

TOWN OF WINDHAM

NEW HAMPSHIRE



2025 Town of Windham Voters Guide

The Board of Selectmen are pleased to present our residents with this Voters Guide to assist all voters who plan to vote on Tuesday, March 11, 2025, at the Windham High School between the hours of 7:00 AM and 8:00 PM. Please note that voter turnout volume can be quite high during peak hours, so please be sure to follow posted directions and traffic patterns to ensure the safety of all parties.

The purpose of this guide is to help you, the voter, make informed decisions as you vote. The way the Town operates and how much it spends is determined by you, the voters.

We strongly encourage you to vote on March 11th and we take this opportunity to thank you for your continued civic participation and to remind you that, regardless of the outcome, we move forward together, as the Town of Windham.

Heath Partington, Chair - 2025
Mark Samsel, Vice Chair - 2026
Roger Hohenberger - 2027
Bruce Breton - 2026
Ross McLeod - 2027



A Citizen's Guide to Understanding Terms-

Appropriations: A sum of money or total of assets devoted to funding a specific purpose.

Article: Individual numbered items within the warrant on which you will be asked to vote.

Map/Lot: This designates the exact location of a parcel of land on the Town tax map.

RSA: Refers to a state law- **Revised Statutes Annotated**. These laws can be found on the State of New Hampshire website under “Laws and Rules”.

Special Warrant Article: As provided in State law, this designation identifies any appropriation in the article as non-lapsing (no expiration date), non-transferable (not to be used for anything other than the specific expressed purpose, like a capital reserve fund) or that seeks authorization to enter into a long-term debt (bond).

Warrant: The official legal name for the group of articles presented to the voters.

CBA/Collective Bargaining Agreement: Is a contract between a bargaining unit, a group of employees (police, fire, or other municipal employees), and the Board of Selectmen, the cost items of which are approved by the voters.

Conservation Commission: A group of appointed officials tasked with “the proper utilization and protection of the natural resources of the Town, per RSA 36-A:2”.

Forestry Committee: An appointed group of five (5) members who volunteer to plan, preserve, and protect public, forested lands (forests, parks, open space, water courses, wetlands) and the wildlife therein. They often work in conjunction with the Conservation Committee, Planning, the Board of Selectmen, as well as with Parks and Recreation.

Planning Board: An elected body - Pursuant to RSA 673:2, the Planning Board shall consist of seven (7) members, six (6) of whom shall be elected by the local legislative body and the seventh shall be an ex-officio member appointed by the Board of Selectmen.

Zoning Board of Adjustment: An elected body of five (5) members. As a quasi-judicial board, the Zoning Board of Adjustment's (ZBA) primary responsibility is to provide a legal forum for property owners to seek relief from a strict application of the Zoning Ordinance(s), appeal decisions related to the Zoning Ordinance, or seek other forms of relief recognized under the law.

Unassigned Fund Balance: The surplus of revenues that have not been expended that can be used for offsetting the tax rate with the Selectmen's approval and/or for funding projects approved by the Town meeting.

Capital Reserve Fund: Essentially a "savings account" created by action of a prior town meeting vote into which funds are placed for a designated purpose, but limited to capital expenditures- such as a piece of major equipment, building, etc. Capital reserve funds exist to allow the Town to put away money gradually over time for large capital projects, instead of seeking to fund those projects all at once.

Non-Capital Reserve Fund: The same "savings account" concept as a capital reserve fund, but not specifically tied to buildings or equipment.

Non-Appropriation Clause: A clause that allows for a contract to be terminated in the event the Town meeting does not authorize an appropriation to pay for that contract.

Recommended by the Board of Selectmen: The vote by which an article was approved by the Selectmen.

The vote is indicated at the end of each warrant:

Example: Recommended by the Selectmen (5-0-0)

This format indicates (Votes for, Votes against, and Abstentions*)

*Abstentions indicate that a seated member of a Board declined to vote on a warrant article.

TOWN WARRANT
THE STATE OF NEW HAMPSHIRE

To the Inhabitants of the Town of Windham in the County of Rockingham in said State, qualified to vote in Town Affairs:

You are hereby notified of the following annual Town Meeting schedule.

First Session of Annual Meeting (Deliberative)

You are hereby notified to meet at the Windham High School in said Windham on Saturday, February 1, 2025, at 9:00 am. This session shall consist of explanation, discussion, and debate of warrant articles numbered 3 through 19. Warrant articles may be amended subject to the following limitations: (a) warrant articles whose wording is prescribed by law shall not be amended and, (b) warrant articles cannot be amended such that the subject matter of the warrant article is eliminated. Warrant articles that are amended at the First (Deliberative) Session shall be placed on the official ballot for a final vote on the main motion, as amended.

Second Session of Annual Meeting (Official Ballot Voting)

You are hereby notified to meet again at the Windham High School in Windham, on Tuesday, March 11, 2025, between the hours of 7:00 am and 8:00 pm to vote by official ballot on warrant articles numbered 1 through 19.

ARTICLE 1. To choose all necessary Town Officers for the year ensuing.

ARTICLE 2: To vote by ballot on the following amendments to the Windham Zoning Ordinance as proposed by the Planning Board.

There are no explanations provided for the Planning Board Amendments.

ARTICLE 3: Lease Purchase Agreement for Highway Department Loader

To see if the Town will vote to authorize the Selectmen pursuant to RSA 33:7-e to enter into a (5) five-year lease purchase agreement for the sum of \$275,000 for the purpose of leasing and purchasing a Loader with equipment for the Highway Department, and to raise and appropriate the sum of \$55,000 for the first year's payment for that purpose. This lease purchase agreement contains a non-appropriation (escape) clause. This article is part of the recommended Capital Improvement program. (Majority vote required)

<u>FY25</u>	<u>FY26</u>	<u>FY27</u>	<u>FY28</u>	<u>FY29</u>	<u>Total</u>
\$55,000	\$55,000	\$55,000	\$55,000	\$55,000	\$275,000

2025 Estimated Tax Impact per thousand: \$0.02 Recommended by the Board of Selectmen (5-0)

Article 3 Explanation: *These funds will be used to purchase a new Loader for the Highway Department through a capital lease. The normal replacement cycle for these vehicles is 8 years. The current loader is 12 years old.*

ARTICLE 4: Lease Purchase Agreement for a Transfer Station Trailer

To see if the Town will vote to authorize the Selectmen pursuant to RSA 33:7-e to enter into a (5) five-year lease purchase agreement for the sum of \$170,000 for the purpose of leasing and purchasing a trailer for the Transfer Station, and to raise and appropriate the sum of \$34,000 for the first year's payment for that purpose. This lease purchase agreement contains a non-appropriation (escape) clause. This article is part of the recommended Capital Improvement program. (Majority vote required)

<u>FY25</u>	<u>FY26</u>	<u>FY27</u>	<u>FY28</u>	<u>FY29</u>	<u>Total</u>
\$34,000	\$34,000	\$34,000	\$34,000	\$34,000	\$170,000

2025 Estimated Tax Impact per thousand: \$0.01 Recommended by the Board of Selectmen (5-0)

Article 4 Explanation: *These funds will be used to purchase a new trailer for the Transfer Station through a capital lease. The trailer has a replacement cycle of 12 years. The current trailer is 16 years old. The trailer is used for the operation of the Municipal Solid Waste Facility.*

ARTICLE 5. Municipal Union Contract

To see if the Town will vote to approve the cost items included in the latest tentative bargaining agreement reached between the Selectmen and the American Federation of State, County, and Municipal Employees, Council #93 and Local #1801 – Windham Support Staff, which calls for the following increases in salaries and benefits at the current staffing level:

<u>Fiscal Year</u>	<u>Estimated Increase</u>
2025	\$ 67,557
2026	\$106,494
2027	\$ 86,493
2028	\$ 20,121
 Total	 \$280,665

and to further raise and appropriate the sum of \$67,557 for the current fiscal year, such sum representing the additional costs attributable to the increase in salaries and benefits required by the new agreement over those that would be paid at current staffing levels. The term of the proposed contract is April 1, 2025 through March 31, 2028. The new agreement contains an evergreen clause. (Majority vote required)

2025 Estimated Tax Impact per thousand: \$0.02 Recommended by the Board of Selectmen (5-0)

Article 5 Explanation: *This is a 3-year contract that includes wage increases of no more than 5% and no less than 2% according to the Boston Consumer Price Index (CPI) each year. Employees have the ability to buyout up to 80 hours of accrued earned time each year, reducing future earned time liability to the Town. The contract also includes an increase to the clothing allowance from \$400 to \$700 per year.*

ARTICLE 6.

Shall the Town of Windham, if Article #5, is defeated, authorize the governing body to call one special meeting, at its option, to address Article #5, cost items only. (Majority vote required)

No Tax Impact.

Recommended by the Board of Selectmen (5-0)

Article 6 Explanation: As stated in the article, this only applies if Article 5 fails. The special meeting will be held to remedy cost items in the Municipal Union contract.

ARTICLE 7: Property Maintenance Expendable Trust Fund

To see if the Town will vote to raise and appropriate the sum of \$100,000 to be added to the Property Maintenance Expendable Trust Fund, established in 1995, for the purpose of maintaining all Town buildings, facilities, fields, and public grounds. (Majority vote required)

2025 Estimated Tax Impact per thousand: \$0.03 Recommended by the Board of Selectmen (5-0)

Article 7 Explanation: This fund is for the purpose of funding necessary maintenance projects for our Town properties. Projects completed in 2024 included renovations to the bathrooms and sidewalk repairs at the Searles Chapel, fire alarm and security system upgrades to all Town buildings. The current balance of the Trust as of 1/21/25 is \$82,114. The Town has identified a total of \$915,400 in infrastructure upgrades and repairs needed to Town buildings and properties.

ARTICLE 8: Searles Building

To see if the Town will vote to raise and appropriate the sum of up to \$70,000, for the purpose of marketing and maintenance related costs associated with the Searles Building, said amount to be withdrawn solely from the balance in the previously established Searles Revenue Fund. This account is funded exclusively from facility rental revenue and directed donations. Approval of this article will have no additional impact on the tax rate. (Majority vote required)

No Tax Impact.

Recommended by the Board of Selectmen (5-0)

Article 8 Explanation: Specific expenses paid from these funds include the coordinator's salary for marketing/showing the building, advertising costs, maintenance-related projects, and services to upkeep the building, and "set ups" for events. Monies from the Searles Revenue Fund is also used to offset up to half of the costs associated with the annual bond payments (\$14,385) for the Searles Building bond approved in 2020. The income comes from event bookings. As of 1/21/25, the revenue fund has a balance of \$52,284.

ARTICLE 9: Re-Adopt Solar Energy System Tax Exemption

To see if the Town will vote, in accordance with RSA 72:61 through 72:64, to re-adopt an exemption from taxation for real property equipped with Solar Energy Systems, as that term is defined in RSA 72:61. As set forth in RSA 72:61, a "Solar Energy System" is defined as a system which (a) utilizes solar energy to heat or cool the interior of a building or to heat water for use in a building and which includes one or more collectors and a storage container or (b) provides electricity for a building by the use of photovoltaic panels, inclusive of all photovoltaics, inverters, and storage. Qualifying Solar Energy Systems may be off grid or connected to the grid in a

net metered or group net metered arrangement pursuant to RSA 362-A:9 or in a direct retail sale arrangement pursuant to RSA 362-A:2-a. This exemption shall only be available to properties equipped with solar energy systems that are intended for use on the property on which the solar energy system is located. The amount of the exemption shall be equal to the increase in assessed property tax value caused by the Qualifying Solar Energy System. (Majority vote required)

No Tax Impact.

Recommended by the Board of Selectmen (5-0)

Article 9 Explanation: This Article continues an exemption for residents who install a solar system which may include panels, inverters and battery storage. This provision exempts the additional property value associated with the solar system installation from taxation. For example, if a solar system increased the property assessment by \$25,000, this additional assessed value would not be subject to Windham's property tax.

ARTICLE 10: Town Hall Renovation Project

To see if the Town will vote to raise and appropriate the sum of \$250,000 for the purpose of repairing and/or renovating the Town Hall, to include but not be limited to, siding repairs and/or painting, drainage improvements, moisture control, insulation, window and energy-efficiency improvements, and other improvements deemed necessary by the Selectmen. Anticipated completion date of 2025. These funds are to come from the Unassigned Fund Balance with no money to be raised by additional taxation. This will be a non-lapsing appropriation per RSA 32:7, VI and will not lapse until the project is complete or December 31, 2030, whichever occurs first. This article is part of the recommended Capital Improvement Program. (Majority vote required)

No Additional Tax Impact.

Recommended by the Board of Selectmen (5-0)

Article 10 Explanation: The funds raised will continue to go towards the infrastructure renovation work completed in 2024 and will complete several related repairs to the Town Hall including window improvements, refinishing the exterior of the building, improving the insulation, and moisture control within the building. The balance from the 2024 appropriation is \$55,125.

ARTICLE 11: Nesmith Library Solar Power Purchase Agreement (PPA) Capital Reserve

To see if the Town will vote to raise and appropriate the sum of \$32,500 to be placed into the Nesmith Library Solar Power Purchase Agreement Capital Reserve Fund previously established in 2024. This is the second of four installments for the Solar Power Purchase Agreement. This article is part of the recommended Capital Improvement Program. (Majority vote required)

2025 Estimated Tax Impact per thousand: \$0.01 Recommended by the Board of Selectmen (5-0)

Article 11 Explanation: This Article is the second of four installments into the Capital Reserve Fund to pay-off in 2028 the purchase of the Nesmith Library solar system (installed in and operating as designed since 2022). The Article authorizes \$32,500 for the second year's contribution to this Fund. The library's first year of operation indicates that the library will reduce its annual electric bill by, at least, \$10,000 annually after the solar panel system is purchased in 2028.

ARTICLE 12: Letizio Land Donation

To see if the Town will vote to authorize the Selectmen to accept the donation of the parcel located at #39 Enterprise Drive and being identified as Tax Map 11, Lot C-125 from A.J. Letizio Sales and Marketing. Further, to authorize the Selectmen to negotiate all such pertinent terms and conditions related to the donation of said property.

No Tax Impact.

Recommended by the Board of Selectmen (5-0)

Article 12 Explanation: The Letizio Family is donating the western side of parcel 11-C-125 (39 Enterprise Drive) to the Town of Windham. This land will be combined with the existing Indian Rock Parcel to create Indian Rock Park. Development of Indian Rock Park will be privately funded by a small group of Windham families who will donate all the funds for the project. Indian Rock Park is planned to be presented to the Town of Windham as a donation in the 2025/2026 time frame. This article authorizes the Selectmen to accept the donation of the land and negotiate any details required to move toward development and completion of the park.

ARTICLE 13: Hiring of a Full-Time Deputy Tax Collector

To see if the Town will vote to raise and appropriate the sum of \$30,240 for the purpose of converting the existing part-time Deputy Tax Collector to a full-time position. Said appropriation to fund the additional costs for wages, benefits and retirement for the balance of the 2025 year, over and above the \$37,900 included in the proposed 2025 budget for the part-time position (representing a total of \$68,140 for the 2025 fiscal year). (Majority vote required)

2025 Estimated Tax Impact per thousand: \$0.01 Recommended by the Board of Selectmen (5-0)

Article 13 Explanation: This converts the existing part-time Deputy Tax Collector position into a full time position. \$68,140 is the total for the full-time position for a portion of 2025. More hours will allow for better service to the community given our existing staff and the full-time position will result in more continuity and consistency for the Tax Collector department.

ARTICLE 14: Windham Housing Authority Lease Agreement

To see if the Town will vote to authorize the Selectmen to enter into a Lease Agreement for the lease of the following premises:

- (i) Lot 8-B-850 at 92 Rockingham Road
- (ii) Lot 8-B-900 at 98 Rockingham Road
- (iii) Lot 8-B-6301 on Seavey Road

(all of said properties are not conservation lands and are hereinafter described as the "leased premises") to a non-profit corporation to be established for the purpose of providing affordable housing opportunities persons aged 62 and over. The Lessee shall have a Board of Directors consisting of not less than 40% who are members of the Windham Housing Authority. Said lease agreement to incorporate the following general terms and such other terms and conditions as may be acceptable to the Board of Selectmen:

- (a) A term of not less than ninety nine (99) years.
- (b) Base annual rent to be negotiated by the Board of Selectmen, plus provision for payments of taxes or exemption therefrom under RSA 72:23(V).
- (c) The Lessee shall be responsible for all maintenance and repair to the premises and any buildings thereon, and shall hold the Town harmless from any liability arising from the premises
- (d) The use of the leased premises shall be restricted to the development of Housing for Older Persons as provided in RSA 354-A:15(VIII). In addition, the following provisions shall govern such housing:
 - (i) A minimum of forty (40) units shall be constructed
 - (ii) Fifty percent (50%) of the constructed units shall be subject to the condition that the amount of rent that can be charged shall be in accordance with RSA 203:10 (so-called Affordable Units).
 - (iii) Occupancy preference as allowed under 24 C.F.R. 960.206 shall be made available to Windham residents, former Windham residents desiring to return, or individuals with related family members residing in Windham for all units designated as Affordable. Actual percent of such occupancy will be dependent on number of interested/eligible persons.
- (e) The Lessee shall substantially complete construction of such housing within three (3) years of the lease agreement.
- (f) The lease shall provide the ability of the Town, through action by the Board of Selectmen, to withdraw a portion of the leased premises for other public uses at any point after the third year of the lease.

The authorization to enter into the lease agreement shall continue for one (1) year, or the authority granted herein shall expire.

In addition, adoption of this article shall constitute approval to hold and maintain the leased premises for public purposes under RSA 80:80(V), and the Selectmen shall be authorized to merge such parcels as provided in RSA 674:39-a.

No Tax Impact.

Recommended by the Board of Selectmen (5-0)

Article 14 Explanation: This article will allow the town to engage in negotiations to lease 3 Town-owned lots that will provide the cornerstone for the development of affordable housing opportunities for persons aged 62 and over. A Non-Profit organization will be formed as the Lessee for leading the development and operational management responsibilities. The Lessee will have a Board of Directors consisting of not less than 40% who are members of the Windham Housing Authority.

The properties total 7.3 acres with frontage on Rockingham Road (Route 28) and Seavey Road, and with public water supply available. There are 48 units planned, with Fifty percent (50%) priced at fair market value and 50% affordable, subject to the condition that the amount of rent charged shall be in accordance with RSA 203:10 (so-called Affordable Units). Occupancy preference as allowed under 24 C.F.R. 906.206 shall be made available to Windham residents, former Windham residents desiring to return, or individuals with related family members residing in Windham for all units designated as Affordable. The actual percentage of such occupancy is dependent on the number of interested/eligible persons.

It is anticipated that the lease will have a term of not less than ninety-nine (99) years, plus provision for payments of taxes or exemption therefrom under RSA 72:23(V). The Lessee will have responsibility for all maintenance and repair to the premises and any buildings thereon and shall hold the Town harmless from any liability arising from the premises. Lessee shall substantially complete construction of such housing within three (3) years of the lease agreement. The authorization to enter into the lease agreement shall continue for one (1) year, or the authority granted herein shall expire.

ARTICLE 15: Amend Ordinance Governing Septic Tank Pump-out

Are you in favor of an amendment to the Ordinance Governing Onsite Wastewater Treatment System Pump-Out and Inspection (#WIN 2:00:28:23) adopted by the Town in March 2023. The Ordinance is intended to protect surface water quality by requiring timely pumping and maintenance of Onsite Wastewater Treatment Systems (septic systems). The current Ordinance requires that all properties in the Cobbetts Pond Village District are subject to the Ordinance and shall have their Onsite Wastewater Treatment System (septic system) pumped out and inspected at least every three (3) years and provide required documentation on such pumping to the Board of Health or designee. The amendment would apply the Ordinance to all areas identified as Watershed Protection Overlay Districts (WPODs) in Section 616 of the Windham Zoning Ordinance. A copy of the proposed amendment is available for inspection at the Windham Town Clerk's Office during regular business hours. Fines of \$100 to \$1,000 will be imposed on any property owner who fails to comply with this ordinance.

No Tax Impact.

Recommended by the Board of Selectmen (5-0)

Article 15 Explanation: The foundation of this ordinance was passed by voters in the 2023 election. The changes in this Article were presented to the Board of Selectmen at the regular meeting held on December 16, 2024.

It expands applicability to the Rock Pond Watershed Overlay District Parcel Map dated 11/24/2020 and Moeckel Pond Watershed Overlay District Parcel Map dated 11/24/2020.

ARTICLE 16: Amend Polling Hours for State Elections

Polling hours in the Town of Windham are now 7:00 am to 8:00 pm. Shall we place a question on the state election ballot to change polling hours so that polls shall open at 7:00 am and close at 8:01 pm for all regular state elections beginning 2028?

No Tax Impact.

Not Recommended by the Board of Selectmen (4-1)

Article 16 Explanation: This is the first step to change the voting hours from 7am to 8pm to 7am to 8:01pm. If this article passes a question will be placed on the state election ballot in 2026 to change the state election hours in 2028. In parallel the local town elections would also need to change by a separate warrant article.

ARTICLE 17: Discontinuance of Portion of Enterprise Drive

To see if the Town will vote to fully and completely discontinue a portion of the former Route 111 right-of-way, acquired by the Town when discontinued by the State, consisting of a strip of land situated between the Town's established right-of-way for Enterprise Drive and Tax Map 11-C, Lot 45, said parcel having 720 +/- linear feet of frontage on Enterprise Drive. Sale of this parcel was approved under Article #6 of the 2024 Town Meeting Warrant, but the required discontinuance language was not included.

No Tax Impact.

Recommended by the Board of Selectmen (5-0)

Article 17 Explanation: This Article is a clean up to Article 6 passed (1,438 -1,054) by the voters in 2024. It was discovered during the preparation of the sale, in the previous transfer of ownership by the State of New Hampshire DOT, road discontinuance language was inadvertently omitted. This will allow for the approved sale of this property.

ARTICLE 18: Establish a Budget Committee (Citizen's Petition)

To see if the Town will vote to recommend that the Board of Selectmen study the advisability of establishing a Budget Committee under the provisions of RSA 32:14-24

No Tax Impact.

Not Recommended by the Board of Selectmen (3-1-1)

ARTICLE 19: Town 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 or as amended by vote of the first session, for the purposes set forth therein, totaling \$21,549,007. Should this article be defeated, the default budget shall be \$21,085,318, which is the same as last year, with certain adjustments required by previous action of the Town, 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)

<u>Administration</u>	\$1,062,779	<u>Historic Commission</u>	\$7,500
<u>Assessing</u>	\$196,609	<u>Information Technologies</u>	\$313,540
<u>Cable Television</u>	\$121,123	<u>Insurance</u>	\$2,588,444
<u>Capital Outlay</u>	\$217,890	<u>Legal Services</u>	\$202,156
<u>Contracted Fire Service</u>	\$3	<u>Library</u>	\$1,341,170
<u>Contracted Police Service</u>	\$2	<u>Museum</u>	\$7,250
<u>Cemetery</u>	\$43,530	<u>Police</u>	\$4,131,888
<u>Community Development</u>	\$648,660	<u>Recreation</u>	\$302,757
<u>Conservation Commission</u>	\$9,760	<u>Road Maintenance</u>	\$1,992,746
<u>Debt Service</u>	\$679,404	<u>Searles Building</u>	\$14,813
<u>Dispatching</u>	\$588,327	<u>Senior Center</u>	\$6,703
<u>Elections</u>	\$43,195	<u>Solid Waste Disposal</u>	\$1,510,627
<u>Emergency Management</u>	\$5,639	<u>Street Lights</u>	\$20,400
<u>Fire Department</u>	\$4,296,349	<u>Tax Collector</u>	\$198,118
<u>General Assistance</u>	\$34,000	<u>Town Clerk</u>	\$398,597
<u>General Govt Buildings</u>	\$493,028	<u>Town Officers' Salaries</u>	\$3,337
<u>Health and Human Services</u>	\$68,663	<u>TOTAL OPERATING BUDGET</u>	\$21,549,007

2025 Estimated Tax Impact Net of Estimated Revenue per thousand: \$4.16

Recommended by the Board of Selectmen (5-0)

Article 19 Explanation: This is the operating budget in which the Selectmen are requesting to support all activities of Town government for 2025. Should this budget fail, state law allows a default budget to be established automatically rather than having no budget at all. The budget approved by the Selectmen is \$21,549,007. The default budget is \$21,085,318. This represents a 4.3% increase from the 2024 operating budget.