EXETER TOWN WARRANT – 2023

To the inhabitants of the Town of Exeter, in the County of Rockingham, in the said State, qualified to vote in Town affairs:

First Session

You are hereby notified that the first session (the Deliberative Session) of the Annual Town Meeting will be held on Saturday, February 4th, 2023 beginning at 9:00 a.m. at the Arthur L. Hanson III Center for the Performing Arts at Exeter High School, 1 Blue Hawk Drive. The first session will consist of explanation. discussion and debate of each of the following warrant articles, and will also afford voters who are present the opportunity to propose, debate and adopt amendments to warrant articles, except those articles in which wording is prescribed by state law.

Second Session

The second session of the Annual Town Meeting, to elect Town officers by official ballot and to vote on all warrant articles as they may have been amended at the first session, will be held on Tuesday, March 14th, 2023 at the Talbot Gymnasium at the Tuck Learning Center, 30 Linden Street. Polls for voting by official ballot will open at 7:00 a.m. and close at 8:00 p.m.

Article 1

To choose the following: 1 Moderator for a 2-year term; 2 Select Board for a 3-year term; 1 Town Clerk for a 3-year term; 1 Town Treasurer for a 3-year term; 3 Trustees of the Library for a 3-year term; 1 Trustee of Swasey Parkway for a 3-year term; 1 Trustee of Trust Funds for a 3-year term; 1 Trustee of the Robinson Fund for a 7-year term.

Article 2 - Zoning Amendment #1: Are you in favor of the adoption of Amendment #1 as proposed by the Planning Board for the town zoning ordinance to amend Article 9.4 Floodplain Development Ordinance? The intent of this amendment is to prevent new or expansion of existing septic systems within the special flood hazard area (exceptions are made for cases of system failure), require all new construction within the regulated floodplain be elevated at least two feet above the Base Flood Elevation, incorporate an "Advisory Sea Level Rise (SLR) Risk Areas", and to include minor text modifications

The Planning Board recommends this article 6-0.

Article 3 - Police Station and Fire Substation (\$16,300,000)

To see if the Town will vote to raise and appropriate the sum of sixteen million three hundred thousand and zero dollars (\$16,300,000) for the purpose of design, engineering and "net zero" construction of a new police station and fire substation on Continental Drive, and to authorize the issuance of not more than \$16,300,000 of bonds or notes in accordance with the provisions of the Municipal Finance Act (RSA 33); and further to authorize the Select Board to issue and negotiate such bonds or notes and to determine the rate of interest thereon; and further to authorize the Select Board to apply for, obtain and accept federal, state or other aid, if any, including principal forgiveness, which may become available for this project. Debt service to be paid from the general fund. (Estimated Tax Impact: assuming 20 year bond at 4.00% interest: .65/1,000, \$65/100,000 of assessed property value). Bond payments would begin approximately one year after issuance.

(3/5 ballot vote required for approval.) Recommended by the Select Board 4-0.

Article 4 – Westside Drive Area Reconstruction (\$6,020,000)

To see if the Town will vote to raise and appropriate the sum of six million twenty thousand and zero dollars (\$6,020,000) for the purpose of construction of water, sewer and drainage improvements in the Westside Drive area, and to authorize the issuance of not more than \$6,020,000 of bonds or notes in accordance with the provisions of the Municipal Finance Act (RSA 33); and further to authorize the Select Board to issue and negotiate such bonds or notes and to determine the rate of interest thereon; and further to authorize the Select Board to apply for, obtain and accept federal, state or other aid, if any, including principal forgiveness, which may become available for this project. The Town will receive 20% debt forgiveness from NHDES to offset a portion of the cost of this project. Debt service will be paid from the general fund, water fund, and sewer fund. (Estimated Tax Impact: assuming 15 year bond at 4.00% interest: \$.115/1,000, \$11.50/100,000 of assessed property value). Bond payments would begin approximately one year after issuance.

(3/5 ballot vote required for approval.) Recommended by the Select Board 4-0.

Article 5 – Intersection Improvements (\$798,000)

To see if the Town will vote to raise and appropriate the sum of seven hundred ninety eight thousand and zero dollars (\$798,000) for the purpose of making intersection improvements to the Pine Street, Linden Street, and Front Street intersection, and the Railroad Avenue, Winter Street and Columbus Street intersection, and to authorize the issuance of not more than \$798,000 of bonds or notes in accordance with the provisions of the Municipal Finance Act (RSA 33); and further to authorize the Select Board to issue and negotiate such bonds or notes and to determine the rate of interest thereon; and further to authorize the Select Board to apply for, obtain and accept federal, state or other aid, if any, including principal forgiveness, which may become available for this project. Debt service will be paid from the general fund. (Estimated Tax Impact: assuming 10 year bond at 4.00% interest: .050/1,000, \$5.00/100,000 of assessed property value). Bond payments would begin approximately one year after issuance.

(3/5 ballot vote required for approval.) Recommended by the Select Board 4-0.

Article 6 - Solar Array Landfill Property (\$1,609,645)

To see if the Town will vote to raise and appropriate the sum of one million six hundred nine thousand six hundred and forty five dollars (\$1,609,645) to be added to Article 4 of the 2021 Town Meeting, for the purpose of constructing a solar array on Town owned land described as Map 98 Lot 3, and Tax Map 100 Lot 4, and authorize the issuance of not more than \$1,609,645 of bonds or notes to be added to \$3,617,629 in bonding authority approved by Article 4 of the 2021 Town Meeting, all in accordance with the provisions of the Municipal Finance Act (RSA 33); and further to authorize the Select Board to issue and negotiate such bonds or notes and to determine the rate of interest thereon; and further to authorize the Select Board to apply for, obtain and accept federal, state or other aid, if any, including principal forgiveness, which may become available for this project. Debt service will be paid by the revenue generated by selling the power and Renewable Energy Certificates and the proceeds from the 30% Solar Investment Tax Credit. (Estimated Tax Impact: none, assuming revenues and assuming a 20 year bond at 4.00% interest). Bond payments would begin approximately one year after issuance.

(3/5 ballot vote required for approval.) Recommended by the Select Board 4-0.

Article 7 – Groundwater Source Development (\$500,000)

To see if the Town will vote to raise and appropriate the sum of five hundred thousand dollars (\$500,000) for the purpose of continuing efforts to develop groundwater sources in the town, and to authorize the issuance of not more than \$500,000 of bonds or notes in accordance with the provisions of the Municipal Finance Act (RSA 33); and further to authorize the Select Board to issue and negotiate such bonds or notes and to determine the rate of interest thereon; and further to authorize the Select Board to apply for, obtain and accept federal, state or other aid, if any, including principal forgiveness, which may become available for this project. Debt service to be paid from the Water Fund.

(3/5 ballot vote required for approval.) Recommended by the Select Board 4-0.

Article 8 - Court Street Sewer Pump Station Equipment Replacement (\$400,000)

To see if the Town will vote to raise and appropriate the sum of four hundred thousand dollars (\$400,000) for the purpose of replacing aged equipment at the Court Street sewer pump station, and to authorize the issuance of not more than \$400,000 of bonds or notes in accordance with the provisions of the Municipal Finance Act (RSA 33); and further to authorize the Select Board to issue and negotiate such bonds or notes and to determine the rate of interest thereon; and further to authorize the Select Board to apply for, obtain and accept federal, state or other aid, if any, including principal forgiveness, which may become available for this project. Debt service to be paid from the Sewer Fund.

(3/5 ballot vote required for approval.) Recommended by the Select Board 4-0.

Article 9 - Choose Town Officers

To choose all other necessary Town Officers, Auditors or Committees for the ensuing year.

Article 10 - 2023 Operating Budget

Shall the Town of Exeter 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 \$21,287,697. Should this article be defeated, the default budget shall be \$21,049,573, which is the same as last year, with certain adjustments required by previous action of the Town of Exeter 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. (Estimated Tax Impact: .43/1,000 assessed property value, \$43/100,000 assessed property value).

(Majority vote required) Recommended by the Select Board 4-0.

Article 11 - 2023 Water Fund Budget

Shall the Town of Exeter raise and appropriate as a water 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 \$4.549,370. Should this article be defeated, the water default budget shall be \$4,391,224, which is the same as last year, with certain adjustments required by previous action of the Town of Exeter or by law.

(Majority vote required) Recommended by the Select Board 4-0.

Article 12 - 2023 Sewer Fund Budget

Shall the Town of Exeter raise and appropriate as a sewer 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 \$7,432,301. Should this article be defeated, the default budget shall be \$7,194,062, which is the same as last year, with certain adjustments required by previous action of the Town of Exeter or by law.

(Majority vote required) Recommended by the Select Board 4-0.

Article 13 – Vactor Truck Replacement (\$548,369)

To see if the Town will vote to authorize the Select Board to enter into a 7-year lease/purchase agreement for \$548,369 for the purpose of lease/purchasing a replacement for a vactor truck in the Public Works Sewer Department, and to raise and appropriate the sum of one hundred thousand two hundred seventy three dollars (\$100,273), which represents the first of 7 annual payments (a total of \$636,108) for this purpose. This lease/purchase will contain an escape (non-appropriation) clause. This sum to come from sewer funds.

(Majority vote required) Recommended by the Select Board 4-0.

Article 14 – Sewer Capacity Rehabilitation (\$380,000)

To see if the Town will raise and appropriate, through special warrant article, the sum of three hundred eighty thousand dollars (\$380,000), for the purpose of engineering services related to sewer capacity rehabilitation. This sum to come from sewer funds.

(Majority vote required) Recommended by the Select Board 4-0.

Article 15 – Linden Street Bridge Rehabilitation (\$295,000)

To see if the Town will vote to raise and appropriate the sum of two-hundred ninety five thousand dollars (\$295,000) for the purpose of making repairs and rehabilitation of the Linden Street bridge. This sum to come from taxation. (Estimated Tax Impact: .132/1,000, \$13.17/100,000 assessed property value). The Select Board has designated this a special warrant article.

(Majority vote required) Recommended by the Select Board 4-0.

Article 16 – Sidewalk Tractor #57 Replacement (\$177,705)

To see if the Town will vote to authorize the Select Board to enter into a 5-year lease/purchase agreement for \$177,705 for the purpose of lease/purchasing a replacement for a sidewalk tractor in the Public Works Department, and to raise and appropriate the sum of forty thousand two hundred eighty six dollars (\$40,286), which represents the first of 5 annual payments (a total of \$191,939) for this purpose. This lease/purchase will contain an escape (non-appropriation) clause. This sum to come from general taxation. (Estimated Tax Impact: .018/1,000, \$1.80/100,000 assessed property value).

(Majority vote required) Recommended by the Select Board 4-0.

Article 17 – Appropriate to Capital Reserve Fund – Parks Improvements (\$100,000)

To see if the Town will vote to raise and appropriate the sum of one-hundred thousand dollars (\$100,000) to be added to the Parks Improvement Capital Reserve Fund previously established. This sum to come from unassigned fund balance. (Estimated Tax Impact: None. No amount to be raised by taxation).

(Majority vote required) Recommended by the Select Board 4-0.

Article 18 – Appropriate to Sick Leave Trust Fund (\$100,000)

To see if the Town will vote to raise and appropriate the sum of one hundred thousand dollars (\$100,000) to be added to the Sick Leave Expendable Trust Fund previously established. This sum to come from the unassigned fund balance. (Estimated Tax Impact: None. No amount to be raised by taxation).

(Majority vote required) Recommended by the Select Board 4-0.

Article 19 – Highway Truck Replacement (\$53,558)

To see if the Town will raise and appropriate, through special warrant article, the sum of fifty three thousand five hundred and fifty eight dollars (\$53,558), for the purpose of purchasing a replacement for Highway Truck #5, purchased in 2011. This replacement is for an existing ½ ton truck to a 1/2 ton F150 4X4 with a plow package. This vehicle is primarily used for everyday activities, and one of the departments on call trucks. It is used with vehicle-mounted arrow board during traffic control operations. It is also used to transport manually operated snow blowers to clear cross walks, building approaches, ramps, train station, and Lincoln Street. This sum to come from unassigned fund balance. (Estimated Tax Impact: None. No amount to be raised by taxation).

(Majority vote required) Recommended by the Select Board 4-0.

Article 20 - Public Works Facility Garage (\$50,000)

To see if the Town will raise and appropriate, through special warrant article, the sum of fifty thousand dollars (\$50,000), for the purpose of design work on a new garage at the Public Works Complex on Newfields Road. This sum to come from unassigned fund balance \$25,000, water funds \$12,500, and sewer funds \$12,500). (Estimated Tax Impact: None. No amount to be raised by taxation). The Select Board has designated this a special warrant article.

(Majority vote required) Recommended by the Select Board 4-0.

Article 21 – Downtown Parking, Pedestrian, and Traffic Analysis (\$50,000)

To see if the Town will raise and appropriate, through special warrant article, the sum of fifty-thousand dollars (\$50,000), for the purpose of conducting a traffic and parking, traffic and pedestrian analysis in the downtown area to include a portion of Front Street, Water Street, String Bridge, Franklin Street, Bow Street, Chestnut Street, Center Street, and other streets in the general downtown area. This sum to come from unassigned fund balance. (Estimated Tax Impact: None. No amount to be raised by taxation). The Select Board has designated this a special warrant article.

(Majority vote required) Recommended by the Select Board 4-0.

Article 22 – Conservation Fund (\$50,000)

To see if the Town will raise and appropriate, through special warrant article, the sum of fifty thousand dollars (\$50,000), to be added to the Conservation Fund established pursuant to RSA 36-A:5. These funds will be used for purposes consistent with the Conservation Fund including the purchase of interests in real property to be held for conservation purposes. This sum to come from unassigned fund balance. (Estimated Tax Impact: None. No amount to be raised by taxation).

(Majority vote required) Recommended by the Select Board 4-0.

Article 23 - Appropriate to Non-Capital Reserve Fund - Snow and Ice Deficit (\$50,000)

To see if the Town will vote to raise and appropriate the sum of fifty-thousand dollars (\$50,000) to be added to the Snow and Ice Deficit Non-Capital Reserve Fund previously established. This sum to come from the unassigned fund balance. (Estimated Tax Impact: None. No amount to be raised by taxation).

(Majority vote required) Recommended by the Select Board 4-0.

Article 24 – Fire Inspector Vehicle (\$49,313)

To see if the Town will raise and appropriate, through special warrant article, the sum of forty nine thousand three hundred and thirteen dollars (\$49,313), for the purpose of purchasing and equipping a replacement for Fire Department Inspector vehicle. This purchase would replace a 2012 Jeep Patriot with a hybrid Ford Explorer. The vehicle will be used for incident command. This sum to come from unassigned fund balance. (Estimated Tax Impact: None. No amount to be raised by taxation).

(Majority vote required) Recommended by the Select Board 4-0.

Article 25 -- ADA CRF and Study (\$25,000)

To see if the Town will vote to establish a non capital reserve fund under RSA 35:1-c for the purpose of implementing the Town's ADA Transition Plan under the jurisdiction of the Code Enforcement Officer, and to raise and appropriate the sum of twenty five-thousand dollars (\$25,000) to be placed in this fund and further the Select Board shall be named agents of the fund and be authorized to make expenditures from the fund. This sum to come from the unassigned fund balance. (Estimated Tax Impact: None. No amount to be raised by taxation).

(Majority vote required) Recommended by the Select Board 4-0.

Article 26 – Town Hall Revolving Fund (\$5,000)

To see if the Town will vote to raise and appropriate the sum of five thousand dollars (\$5,000) to be added to the Town Hall Revolving Fund previously established. This sum to come from the unassigned fund balance. (Estimated Tax Impact: None. No amount to be raised by taxation).

(Majority vote required) Recommended by the Select Board 4-0.

Article 27 - Appropriate to Trust Fund - Swasey Parkway (\$3,900)

To see if the Town will vote to raise and appropriate the sum of three thousand nine hundred and zero dollars (\$3.900) to be added to the Swasey Parkway Expendable Trust Fund previously established. This

sum to come from unassigned fund balance. This amount is equivalent to the amount of permit fees collected during the prior year for use of the Swasey Parkway. (Estimated Tax Impact: None. No amount to be raised by taxation).

(Majority vote required) Recommended by the Select Board 4-0.

Article 28 – Treasurer Appointment

To see if the town will vote to change the office of Town Treasurer from an elected position to an appointed position in accordance with RSA 41:26-e. Such appointment shall be made in accordance with RSA 669:17-d upon recommendation of the Town Manager with approval of the Select Board. Such appointment shall be made in writing and shall include the compensation to be paid. If approved, the person holding the elected office shall continue to hold such office until the next annual town election following the vote.

(Majority vote required) Recommended by the Select Board 4-0.

Article 29 - CATV Fund Amendment

Shall the Town amend the cable access revolving fund, established pursuant to RSA 31:95-h by Article 37 of the 2010 Town Warrant, as follows: "revenues received from cable franchise fees will be deposited into the fund in an amount determined by the Town Manager or governing body annually, and the money in the fund shall be allowed to accumulate from year to year, and shall not be considered part of the town's general fund unreserved fund balance. The Town Treasurer shall have custody of all moneys in the fund, and shall pay out the same only upon order of the Town Manager or governing body and no further approval is required by the legislative body to expend. Such funds may be expended only for the purpose for which the fund was created."

(Majority vote required) Recommended by the Select Board 4-0.

Article 30 - Readopt Veterans Credit

Shall the Town readopt the optional veteran's tax credit in accordance with RSA 72:28, II, for an annual tax credit on residential property of \$500.

(Majority vote required) Recommended by the Select Board 4-0.

Article 31 – Shall the Town vote: On the Petition of Dwane Staples and other registered voters of the town of Exeter, NH, to see if the town will vote to authorize and direct the Exeter Select Board to keep the roadway in Swasey Parkway completely open to motorized pleasure vehicles with travel being in a one way direction as it currently exists. This will keep the Swasey Parkway as an area that can be fully accessed by all without creating hardships for those with mobility issues, allow motorized vehicles in the roadway so that we will still be able to keep and enjoy the Farmers Market that has been a tradition in the Parkway for many years and will also allow motorized vehicles to be able to use the roadway for events and pavilion concerts. This will still allow the roadway in Swasey Parkway to be closed for events but will ensure that the above mentioned items will still be able to be enjoyed by all citizens in the area.

Article 32 – By Petition of Chris Zigmont and others, Shall the Town vote to create an ordinance to limit the distribution and subsequent disposal of single-use plastics through reduction and limits on all town property.

This ordinance WOULD;

- Prohibit the distribution (selling or giving) of single use plastic bags, single use plastic food service containers, and single use polystyrene containers on town property including town buildings and parks, by anyone including town staff, organizations, or permittees
- Give all affected parties through December 31, 2023 to use existing inventory and identify acceptable alternatives
- Provide guidance on selecting suitable alternatives
- Provide exceptions to Human Services and Emergency Services
- Provide Parks and Recreation extended time to find suitable alternatives for the Pool concession
- Deliver enforcement in the form of assistance for sourcing acceptable products, a written warning for a second violation, and refusal of permitting for a third violation in the case of a vendor

This ordinance WOULD NOT

- Prohibit packaging materials for food safety, such as plastic wrap for meat, or perishable products, added at a local business site or processing facility
- Prohibit singe use compostable products
- Prohibit reusable plastic bags
- Prohibit products where alternatives do not exist, until such times as alternatives are identified
- Prohibit individuals/staff/citizens from using and consuming prohibited containers brought to town property for personal consumption

The full ordinance text is attached below the signature pages

DISTRIBUTION OF SINGLE-USE PLASTIC BAGS, FOOD SERVICE PRODUCTS, AND POLYSTYRENE FOOD CONTAINERS ON TOWN PROPERTY

24.00 PURPOSE:

The Town of Exeter recognizes that limiting the distribution and subsequent disposal of single-use plastics through reduction is necessary to protect human health, to preserve the natural environment, and to promote sustainable and ethical practices regarding material waste.

24.01 DEFINITIONS

For the purpose of this Section, the following definitions apply:

2401.01 Distribution: The act of selling, providing or supplying products for use by customers or intended recipients at a point of sale, gathering, event, or activity.

2401.02 Human Service Organization: An organization focused on providing services to people in order to help them stabilize their lives and find self-sufficiency through guidance, counseling, treatment, and/or the provision of basic needs

2401.03 Resuable Bag: a bag specifically designed for re-use, capable of being used one hundred and sixty (160) times and has stitched or woven handles. Reusable bags include woven reusable plastic bags.

2401.04 Single-Use Compostable Food Service Products: a bag, bottle, food container, cup, utensil, straw or other similar food service product that is composed of one hundred percent (100%) Polylactic Acid (typically derived from plant-based starch such as corn) and provided by a vendor to a customer for the purpose of transporting or consuming food.

2401.05 Single-Use Plastic Bag: a bag that is made predominantly of polyethylene plastic derived from petroleum and provided at the check stand, cash register, point of sale or other point of departure for the purpose of transporting food or other goods. Trash bags used for disposing of waste are excluded.

2401.06 Single-Use Plastic Food Service Products: a bottle, food container, cup, utensil, straw or other similar food service product that is made predominantly of polyethylene plastic derived from either

petroleum or natural gas, and provided by a vendor to a customer for the purpose of transporting or consuming food.

2401.07 Single-Use Polystyrene Container: a container or cup composed of synthetic aromatic hydrocarbon polymers that is made from the monomer styrene (often called Styrofoam) and provided by a vendor to a customer for the purposes of transporting food.

24.02 DISTRIBUTION OF SINGLE USE PLASTICS ON TOWN PROPERTY

No person shall distribute a prohibited single use disposable item at any town facility, town property, town-managed or sponsored event, or activity authorized through special permits issued under the authority of the Town of Exeter Select Board unless otherwise allowed under EXCEPTIONS 24.03

Prohibited Single Use Disposables:

- 1. Single-Use Plastic Bags
- 2. Single-Use Plastic Food Service Products
- 3. Single-Use Polystyrene Containers

24.03 PRODUCT EXCEPTIONS:

- 1. Reusable Bags
- 2. Single-Use Compostable Food Service Products
- 3. Packaging materials required for food safety reasons added at the site of the business or a processing facility. Examples: wrapping around meats, seafood, lettuce mix or other perishable products.
- 4. Products where alternatives to prohibited items do not exist, until an alternative is identified.

24.04 ORGANIZATIONAL EXCEPTIONS

- 1. All town departments/vendors may distribute their remaining inventory through December 31, 2023
- 2. Items used by emergency responders or human service non-profit organizations.
- 3. Prohibited Single Use Containers brought by staff/customers themselves
- 4. Exeter Parks and Recreation Department will work with the Sustainability Committee to develop a transition plan, implementing acceptable alternatives as they are identified with an objective of meeting financial and sustainability goals.

24.05 OVERSIGHT AND ENFORCEMENT

Subject to the exceptions above, the following shall apply:

- 1. Reports of non-compliance with this ordinance will be directed to the Conservation and Sustainability Planner who will work with the permittee/Town Department to find replacement products.
- 2. If reasonable replacements have been identified but infractions continue, the Town considers this a violation of this ordinance, and written warning will be issued. Town Departments will meet with the Town Manager and Conservation and Sustainability Planner to seek alternative solutions to achieve compliance with this ordinance.
- 3. Upon a second or subsequent infraction of this ordinance, the Town interprets this as a direct violation of the vendor permit and cause for refusal to approve use permit.

Article 33
To transact any other business that may legally come before this meeting.
Niko Papakonstantis, Chair
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Molly Cowan Vice Chair
Nancy Belanger
Julie D. Gilman, Clerk
Lovey Roundtree Oliff

We certify that on the 30 th day of January, 2023, we caused a true copy of the within warrant to be posted at the Exeter Town Hall on Front Street, the Exeter Public Library at Founder's Park, Exeter High School at 1 Blue Hawk Drive, Talbot Gymnasium at Tuck Learning Campus, 40 Linden Street, and the Town Clerk's Office, 10 Front Street.

Given under our hands and seal this 30 th day of January, 2023.

Niko Papakonstantis, Chair

Molly Cowan, Vice Chair

Nancy Belanger

Julie D. Gilman, Clerk

Lovey Roundtree Oliff