

**11. To see if the Town will vote to authorize the Board of Selectmen to enter into an inter-municipal agreement by and among the towns of Orford, Lyme, Hanover, Enfield, Springfield, Newbury, New London, and Sunapee, to establish a consortium to share in the construction, operation and use of a broadband communications network in accordance with RSA 53-A.**

To refresh memories and provide some update on the ongoing effort, following is an executive summary prepared by Steve Campbell and Lee Larson last fall on the broadband project in which Newbury has been participating. The abbreviated explanation: A formal consortium must be established in order to begin serious inquiries into finding investors.

#### WCNH BROADBAND PROJECT

Steve Campbell and Lee Larson, Nov. 2008

**Project goal:** To install a fiber optics cable to every home and business in an 8-town area. This cable would be used to provide telephone, cable-like television, very-high-speed Internet and could also be used in the future for streaming movies, providing live security systems, supporting very-computer-intensive business, etc.

**Why Fiber?** Standard cable or services over copper wires (telephone and DSL Internet connection) or present-day wireless Internet are available to some Newbury residents and businesses now and are adequate for many purposes. Extending these to all homes and businesses would be a clear step forward. However, fiber to the home and business looks toward the future in addition to present needs. For a business that is computer intensive, the commonly available Internet service is just not adequate even now. Therefore this project can be regarded in part as an economic development stimulus.

**What has been done so far?** A consultant was hired to do an initial feasibility study. This was followed by a detailed study including an extensive survey of present capability, interest, needs, service

providers, preliminary engineering, etc. Finally, the consultant did a detailed financial analysis to determine costs, payback periods, etc.

In addition, extensive legal work has been done on a structure for a consortium formed by the 8 towns to control and eventually own the fiber network as well as study the laws which would govern a project like this in New Hampshire. Some of the legal impediments have been identified and plans are under way to change or add to the legal structure.

This work has been paid for by the 8 towns. Newbury's share of the \$95,000 has been roughly \$4,000. The Town of Hanover covered additional legal fees.

**Open Access.** The network being planned is called "open access." The consortium of towns will not sell any services, but provide a route to get these services to the customers served. Providers will contract to use the network. There would likely be more than one provider for each type of service. The analogy is the highway system, where towns and the state have built roads which are then "rented" (through vehicle registration fees) to several package delivery companies, all of whom use the road system.

**Financing.** The estimated cost for construction is approximately \$30 million. The plan is that this cost would be financed through a capital lease. Investors would provide the money to the consortium to construct the system and would derive their capital return and dividends through user fees. After some period of time (15-20 years?) the lease would expire and the consortium would have clear ownership. No town money would be used for construction, and if the project failed the investors would take ownership, with no obligation from the towns.

This financing structure is similar to that being used by the EC Fiber project in Vermont. Present economic difficulties are currently making financing of this sort difficult.

**What remains to be done?** A more detailed engineering study is needed so cost estimates are firmed up. Then the financial model will need further refinement before it is ready for consideration by investors. There are still some legal challenges (pole access, for example). Finally, finding investors. The project committee is unsure about how to finance these final steps. The project would benefit greatly from a knowledgeable employee who could spend significant time on it. Nearly all the work of management up to this point has been done by volunteers, primarily town managers from Hanover and New London as add-ons to their normal duties. The source of funds to hire such a person to manage the final project planning is not known.

**Immediate need.** The project committee requested that selectmen from each of the 8 towns present the above warrant article at town meeting. This article will not obligate any expenditure, but will give the committee the authority to form a formal consortium. There would be further discussion and a presentation of the details for actually forming the legal entity at the 2010 town meetings.

**12. To see if the Town will vote to adopt the provisions of RSA 79-F to appraise, for property tax assessment, qualifying farm structures at no more than replacement value less depreciation and land underlying qualifying farm structures at no more than ten percent of its market value. Qualifying structures and land shall be subject to a use change tax at the rate of ten percent of the full-value assessment as of the date of change of use.**

First, as background, here is the *Declaration of Public Interest* from the legislation: "The general court hereby finds it to be in the public interest to encourage the preservation of productive farms and associated structures. These structures are important in sustaining the economic viability of the state's farms, ensuring a reliable and safe local food supply, and providing an attractive environment for recreation, tourism and wildlife. Farming in NH has a long and proud history which shaped our state's landscape. It is further declared to be in the public interest to prevent the loss of farms and their associated

structures due to property taxation at values incompatible with their use."

The state legislature passed RSA 79-F as 'enabling legislation,' meaning any municipality may adopt the provisions of 79-F by vote at town meeting. Qualifying structures are those contiguous to a minimum of 10 acres of open-space land used exclusively to: house livestock, store feed grown or used on the farm, store livestock bedding, store crops or fertilizer for crops grown on the farm, store farm equipment which is actively used to maintain the farm, or boil sap from maple trees and store fuel-wood used to boil sap from maple trees.

Newbury has few working farms and it looks like only one that would have qualifying structures under this legislation. The owners of that farm asked that this article be placed before town meeting, to which the selectmen agreed.

**13. To see if the Town of Newbury will go on record in support of working with the other five towns within the Sunapee Watershed to raise community awareness of important issues concerning the Lake Sunapee Watershed and surrounding areas, to formulate clear guidelines for responsible, long-term stewardship of the water resources in those areas, and to promote cooperation among Sunapee watershed towns in using those guidelines for the implementation of programs effective in addressing the salient issues to the common benefit of the area communities.**

The Sunapee Area Watershed Coalition submitted this article to the selectmen of the six towns in the Lake Sunapee watershed, requesting it be included on each town's warrant. The Newbury selectmen agreed to place it on the warrant.

**14. To transact any other business that may legally come before said meeting.**

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