



**ABSENTEE BALLOT AND OFFICIAL BALLOT
ANNUAL TOWN ELECTION
WINDHAM, NEW HAMPSHIRE
MARCH 9, 2021**

BALLOT 1 OF 3

Nicole Bottai
TOWN CLERK

INSTRUCTIONS TO VOTERS

- A. TO VOTE, completely fill in the OVAL to the RIGHT of your choice(s) like this:
- B. Follow directions as to the number of candidates to be marked for each office.
- C. To vote for a person whose name is not printed on the ballot, write the candidate's name on the line provided and completely fill in the OVAL.

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

<p>BOARD OF SELECTMEN</p> <p>For Three Years Vote for ONLY Two</p> <p>ROGER HOHENBERGER 1269 <input checked="" type="radio"/></p> <p>ROSS McLEOD 1404 <input type="radio"/></p> <p>JAMES CURTIN 652 <input type="radio"/></p> <p>_____ <input type="radio"/></p> <p>(Write-in) <input type="radio"/></p> <p>(Write-in) <input type="radio"/></p>	<p>TRUSTEE OF THE TRUST FUND</p> <p>For Three Years Vote for ONLY One</p> <p>THOMAS J. EARLEY 1559 <input type="radio"/></p> <p>_____ <input type="radio"/></p> <p>(Write-in) _____ <input type="radio"/></p>	<p>PLANNING BOARD</p> <p>For Three Years Vote for ONLY Two</p> <p>THOMAS D. SHARPE 527 <input type="radio"/></p> <p>DEREK MONSON 1070 <input type="radio"/></p> <p>MATTHEW ROUNDS 1036 <input type="radio"/></p> <p>MARK SAMSEL 712 <input type="radio"/></p> <p>_____ <input type="radio"/></p> <p>(Write-in) _____ <input type="radio"/></p> <p>(Write-in) _____ <input type="radio"/></p>
<p>TOWN CLERK</p> <p>For Three Years Vote for ONLY One</p> <p>NICOLE BOTTAI 1758 <input type="radio"/></p> <p>_____ <input type="radio"/></p> <p>(Write-in) _____ <input type="radio"/></p>	<p>TRUSTEE OF THE CEMETERY</p> <p>For Three Years Vote for ONLY One</p> <p>FRANCIS P. FARMER 1588 <input type="radio"/></p> <p>_____ <input type="radio"/></p> <p>(Write-in) _____ <input type="radio"/></p>	<p>ZONING BOARD OF ADJUSTMENT</p> <p>For Two Years Vote for ONLY Two</p> <p>PAMELA SKINNER 1097 <input type="radio"/></p> <p>MICHELLE M. STITH 1181 <input type="radio"/></p> <p>BRUCE R. BRETON 997 <input type="radio"/></p> <p>_____ <input type="radio"/></p> <p>(Write-in) _____ <input type="radio"/></p> <p>(Write-in) _____ <input type="radio"/></p>
<p>TOWN TREASURER</p> <p>For Three Years Vote for ONLY One</p> <p>ROBERT COOLE 1627 <input type="radio"/></p> <p>_____ <input type="radio"/></p> <p>(Write-in) _____ <input type="radio"/></p>	<p>TRUSTEE OF THE LIBRARY</p> <p>For Three Years Vote for ONLY Two</p> <p>TARA PICCIANO 1510 <input type="radio"/></p> <p>NADIA ALAWA 1394 <input type="radio"/></p> <p>_____ <input type="radio"/></p> <p>(Write-in) _____ <input type="radio"/></p> <p>(Write-in) _____ <input type="radio"/></p>	

ARTICLES

ARTICLE 3. To see if the Town will vote to raise and appropriate the sum of Seven Hundred and Fifty Thousand and no 100ths (\$750,000.00) Dollars for the purpose of purchasing a Fire Engine to replace Engine 1, a 2006 KME Fire Engine, as well as payment of costs associated with the financing of said project; said sum to be in addition to any federal, state or private funds made available therefor, and to raise the same by issuance of not more than \$750,000.00 in bonds or notes in accordance with the provisions of the Municipal Finance Act (RSA Chapter 33) and to authorize the Selectmen to issue and negotiate such bonds or notes and to determine the rate of interest thereon, and to apply toward the cost any interest earned from the temporary investment of any bond or note and to take any other action as may be necessary to carry out and complete financing of this project. This article is part of the recommended Capital Improvement Plan. (60% Majority Required)

1295
YES
NO
709

Recommended by the Board of Selectmen 5-0

ARTICLE 4. To see if the Town will vote to raise and appropriate the sum of Three Hundred Sixty Five Thousand and no 100ths (\$365,000.00) Dollars for the purpose of purchasing two (2) five-ton six wheel plow trucks for the Highway Department and purchasing ancillary equipment for said vehicles and payment of costs associated with the financing of said project, said sum to be in addition to any federal, state or private funds made available therefore, and to raise the same by issuance of not more than \$240,520.00 in bonds or notes in accordance with the provisions of the Municipal Finance Act (RSA Chapter 33) and to authorize the Selectmen to issue and negotiate such bonds or notes and to determine the rate of interest thereon, and to apply toward the cost any interest earned from the temporary investment of any bond or note and to take any other action as may be necessary to carry out and complete financing of the project, with the balance of \$124,480 to come from general taxation. This article is part of the recommended Capital Improvement Plan. (60% Majority Required)

1124
YES
NO
876

Recommended by the Board of Selectmen 4-1

TURN BALLOT OVER AND CONTINUE VOTING

RESULTS

ARTICLES CONTINUED

<p>ARTICLE 5. To see if the Town will vote to raise and appropriate the sum of \$75,000 to be added to the Property Maintenance Expendable Trust Fund.</p> <p style="text-align: right;">YES <input type="radio"/> 1237 NO <input type="radio"/> 754</p> <p style="text-align: center;"><i>Recommended by the Board of Selectmen 5-0</i></p>
<p>ARTICLE 6. To see if the Town will vote to raise and appropriate the sum of up to \$32,500, said amount to be withdrawn from the balance in the previously established Searles Special Revenue Fund for payment of both marketing related and maintenance related costs associated with the Searles Building. Approval of this article will have no additional impact on the tax rate.</p> <p style="text-align: right;">YES <input type="radio"/> 1481 NO <input type="radio"/> 514</p> <p style="text-align: center;"><i>Recommended by the Board of Selectmen 5-0</i></p>
<p>ARTICLE 7. To see if the Town will vote to raise and appropriate the sum of \$93,770 for the purpose of paying the third of three lease payments associated with the Fire Department Ambulance leased in 2019. This article is part of the Capital Improvements Program. After this payment the Town would own the ambulance.</p> <p style="text-align: right;">YES <input type="radio"/> 1665 NO <input type="radio"/> 327</p> <p style="text-align: center;"><i>Recommended by the Board of Selectmen 5-0</i></p>
<p>ARTICLE 8. To see if the Town will vote to raise and appropriate the sum of \$110,000 for the purpose of making any needed repairs to the Fire Station roof as well as replacing the roof shingles and rubber membranes. This will be a non-lapsing appropriation per RSA 32:7, VI and will not lapse until the project is complete or for a period of two (2) years, whichever is less. This article is part of the Capital Improvement Program.</p> <p style="text-align: right;">YES <input type="radio"/> 1581 NO <input type="radio"/> 420</p> <p style="text-align: center;"><i>Recommended by the Board of Selectmen 5-0</i></p>
<p>ARTICLE 9. To see if the Town will vote to raise and appropriate the sum of \$50,000 for the purpose of making improvements associated with Phase I of the Town Common Beautification project to include but not limited to installation of sidewalks and crosswalks along North Lowell Road in the area of the Town Center as well as improving the landscaping and utility of the Town Common area. This will be a non-lapsing appropriation per RSA 32:7, VI and will not lapse until the project is complete or for a period of five (5) years, whichever is less. This article is part of the Capital Improvement Program.</p> <p style="text-align: right;">YES <input type="radio"/> 1113 NO <input type="radio"/> 890</p> <p style="text-align: center;"><i>Recommended by the Board of Selectmen 5-0</i></p>
<p>ARTICLE 10. To see if the Town will vote to establish a Windham Greenway Rail Trail Capital Reserve Fund (CRF) under the provisions of RSA 35:1 for the purpose of funding the future construction of improvements to the Trail as a pedestrian/bike path and to appropriate the sum of \$30,000 to be placed in said fund. This article is part of the Capital Improvements Program.</p> <p style="text-align: right;">YES <input type="radio"/> 1401 NO <input type="radio"/> 606</p> <p style="text-align: center;"><i>Recommended by the Board of Selectmen 5-0</i></p>
<p>ARTICLE 11. To see if the Town will vote to raise and appropriate the sum of \$95,000 for the purpose of purchasing two (2) Power Load Lift Systems for the Windham Fire Department ambulances and to authorize the Board of Selectmen to contract for, accept and expend Federal Assistance to Firefighters Grant (AFG) funding in the amount of \$90,250 to be applied against said appropriation, with the balance of \$4,750 to come from general taxation. This will be a non-lapsing account per RSA 32:7, VI and will not lapse for a period of two (2) years. This article shall be deemed null and void if the AFG funding is not approved.</p> <p style="text-align: right;">YES <input type="radio"/> 1403 NO <input type="radio"/> 582</p> <p style="text-align: center;"><i>Recommended by the Board of Selectmen 5-0</i></p>
<p>ARTICLE 12. To see if the Town will vote to raise and appropriate the sum of \$5,100 for the purpose of purchasing a one (1) acre piece of land surrounding the historic Indian Rock from the State of New Hampshire, which will be subdivided off of State-owned lot 11-C-125 (39 Enterprise Drive), and to further authorize the Board of Selectmen to negotiate the terms and conditions of the purchase.</p> <p style="text-align: right;">YES <input type="radio"/> 1428 NO <input type="radio"/> 558</p> <p style="text-align: center;"><i>Recommended by the Board of Selectmen 5-0</i></p>
<p>ARTICLE 13. To see if the Town will vote, pursuant to RSA 162-K:5 that the public interest will be served and establish a municipal economic development and revitalization district to be designated as the Route 111 TIF District, the boundaries of which generally run along NH Route 111 from its intersection with NH Route 111A westerly to its intersection with Ledge Road as shown on a map entitled Proposed TIF District, dated September 22, 2020, available for review in the Community Development Department during regular business hours, said District intended to assist with the financing of a future water line within the proposed District, and to further adopt the "Town of Windham Business Corridor Tax Increment Finance District Plan" for said District, as distributed and dated November 30, 2020; and further to designate the Community Development Director to administer said District under RSA 162-K:13, and to further authorize the Board of Selectmen to appoint a five (5) member advisory committee pursuant to RSA 162-K:14(I) exercising such authority as provided in statutes or by Board of Selectmen Resolution. Said District, if established, shall sunset on December 31, 2026 if a future Route 111 water line is not approved by that date.</p> <p style="text-align: right;">YES <input type="radio"/> 644 NO <input type="radio"/> 1343</p>

GO TO NEXT BALLOT AND CONTINUE VOTING

RESULTS



ABSENTEE BALLOT AND OFFICIAL BALLOT
ANNUAL TOWN ELECTION
WINDHAM, NEW HAMPSHIRE
MARCH 9, 2021

BALLOT 2 OF 3

TOWN CLERK

ARTICLES CONTINUED

ARTICLE 14. To see if the Town will vote to adopt the following By-Laws to regulate all Town Conservation Lands under the ownership or stewardship of the Windham Conservation Commission, and to further rescind existing By-laws on the following specific properties: Moeckel Pond, adopted in 2015; Campbell Farm, adopted in 2016; Foster's Pond, adopted in 1988; the Route 28 Windham Town Forest, adopted in 1988; and Deer Leap, adopted in 1989.

BY-LAWS**MANAGEMENT OF TOWN CONSERVATION PROPERTY & EASEMENTS:****SECTION I: PURPOSE**

In order to promote the passive recreational use of, to manage for conservation and recreational purposes, to protect natural resources therein and, in the cases of Deer Leap and Moeckel Pond to do so according to the intent and purpose of the Land Conservation Investment Program (RSA 162-C:6) and/or the Land and Water Conservation Fund Act, the Windham Town Meeting adopts the following use regulations for all properties acquired in the name of the Town, either in fee or by use easement which were acquired by the Town (i) under the provisions of RSA 36-A:4; (ii) by designation by the Donor or grantors as land subject to Conservation Commission jurisdiction; (iii) land / easements acquired in connection with open space; (iv) lands designated for management by the Conservation Commission by Town Meeting designation, or (v) by any other fashion or action under which the Conservation Commission holds jurisdiction to manage or regulate. These regulations are adopted pursuant to authority granted by RSA 31:39.

SECTION II: PERMITTED USES

A) The following uses are permitted from dawn until dusk, daily, within all Town Conservation lands and easements:

1. Passive recreational activities such as hiking, picnics, fishing, bird watching, and the like, that are consistent with the purpose of these By-laws.
2. Access by law enforcement or emergency vehicles at any time.

B) Additional permitted uses:

1. Clyde Pond (tax map 20D-1200 & 20E-300):
 - a) Swimming.
2. Deer Leap Natural Area (tax map 25E-10):
 - a) Small, non-motorized boats may be launched onto Rock Pond from the right-of-way at the end of Abbott Road or the parking area on Bayleaf Road. *(Note: In 1963, Order No. 98 was issued by the NH Department of Safety, Division of Safety Services prohibiting the operation of motor boats and outboard motors on Rock Pond).*
3. Route 28 Windham Town Forest (tax map 8B-3001, 4000, 4100, 4300, 5000 & 6150):
 - a) Hunting is permitted subject to compliance with all relevant local, State and Federal regulations.

C) Additional uses allowed only upon receiving written approval from the Conservation Commission:

1. Motorized vehicles for any use as deemed necessary.
2. Trail maintenance including, but not limited to, clearing and maintenance of natural or manmade structures.

D) Additional uses allowed only upon receiving written approval from the Conservation Commission and Windham Fire Department:

1. Camping and building of fires in designated areas of the Route 28 Windham Town Forest
2. Camping and building of fires in designated areas of Clyde Pond.
3. Camping and building of fires in designated areas of Foster's Pond

SECTION III: PROHIBITED ACTIVITIES

A) Unless otherwise noted in Section II, the following are prohibited within all Town Conservation lands and easements:

1. Use of these lands after dusk and before dawn.
2. Hunting, trapping and/or the discharge of firearms. Areas will be posted against these activities pursuant to RSA 635:4.
3. Use of "motorized vehicles" as defined in #WIN 3:00:11:02 "Use of Motor Vehicles on Town Property".
4. Parking anywhere other than in designated areas.
5. Littering; failure to carry out or properly dispose of garbage, trash; illegal dumping of motor vehicles, appliances, etc.
6. Cutting, digging up, or otherwise willfully damaging or defacing trees, shrubs, plants, or any other natural feature or man-made structure.
7. Building of fires.
8. Swimming from the banks or shorelines of brooks, ponds, or streams.
9. Camping.

ARTICLE 14 CONTINUED ON BACK OF BALLOT

TURN BALLOT OVER AND CONTINUE VOTING

ARTICLES CONTINUED

ARTICLE 14 CONTINUED

B) Additional prohibitions:

- 1. Deer Leap Natural Area (tax map 25E-10):
 - a) Vehicles registered for highway use may only use Woodbury and Bayleaf roads, or the south section of Abbot Road, for access.
 - b) Swimming is prohibited from the right-of-way shoreline of Rock Pond at the end of Abbott Road.
 - c) Rock climbing, scaling, or climbing any vertical areas, or repelling, with or without the assistance of tools or equipment shall be prohibited except on the Deer Leap face area.
- 2. Moeckel Pond and Foster's Pond (tax map 25C-255 & 1C-2500):
 - a) The use of outboard motors including but not limited to jet ski, electric, or battery powered, is prohibited.
- 3. Campbell Farm (tax 1C-100):
 - a) Access to the homestead and/or its curtilage is prohibited.

SECTION IV: VIOLATIONS

Violations of these By-laws shall be punishable by assessment of the following fines and, in some cases, may also be subject to additional penalties imposed per State statute by law enforcement or the judicial system in response to criminal mischief, trespass or similar offenses:

- Hunting, trapping, discharge of firearms. \$500.00
- Unauthorized use of motor vehicles. \$500.00
- Camping, building of fires, or swimming; each offense. \$500.00
- Interference with the Campbell Homestead; each offense. \$500.00
- Littering as described in Section III, A, 3. \$1,000.00
- Unauthorized cutting, digging up or otherwise willfully damaging or defacing kiosks, benches, bridges, dams, or any natural structures including but not limited to trees, shrubs, plants, rock faces, etc. \$1,000.00
- Disturbance of wetlands, or intentional damage to the Wetland and Watershed Protection District (WWPD) including but not limited to shoreline excavation, tree removal, dumping of brush or any invasive plantings, breaching of beaver dams, culverts, or changing the natural water flow, without prior, written consent and approval from Conservation Commission. \$1,000.00

SECTION V: PENALTIES

Penalties collected shall be turned over to the Finance Department for deposit into the Conservation Land Trust Fund.

SECTION VI: ENFORCEMENT

These By-laws shall be enforced by the Windham Police Department and/or Windham Fire Department.

SECTION VII: SEVERABILITY

If any section, provision, or phrase of these By-laws shall be held to be invalid or unconstitutional by any court of competent authority, such holding shall not affect, impair or invalidate any other section, provision, or phrase hereof.

SECTION VIII: WAIVERS

By majority vote, the Windham Conservation Commission is authorized to make exceptions or grant waivers, in writing, of these By-Laws for limited (in time) specific events or activities, or for good cause shown provided such activities are not inconsistent with the purposes for which such land was acquired as set forth in RSA 36-A:2.

SECTION IX: LIABILITY

The Town specifically reserves the rights of immunity from liability under the provisions of RSA 212:34 and RSA 508:14 with respect to any damages or injuries occurring on any Town property covered by these Bylaws.

SECTION X: AMENDMENTS

Upon recommendation of the Conservation Commission, these By-laws may from time to time be amended by vote of the Board of Selectmen at a regularly scheduled meeting. Notice of proposed changes shall be posted in at least two (2) public places, one of which must be the Town Hall, at least fourteen (14) calendar days prior to the date of the meeting.

1492

YES

NO

494

SECTION XI: EFFECTIVE DATE

These By-laws shall take effect immediately upon adoption by the Annual Town Meeting, or amendment thereafter by the Board of Selectmen, and shall supersede any and all such By-laws previously enacted.

Recommended by the Board of Selectmen 5-0

ARTICLE 15. To see if the Town will vote to authorize the Board of Selectmen to lease to Revision Energy, or another similar company, portions of the roof of the Nesmith Library at 8 Fellows Road for the purpose of constructing, installing, and operating a solar panel array with a term not to exceed twenty-five (25) years under a Purchase Power Agreement (PPA) which would allow the Town to purchase the equipment at any time after five (5) years and, further, to authorize the Board of Selectmen to negotiate the terms of any associated easements and licenses as they deem appropriate to complete the solar array project. The Selectmen's authority to complete the transactions contemplated in this article shall expire on December 31, 2022.

1379

YES

NO

624

Recommended by the Board of Selectmen 5-0

GO TO NEXT BALLOT AND CONTINUE VOTING



**ABSENTEE BALLOT AND OFFICIAL BALLOT
ANNUAL TOWN ELECTION
WINDHAM, NEW HAMPSHIRE
MARCH 9, 2021**

BALLOT 3 OF 3

Miriam Bottai
TOWN CLERK

ARTICLES CONTINUED

ARTICLE 16. To see if the Town will vote to modify the purpose of the Cemetery General Care Trust Fund, established under Article #13 of the 1988 Town Warrant, as allowed under RSA 31:19-a(III) and RSA 35:16, to allow any funds therein to be expended toward the general care of the cemeteries and the purchase, construction, or design of future interment/inurnment space. Currently use of the principal is restricted to the "future purchase of cemetery land". The intent of this article is to allow a portion of these funds to be used to install columbariums or similar features in order to expand available space within the confines of the existing cemetery(ies). Approval of this article will have no impact on the tax rate and requires a 2/3rds vote.

1604
YES
NO 368

Recommended by the Board of Selectmen 5-0

ARTICLE 17. To see if the Town will vote to support the Board of Selectmen should they decide to submit a cy-près petition to the Superior Court requesting that deed restrictions on lot 18-L-601, known as the Hayes Hart Road ROW (Boat Ramp), be amended. Currently, said restrictions limit use of the ROW to Windham residents only and the petition would seek to amend the deed to allow Salem property owners who directly abut the shoreline of Canobie Lake limited access to the ramp to facilitate putting in and taking out their boats for the season, in the spring and fall respectively. Note this is an advisory vote to provide the Board with guidance on the subject.

462
YES
NO 1535

ARTICLE 18. To see if the Town will vote to authorize the Board of Selectmen to sell Lot 8-B-4401, a .30 acre Town-owned parcel of land between Route 28 and Libbey Road to the abutting property owners for forty-eight thousand (\$48,000) dollars, based on the amount of abutting square footage, and to negotiate other terms and conditions of the sale, including any reservation of easement or utility rights of the Town. Further, upon the sale of 8-B-4401 to discontinue completely Libbey Road in its entirety. Said authorization to expire on December 31, 2022.

1405
YES
NO 518

Recommended by the Board of Selectmen 5-0

ARTICLE 19. By petition of Kristi St. Laurent and others "By petition of 25 or more eligible voters of the town of Windham to see if the town will vote to urge that the New Hampshire General Court, which is obligated to redraw the maps of political districts within the state following the federal census, will ensure fair and effective representation of New Hampshire voters without gerrymandering. Additionally, these voters ask the town of Windham to urge the NH General Court to carry out the redistricting in a fair and transparent way through public meetings, not to favor a particular political party, to include communities of interest, and to minimize multi-seat districts. The record of the vote approving this article shall be transmitted by written notice from the selectmen to Windham's state legislators, informing them of the demands from their constituents within 30 days of the vote.

1138
YES
NO 780

ARTICLE 20. 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 \$16,766,922.82. Should this article be defeated, the operating budget shall be \$16,401,922.82 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.

Town Officers' Salaries	\$ 3,330	Street Lighting	18,520
Administration	819,735	Solid Waste Disposal	1,283,420
Town Clerk Expenses	369,725	Health and Human Services	51,485
Tax Collector Expenses	182,200	General Assistance	45,540
Election and Registration	26,590	Library	1,302,170
Cemeteries	41,450	Recreation	260,550
General Gov't Buildings	408,930	Historic District Commission	7,300
Appraisal of Properties	213,395	Conservation Commission	7,070
Information Technologies	269,995	Senior Center	5,170
Town Museum	5,400	Cable TV Expenses	126,850
Searles Building	10,090	Interest Expenses (TANs)	500
Legal Expenses	58,500	Long Term Debt	470,877.82
Retirement Service Charges	4,000		
Insurance	352,370		
Contracted Services	5		
Police Department	3,655,720		
Dispatching	541,820		
Fire Department	4,076,125		
Emergency Management	10,600		
Community Development	594,950		
Town Highway Maintenance	1,182,540		

Recommended by the Board of Selectmen 5-0

*Note: Warrant Article 20 (operating budget does not include appropriations proposed under any other warrant articles).

1343
YES
NO 645

YOU HAVE NOW COMPLETED VOTING THIS BALLOT