

**Select Board Meeting**  
**Monday, March 16<sup>th</sup>, 2020, 7:00 p.m.**  
**Exeter Town Hall**  
**9 Front Street, Exeter NH**

1. Call Meeting to Order
2. Swearing In Of Elected Officials
3. Select Board Reorganization
4. Department Updates: Fire/EMS, Police, DPW
5. Public Comment
6. Proclamations/Recognitions
  - a. Proclamations/Recognitions
7. Approval of Minutes
  - a. Regular Meeting: March 2<sup>nd</sup>, 2020
8. Appointments
9. Discussion/Action Items
  - a. Review Town Ballot Voting Results
  - b. Paving Recommendation 2020
  - c. Select Board Representatives to Town Committees
  - d. TAP Easement Vote
10. Regular Business
  - a. Tax Abatements, Veterans Credits & Exemptions
  - b. Permits & Approvals
  - c. Town Manager's Report
  - d. Select Board Committee Reports
  - e. Correspondence
11. Review Board Calendar
12. Non-Public Session
13. Adjournment

Molly Cowan, Vice Chair  
Select Board

Posted: 3/13/20 Town Office, Town Website

Persons may request an accommodation for a disabling condition in order to attend this meeting. It is asked that such requests be made with 72 hours notice.

**AGENDA SUBJECT TO CHANGE**

## Swearing In Of Elected Officials

## Select Board Reorganization

**Department Updates: Fire/EMS, Police, DPW**

**Minutes**

Select Board Meeting  
Monday, March 2nd, 2020  
Town Offices, Nowak Room  
Draft Minutes

1. Call Meeting to Order

Members present: Anne Surman, Kathy Corson, Julie Gilman, Molly Cowan, Niko Papakonstantis, and Russ Dean were present at this meeting. The meeting was called to order by Ms. Corson at 6:52 PM and the Board went downstairs for an interview. The Board interviewed Connor Barry for a position on the Communications Advisory Committee. The meeting reconvened at 7:04 PM.

2. Public Comment

- a. There was no public comment at this meeting.

3. Proclamations/Recognitions

- a. There were no proclamations/recognitions at this meeting.

4. Approval of Minutes

- a. Regular Meeting: February 18, 2020

**MOTION:** Mr. Papakonstantis moved to approve the minutes of Feb 18, 2020 as submitted. Ms. Surman seconded. All were in favor.

5. Appointments

**MOTION:** Mr. Papakonstantis moved to appoint Connor Barry to the Communications Committee, term to end 4/30/21. Ms. Cowan seconded. All were in favor.

6. Discussion/Action Items

- a. External Communications Analysis: Nick Campion

Nick Campion of 75 Newfields Road presented a study of town communications he'd done as part of his MPA capstone project. He said that he established a baseline of Exeter's demographics, looked into each department, conducted interviews, and did qualitative and quantitative analysis. He also did external interviews in communities that have communication officers, as well as a content analysis on best practices for municipalities.

He found that almost everyone uses the town website; people are also using social media, the town newspaper, and public forums to get updates on town happenings. Departments communicate for three main purposes: 63% informative public information, 12% regulatory notices, and 25% promotional. This communication is mainly through Facebook and email. He found there are 20 social media pages across the departments: 14 on Facebook, 3 Twitter, and 3 Instagram. The Facebook page for the town of Exeter is the largest, with 5,000 followers. The weaknesses were lack of consistent engagements and too many tools. Other barriers to success were time and concerns about legal issues. Departments rated their own external outreach higher than the town's, meaning that everyone felt they were "above average."

For short-term goals, he recommended that once a capital project is done, the town should invite the press, abutters, and local businesses to note its completion, and do a

press release, as well as put it on social media. He also suggested consolidating some redundancies on social media and streamlining where a department has more than one page on a single platform. The town should seek internal experts; there are some highly skilled department heads who could provide guidance, like Bob Glowacky from EXTV and the members of the Communications Committee. In the long term, the town should consider creating a communications strategy master plan, potentially in partnership with UNH. The town could benefit from hiring or appointing a Public Information Officer or Director of Communication. Studies show that people are forecasted to spend 3 hours 22 mins on their phones this year, and it's projected that 72.6% of internet users will be accessing the web solely on their phone by 2025. The town should think mobile friendly in all initiatives.

**b. Healthy Climate**

Walter Mitchell, Town Counsel, was present for the discussion.

Maura Fay, 13 Forest Street, said her group is looking to revisit the Right to a Healthy Climate Ordinance and how the town may choose to act on it. They met with Board members and Mr. Dean in January, and were asked to bring additional information from attorney Kira Kelly, which she has done. She's asking for the town to describe how they will be implementing the ordinance. The Select Board has chosen not to sign, but that does not make it an invalid ordinance. Other boards should be using it in their decision making.

Ms. Fay read a letter from Attorney Kira Kelly dated January 13, 2020:

*Dear Exeter Select Board:*

*I am writing to confirm a legal question posed at the January 2nd, 2020 meeting between three members of Citizen Action for Exeter's Environment, Ms. Sanborn of the Community Environmental Legal Defense Fund, Mr. Dean, Mr. Papakonstantis, Ms. Corson, and myself. At this meeting, I noted that the right to a Healthy Climate Ordinance is binding, valid, and enforceable, according to its stated terms, immediately upon enactment. Article 30 on the March 12, 2019 Town Meeting ballot asked "Shall the Town of Exeter adopt the Right to a Healthy Climate Ordinance." The ballot question for this article concluded that once adopted at Town Meeting the ordinance is effective immediately. For any acts taken at a NH Town Meeting to be valid, the subject matter of the business shall be distinctly stated in the warrant, and nothing done at any meeting, except the election of any Town Officer required by law to be made at such meeting, shall be valid, unless the subject thereof is so stated - NH RSA 39:2. The March 2019 Town Meeting warrant described the ordinance and included the text of the proposed law in its entirety, satisfying the RSA's sole validity requirement for this action, aside from the petitioning requirements in NH RSA 39:3, which in this instance are not in dispute. The voters declared through the plain text of the ballot question that they intended to adopt the ordinance as a binding, enforceable law. The item is titled an ordinance, which is traditionally binding, as opposed to a resolution, which citizens and government officials commonly understand to be an emphatic statement with no legal effect; see, for example, the resolution in Article 28 of the March 2019 ballot. Similarly, the statement in the ballot question indicating that the ordinance is to take immediate*

*effect would be illogical for a ballot item that created no legal consequences through its adoption. The plain text of the ordinance declares itself to be a binding law that enshrines legally enforceable rights. All laws are presumed to be valid until and unless they are overturned through a judicial opinion. Ordinances are no exception to this well-known legal principle: "we presume that the challenged ordinance is valid, and require the challenger to prove otherwise" - Community Resources for Justice Inc. v City of Manchester, 154 N.H. 748, 756-57 (2007), citing Verizon v New England v City of Rochester. An ordinance stands, legitimate and in full effect, without an order from a court with jurisdiction over the enacting municipality. No such order has overturned the Right to a Healthy Climate Ordinance.*

Town Attorney Walter Mitchell said the only thing of any weight the letter said was that this article had a title that called it an ordinance, but an ordinance has to have content that purports to be regulatory. This statement doesn't have that content. There's nothing regulatory in what was voted on. The suggestion that there should be some board to regulate Planning Board and ZBA, where is that in the ordinance? This town has only the authority that is granted to it by the legislative bodies that are superior to it, namely the State and Federal legislature. Absent authority delegated by those authorities, the town doesn't have the authority to go off on its own and create different things. It's fascinating that people would like this ordinance to be enacted, but in taking steps to enact this against private property owners, the town is acting without legal authority. The proponents acknowledge that there have to be significant constitutional changes on the state and federal level to get what they want, yet they're pushing the town to act without legal authority. His recommendation is that the Select Board should do nothing to enforce this ordinance in any way. There are other significant illegalities. This tries to pretend that the voters of Exeter have the authority to change decisional law decided by the Supreme Court on whether a corporation can be considered a person. They can't change that just by voting on something at town meeting. Over 100 years of decisional law, there's a doctrine of preemption, where certain areas are so thoroughly regulated at the state or federal level that towns do not have the authority to make their own regulations. It also seeks to condemn with very little definition or standards what it is that should be prohibited. There are certain land use practices that the writers of this aren't happy about, but it only prohibits those activities if they're performed by a corporation or business entity or a government. If an individual does these same actions, it's apparently okay with them. For that reason alone, it violates equal provisions.

Ms. Cowan asked to hear where the proponents saw it fitting in with town law and how to implement it.

Ms. Fay said there had been some confusion about creating a supervisory board, which wasn't their intention. They were asking for the town as a whole to create policies and procedures for existing boards that would incorporate the principles of this decision into their decision making. Ms. Surman said there's already a process with the Technical Review Committee. This ordinance is not even defined well enough that anyone would be able to act on it. Ms. Fay said they want to talk about where it would make sense, but instead came to a meeting where they were told this is invalid. Mr. Dean said when his office look at this statement, they don't know from an administrative end how to enforce



this. When they read this, they can't make a determination on whether the Select Board is supposed to sign this, does it supersede the Planning Board, etc. There's no enforcement mechanism. In Nottingham, a company has sued the town on enforcement of a similar ordinance, which is in active litigation.

Mr. Papakonstantis said he understands that the proponents want the process to remain the same, and go through the Planning Board. Would they be looking to the Select Board to overrule the Planning Board if they thought the Planning Board had erred? Ms. Fay said that was not the intention of the ordinance. The idea is that this is something all Boards should be using in making decisions. The Select Board should tell the Planning Board how they should use that concept in their decision making.

The Board agreed to let Attorney Kira Kelly, a non-resident, to speak.

Ms. Kelly said this is an ordinance and it must be treated as such. It might be unfamiliar, but just because they don't want to have to deal with it doesn't mean they can abdicate settled law. Legislation is valid and binding until overturned by a judiciary. Legal opinions conflict, but they must defer to the principle that it's valid until overturned. Ms. Surman said that Attorney Mitchell felt that there would need to be an overarching state or federal law change for this to be valid. Ms. Kelly said they have to wait until the judiciary heard the issue. The will of the people is behind this. They are willing to work with the town to help the town figure out how to use this. The town has an obligation as a board representing the interests of the people of this municipality. According to NH RSA 39:3, *"the selectmen shall insert in their warrant for such meeting the petitioned article with only such minor textual changes as may be required. Such corrections shall not in any way change the intended effect of the article as presented in the original language of the petition."* NH Articles 2 and 10 are the authority for this.

Mr. Papakonstantis said that in the language of the Article, it reads *"As we are purportedly constrained by state and federal law, which courts interpret to require us to accept such harmful corporate activity, we the people of Exeter are unable under our current system of local government to secure human rights and ecosystem rights by banning said activity. Therefore, we deem it necessary to alter our system of local government, and we do so by adopting this Right to a Healthy Climate Ordinance."* Is this suggesting that the local legislative body can supersede state and federal authority? Ms. Kelly said there's something called an inherent right. The right to local self-governance is something ingrained in the history of this country, and in the 10th amendment to NH constitution. Article 2 of the Bill of Rights of the NH Constitution says that the authority for the government comes from the people. When the Constitution and the laws conflict, they must go with the Constitution. State regulations are not enough. This ordinance does not violate the Constitution but is upholding the fundamental rights. State laws are infringing on inalienable rights and constitutional guarantees.

Ms. Gilman said they're not a home rule state, and only get permission to do things from the state. On the idea of enforcement, the ordinance doesn't speak to it and the state hasn't given us a regulation to enforce this, so how does this go forward? Ms. Kelly said it's a matter of judicial opinion. They're bound to the plain text of the constitution. Where the constitution and the law conflict, the law should be rectified. They don't want to eradicate Dillon's Rule in its entirety, only where it infringes on fundamental

rights. The town should start by posting the ordinance on the town website, which will deter outside forces who may try to come in and undermine these rights.

Ms. Gilman said right now, they have a Planning Board, where all meetings are public and televised. If there were interest from people about how this applies to a project, they could come to that meeting. Ms. Kelly asked who would make the final decision on a project, and Ms. Gilman said the Planning Board. Ms. Kelly said the Planning Board's decision might not go far enough. Ms. Surman said this gets them back to an overarching board. The Planning Board are the Land Use people, it's a rare thing that the Select Board would ever overrule them. Ms. Kelly said this is not a regulatory ordinance, and not meant to supersede Planning Board criteria, but the Planning Board shouldn't even be considering projects that violate fundamental rights to clean air, clean water, etc. Ms. Corson countered that any large development could be interpreted as doing that. Ms. Kelly said the town would have to come up with procedures that allow the community to weigh in on the process. The company would have to prove to the town that it's not going to harm the community. Ms. Corson asked if a 100 home development powered by oil would be in violation. Ms. Kelly said homes built by individual homeowners would not, but a corporation maybe. Ms. Corson asked will they define what's major. Ms. Kelly said there could be policies adopted by the town on what this would look like.

Mr. Mitchell said there were two invitations issued to the Select Board: his invitation/challenge to read the ordinance and see if they can figure out from reading it what they're supposed to do, and the invitation by Ms. Kelly, which is an invitation for the Town of Exeter and its taxpayers to be sued. No matter how illegal, she wants the Board to try to enforce this ordinance in some vague way against property owners. That will get the town sued. That happens sometimes for a good purpose, but the strong likelihood here is that the town and its taxpayers will lose that litigation.

Mr. Dean said Nottingham is dealing with a similar issue, and a judge has not yet ruled on the validity of that ordinance. The concern about administration is real, how to enforce this day to day. Ms. Corson said they would need a master plan of this with some kind of consulting just to figure out the parameters.

Ms. Surman said the town already has a defined review process between the Conservation Commission, technical review, the Planning Board, and the Zoning Board. It's already difficult to develop in Exeter. Ms. Fay said the Planning Board and Technical Review Committee have specific procedures in place, but do not allow the community to say "this is too much harm for the community." Instead, they follow regulations from the state that a certain level of harm is acceptable. They don't have regulations that are sufficient. Ms. Corson said some Exeter Planning Board regulations are stricter than the state. The town's fertilizer ordinance is one of the only ones in NH.

Ms. Gilman said she would like to have proponents of the ordinance to work with them to take a project through the proposed process in theory. Ms. Cowan said it would make sense to have a working group workshop on how to bake this into the regulatory bodies of the town. Mr. Papakonstantis thought a test case would be premature until they have an opportunity to establish a dialog on this after the election. Ms. Fay said she would appreciate that. They wanted a working group when they initially came to the

Board. Mr. Papakonstantis said they would continue the discussion after the upcoming election.

c. Q4 Financial report - 2019

Doreen Chester, the town Finance Director, gave the Q4 update. General Fund Revenue was \$19.7M, up \$639,000 over projection, due to the Motor Vehicle up \$65,000, building permits and fees up \$246,000, and the money they got back from the state revenue sharing, which was suspended in 2009 and now is providing \$159,000 this year. Meals and Rooms tax revenue was \$779,000, an increase of \$5,000 from previous. Income from departments was up \$147,000 from the prior year. The LED streetlight program rebate was \$132,000, blue bag revenue was \$592,000, transfer station permit fees had an increase of \$13,000, and the new brush dump fees brought in \$6,000. In property taxes, the town follows the calendar year and schools are on a fiscal year, so it's not complete. The town billed \$51M in tax revenues, and allocated  $\frac{2}{3}$  to school and county. The sale of town property on Garrison Lane brought in \$132,000. There was interest revenue of \$133,000, up from only \$1,300 in the prior year. In transfers from the EMS revolving fund, which is at 95% of revenues after expenses, there was \$220,000. There were projects with excess bond proceeds, and reimbursements from The Trustee of Trust Funds, for Snow and Ice, sick leave, transportation, etc.

In expenditures, it was mainly retirements causing variances. The General Fund was \$18.9M spent vs a \$19.6M budget, \$717,000 less spent than projected, although they carried over \$228,000 in warrant articles and have funds encumbered. In the General Government group, there were \$867,000 in expenditures, with a balance of \$21,000. There was a retirement of the assistant Town Clerk in May 2019 which was replaced with less senior staff, so there were some savings. In the Finance group, overall expenditures were \$864,000 or 97% spent, with a balance of \$23,600. In Finance there was another retirement, of an Accounting Clerk, in May. In Tax Collection, there was a retirement of the Deputy Tax Collector in July. The Tax office has a \$13,000 balance. IT was 99% spent; that department made scheduled computer equipment purchases. In Planning and other Boards, there were \$545,000 in expenditures, and they were close to 100% spent. There was a \$20,000 match for an MTAG grant expenditure, which was offset with \$11,500 in revenue to the General Fund. In Economic development they were at \$139,000 or 95% spent; there was a slight savings in unspent secretarial and intern wages.

In the Police Department, expenditures were at \$3.4M or 92% spent, \$290,000 less than projected due to retirements. In Police Administration, the Police Chief and Office Manager retired for a savings of \$77,800; there was also a Patrol retirement, and the ACO retired in April, and was not replaced until December. The Fire Department was at \$3.75M, or 97% spent. In Fire Administration, there was a new part time clerk position in 2019, but hiring was delayed. There were \$9,700 in savings due to wages. In Fire Suppression, a veteran Firefighter retired in 2018 and was not replaced until February, which generated some savings.

Public Works was \$5.3M or 99% spent against this year's budget. Stormwater was at \$47,000, or 79% expended; \$20,000 was encumbered for asset management. Highways and streets was spent at \$1.95M. Some larger ticket items were not expended, as they were not able to get contractors. The Solid Waste program was spent at \$1.3M, or 102% against budget. Trash collection and recycling are the largest expenditure. Trash is \$76 a ton and recycling \$120 a ton, which doesn't include the cost of the truck at \$24,000 a month. Blue bag revenues offset these costs, but not 100%. In Snow and Ice, it was a very snowy year, and they were \$465,000 spent or 148%. There was a deficit of \$150,000 in the Snow and Ice category. The Select Board approved \$100,000 to offset expenditures from the Snow and Ice account. In Maintenance, there's a large project to repair the cupola at Town Hall, which is encumbered for 2020. In Welfare, there was a large uptick in the number of cases, partly because some state programs were dropped. The town provided \$53,000 in direct rental assistance alone.

In the Water fund, revenues were at \$3.65M, or 111% of expected. Water Consumption charges were \$2.99M. Water Service charges were \$587,000. Water impact fees were \$16,000. There was a rate adjustment in October 2019. Water expenses were at \$3.28M, or 99% spent. Water Admin was at \$339,000, a \$28,000 variance, due to a decrease in wages and taxes, specifically a delay in hiring for a Senior Water Sewer Assistant Engineer position, which was postponed to August 2019. Water Distribution was spent at \$791,000. Water treatment was at \$751,000, with overtime wages up \$19,000. The debt service was at \$1.15M; it increased this year by \$30,000 due to the Washington Street project debt coming online..

The Sewer Fund had a revenue of \$4.4M or 154% collected over expected. There was a \$712,000 increase in revenues from the Sewer rate increases. Usage charges were at \$3.67M. Service charges were at \$565,000. There was an increase due to debt service from the Waste Water Treatment Plant. For Sewer expenses, Sewer Admin was at \$372,000 or 95% spent. Sewer Collection was at \$578,000 or 87% spent. \$40,000 encumbered for pipe relining. Sewer Treatment had a balance of \$25,000, due to a position not being filled until November 2019. The debt service increased by \$212,000 to \$881,000. The DES auditors advised paying \$305,000 on the bond in December, rather than waiting until 2020. There will be a payment of \$3.4M in 2021. There was an appropriation from the Sewer Reserve Fund, a \$24,000 charge for the Belmont Street Pump Station.

In the Revolving Funds, CATV had revenues of \$149,000 and wages of \$101,000; there was some turnover in part time staff. General expenses were \$85,000, down from \$128,000 in the prior year, due to a one-time expenditure for the CATV office relocating to Town Hall. The Rec Revolving Fund was at \$716,000 vs \$732,000 last year, due to a drop in special event revenues. Rec impact fees were down \$97,000. Program revenues have increased by \$9,000. Expenses, wages and taxes were at \$255,000. In Rec General Expenses, Programming was at \$184,000, and Special Events at \$44,000. Capital outlay was made using the Revolving fund; they spent \$100,000 in impact fees for Kids Park renovations, basketball court resurfacing, pool filtration and a new lift, and other projects. The EMS Revolving fund was at \$580,000, \$27,000 higher than the prior year, due to an increase in call volume. Expenses were

\$377,000, up by \$51,000, due to overtime wages. A new ambulance was lease purchased, a 3 year lease with \$78,000 payments. They also purchased a new CPR compressor for \$10,700.

d. Public Hearing: Swasey Parkway Event Fees/Facility Fees

**MOTION:** Mr. Papakonstantis moved to open the public hearing regarding Swasey Parkway event fees. Ms. Surman seconded. All were in favor.

Ms. Corson summarized the changes being discussed: the new fees are \$100 per event for non-profits or \$150 per event for for-profits; they took out the "seasonal" category; and the Farmer's Market is grandfathered. She opened the discussion to public comment.

Martha McEntee of 10 Chestnut Street said she was here to support Swag on Swasey. It's not just a flea market, it's part of this community. It attracts people to town. People are anxious to have it continue.

Ms. Corson mentioned that the Select Board received several letters in support of Swag on Swasey as well.

Andrea Burzon, an Exeter resident and business owner, said Swag on Swasey is helpful to her business. Many of her customers appreciate it as well. As a resident, she's an abutter of Swasey Parkway, and finds that there's a minimal impact created by this event compared to other events.

Betty Henneberry, a former abutter of Swasey Parkway, said she never saw any mess from Swag on Swasey. Events like this make Exeter unique.

Cynthia Whitcomb, owner of a business at 187 Water Street, said she loves Swag on Swasey and the people it attracts. The event helps their area of Water Street.

Susan Heel, an Exeter resident, said Swag on Swasey brings families to the Parkway and the downtown. She would be sad if it wasn't there.

**MOTION:** Ms. Surman moved to close the public hearing. Ms. Gilman seconded. All were in favor.

**MOTION:** Ms. Surman moved to adopt the new fees for Swasey Parkway. Ms. Cowan seconded. Mr. Papakonstantis voted nay, and the motion passed 4-1.

e. Public Hearing: TAP Program Easements

**MOTION:** Mr. Papakonstantis moved to open the public hearing needed for the acquisition of land to complete the TAP program sidewalks. Ms. Surman seconded. All were in favor.

Ms. Corson opened the public hearing, but there was no discussion.

**MOTION:** Mr. Papakonstantis moved to close the public hearing. Ms. Surman seconded. All were in favor.

7. Regular Business

a. Tax Abatements, Veterans Credits and Exemptions

**MOTION:** Mr. Papakonstantis moved to approve a Veteran's Credit of \$1,000 for 71/72. Ms. Surman seconded. All were in favor.

**MOTION:** Mr. Papakonstantis moved to approve a Veteran's Credit of \$500 for 86/65 and 73/136. Ms. Gilman seconded. All were in favor.

**MOTION:** Mr. Papakonstantis moved to approve an Elderly Exemption of \$183,751 for 104/79/516 and 68/6/814. Ms. Cowan seconded. All were in favor.

**MOTION:** Mr. Papakonstantis moved to approve an Elderly Exemption of \$152,251 for 104/79/9, and 63/188. Ms. Cowan seconded. All were in favor.

**MOTION:** Mr. Papakonstantis moved to approve an Elderly Exemption of \$236,251 for 73/136. Ms. Cowan seconded. All were in favor.

**MOTION:** Mr. Papakonstantis moved to approve a Disability Exemption of \$125,000 for 104/35. Ms. Cowan seconded. All were in favor.

**MOTION:** Mr. Papakonstantis moved to approve an abatement of \$1,107.65 for 81/53. Ms. Cowan seconded. All were in favor.

**MOTION:** Mr. Papakonstantis moved to approve an abatement of \$123.33 for 68/6/224. Ms. Cowan seconded. All were in favor.

**MOTION:** Mr. Papakonstantis moved to approve an abatement of \$504.96 for 72/17/5. Ms. Cowan seconded. All were in favor.

**b. Permits & Approvals**

- i. There were no Permits & Approvals at this meeting.

**c. Town Manager's Report**

- i. Town reports came in last Friday, and are available to the public at the Town Offices.

He attended the meeting on the proposed NPDES permit, which was a joint meeting with Newmarket and legal representation. As a result of the public hearing in Portsmouth, the EPA extended the public comment period until April, which is a positive change. He will attend another meeting on the permit in Rochester, with the staff of both Senators and Congressman Pappas.

- ii. He met last week on the Emergency Operations Plan, which they're continuing to update.
- iii. The Town Moderator couldn't be here tonight since he's at RiverWoods helping with the warrant. There will be "I voted" stickers this time. Pam McElroy reached out to the high school, so they're hoping to have student volunteers to pass them out.

**d. Select Board Committee Reports**

- i. Ms. Gilman said she had no meetings. A bill that she submitted for reversing the definition of contracts in a default budget is coming out of her committee tomorrow.
- ii. Mr. Papakonstantis said the Planning Board and Facilities meetings were cancelled. He has a Sustainability meeting tomorrow.
- iii. Ms. Corson said she has a Communications Committee meeting tomorrow.
- iv. Ms. Cowan had no meetings.

- v. Ms. Surman said there's an E911 meeting tomorrow. She was able to attend this morning's swearing-in of the two new police officers. She thanked former and current town volunteers and employees, as this is her last meeting.
- vi. Ms. Cowan presented a token of appreciation to recognize Ms. Corson and Ms. Surman, who are both retiring from the Board.
- e. Correspondence
  - i. There was no correspondence considered at this meeting.
- f. Review Board Calendar
  - i. The next meeting is March 16th.

8. Non-Public Session

**MOTION:** Ms. Gilman moved to enter into non-public session pursuant to RSA 91-A:3 II(c). Mr. Papakonstantis seconded. By a roll call vote, all were in favor, and the meeting went into nonpublic at 9:14 PM.

9. Adjournment – The Board emerged from non public session. Motion by Selectwoman Corson to adjourn. Second by Selectwoman Gilman. Vote carried unanimously and the Board stood adjourned at 9:25 p.m..

Respectfully Submitted,  
Joanna Bartell  
Recording Secretary

## Review Town Ballot Results





TOTAL BALLOTS CAST 2675  
 TOTAL VOTERS 13618  
**OFFICIAL BALLOT**  
**ANNUAL TOWN ELECTION**  
**EXETER, NEW HAMPSHIRE**  
**MARCH 10, 2020**

BALLOT 1 OF 3

*Andrea J. Kohler*  
 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.

|  |   |  |
|--|---|--|
| <p><b>FOR SELECTMEN</b><br/> <small>Vote for not more than TWO</small><br/> <small>Three Year Term</small></p> <p>DARYL BROWN 1820 ○</p> <p>LOVEY ROUNDTREE OLIFF 1823 ○</p> <p>(Write-in) ○</p> <p>(Write-in) ○</p> | <p><b>FOR TRUSTEES OF THE LIBRARY</b><br/> <small>Vote for not more than THREE</small><br/> <small>Three Year Term</small></p> <p>CASSANDRA RODIER 970 ○</p> <p>PAULA SEARS 1138 ○</p> <p>LISA WILSON 1341 ○</p> <p>JENNIFER MEDLOCK 1148 ○</p> <p>(Write-in) ○</p> <p>(Write-in) ○</p> <p>(Write-in) ○</p> | <p><b>FOR TRUSTEE OF TRUST FUNDS</b><br/> <small>Vote for not more than ONE</small><br/> <small>Three Year Term</small></p> <p>KATHLEEN MACDOUGALL ○</p> <p>1997 ○</p> <p>(Write-in)</p> |
| <p><b>FOR TOWN CLERK</b><br/> <small>Vote for not more than ONE</small><br/> <small>Three Year Term</small></p> <p>ANDREA J. KOHLER 2101 ○</p> <p>(Write-in) ○</p>   | <p><b>FOR TRUSTEE OF THE ROBINSON FUND</b><br/> <small>Vote for not more than ONE</small><br/> <small>Seven Year Term</small></p> <p>GWENDOLYN ENGLISH 1952 ○</p> <p>(Write-in) ○</p>   | <p><b>FOR SUPERVISOR OF THE CHECKLIST</b><br/> <small>Vote for not more than ONE</small><br/> <small>Six Year Term</small></p> <p>VICKY NAWOICHYK 1920 ○</p> <p>(Write-in)</p>           |
| <p><b>FOR TOWN TREASURER</b><br/> <small>Vote for not more than ONE</small><br/> <small>Three Year Term</small></p> <p>SUSAN PENNY 2061 ○</p> <p>(Write-in) ○</p>  | <p><b>FOR TRUSTEE OF THE SWASEY PARKWAY</b><br/> <small>Vote for not more than ONE</small><br/> <small>Three Year Term</small></p> <p>David Short 533 ○</p> <p>Anne Surman 282 (Write-in)</p>   | <p><b>FOR SUPERVISOR OF THE CHECKLIST</b><br/> <small>Vote for not more than ONE</small><br/> <small>Two Year Term</small></p> <p>Michelle Berke 40 (Write-in)</p>                       |

**ARTICLES**

**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, as follows: Introducing a new allowable use to the C-1 and WC Districts named Mixed Use Neighborhood Development (MUND). MUND would allow for mixed use development to occur at different scales in three existing mixed-use areas of Exeter: Downtown, Lincoln Street, and Portsmouth Avenue. The amendment is the result of the Exeter Housing Future project, which emerged from the recently adopted Community Master Plan. MUND uses a series of incentives to create a mix of housing units (including 10% deed-restricted affordable units) and neighborhood scale commercial operations. Design standards are included to ensure high quality development that is consistent with the scale and historic character of these neighborhoods. New definitions and amendments to the table of allowable uses are included in this article.

1449  
 YES ●  
 NO ○  
 648

**TURN BALLOT OVER AND CONTINUE VOTING**

ARTICLES CONTINUED

Article 3

Zoning Amendment #2: Are you in favor of the adoption of Amendment #2 as proposed by the Planning Board for the town zoning ordinance, by modifying Article 9.1. Wetland Conservation District? The purpose of this amendment is to consolidate wetland buffer impact regulations into a single procedure, bring clarity and legal robustness to the application process and submission requirements, and update any references to external regulations. This amendment will accomplish this by making the following changes:

- Consolidate the wetland conditional use permit process under 9.1.6 and wetland waiver process under 9.1.6.C. and further defined under the Site Plan Review and Subdivision Regulations 9.9, into a single conditional use permit process addressed in the zoning ordinance 9.1. Where criteria for the two procedures differ, the more conservative of the two procedures have been included to ensure the regulations retain the current level of protection.
Add "as amended" throughout where items reference other regulations.
Replace the wetland buffer descriptive text with a table consolidating the current conditional use permit buffers and wetland waiver setbacks (9.1.3).
Remove the definition for no-cut buffer; add definitions for limited use buffer and setback, defer to state definitions for vernal pools and wetland delineation, update reference to regulations or agencies, and arranging definitions into alphabetic order (9.1.4)
Move criteria-based language within permitted or conditional uses out of the individual uses and into the header category (9.1.5, and 9.1.6).
Remove water impoundment from the list of permitted uses (9.1.5.F).
Clarify the application review and submission process defined under conditional uses (9.1.6).
Clarify the temporary impact restoration and buffer preservation requirements by separating them into individual criteria (9.1.6.B.6 and 7)
Clarify the enforcement process (9.1.11).

1846
YES [checked]
NO [ ]
524

Article 4

Shall the Town vote to raise and appropriate the sum of ten million eight hundred fifty thousand and zero dollars (\$10,850,000) for the design and construction of a building, playground and field improvements at the Recreation Park on Hampton Road, and to authorize the issuance of not more than \$10,850,000 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. Debt service will be paid from the general fund. (Estimated Tax Impact: assuming 10 year bond at 1.47% interest: .57/1,000, \$57/100,000 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 3-2.

965
YES [ ]
NO [checked]
1649

Article 5

Shall the Town vote to raise and appropriate the sum of one million six hundred thousand and zero dollars (\$1,600,000) for the purpose of design, construction, and installation of siphons from Jady Hill to the Main Pump Station and design of improvements to the Webster Ave pump station and force main design as part of the project, and to authorize the issuance of not more than \$1,600,000 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 through the New Hampshire Department of Environmental Services Clean Water State Revolving Fund for this purpose. The loan will be repaid as follows: a 10% forgiven by agreement with NHDES, and \$1,440,000 in sewer fees over 10 years. (Estimated Tax Impact: no tax impact, sewer funds plus 10% loan forgiveness). (3/5 ballot vote required for approval.) Recommended by the Select Board 5-0.

1805
YES [checked]
NO [ ]
710

Article 6

Shall the Town vote to raise and appropriate, through special warrant article, the sum of one hundred thousand dollars (\$100,000), for the purpose of planning and design of wastewater and drainage upgrades to the Westside Drive neighborhood area, and to authorize the Select Board to enter into a loan agreement of up to \$100,000 through the New Hampshire Department of Environmental Services Clean Water State Revolving Fund for this purpose. The loan will be repaid as follows: \$75,000 will be forgiven by agreement with NHDES, and \$25,000 will come from sewer fees. (Estimated Tax Impact: no tax impact, sewer funds plus loan forgiveness). (3/5 ballot vote required for approval.) Recommended by the Select Board 5-0.

1952
YES [checked]
NO [ ]
569

Article 7

To choose all other necessary Town Officers, Auditors or Committees for the ensuing year. BUDGET RECOMMENDATIONS COMMITTEE: Nancy Belanger, Kaley Briden, Elizabeth Canada, Don Clement, Amy Farham, Enna Grazier, Robert Kelly, Judy Rowan, Christine Souter, Corey Stevens, Craig Wharem, Christopher Zigmont, Anthony Zwaan. MEASURER OF WOOD & BARK: Doug Eastman, FENCE VIEWER: Doug Eastman, WEIGHER: Jay Perkins

2101
YES [checked]
NO [ ]
299

GO TO NEXT BALLOT AND CONTINUE VOTING



OFFICIAL BALLOT  
ANNUAL TOWN ELECTION  
EXETER, NEW HAMPSHIRE  
MARCH 10, 2020

*Andrea J. Kohler*  
TOWN CLERK

## ARTICLES CONTINUED

## Article 8

Shall the Town vote to raise and appropriate as an operating budget, not including appropriation 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 19,605,537. Should this article be defeated, the default budget shall be \$19,323,051, 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: .18/1,000 assessed property value, \$18.00/100,000 assessed property value). (Majority vote required) Recommended by the Select Board 5-0.

1635  
YES   
NO   
882

## Article 9

Shall the Town vote to raise and appropriate as a water operating budget, not including appropriation 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 \$3,552,795. Should this article be defeated, the water default budget shall be \$3,457,712 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 5-0.

1702  
YES   
NO   
813

## Article 10

Shall the Town vote to raise and appropriate as a sewer operating budget, not including appropriation 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 \$7,686,605. Should this article be defeated, the default budget shall be \$7,584,841 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 5-0.

1669  
YES   
NO   
843

## Article 11

Shall the Town vote to raise and appropriate, through special warrant article, the sum of two hundred thousand dollars (\$200,000), for the purpose of groundwater and surface water rehabilitation, engineering, feasibility study, and land acquisition for water supply purposes. This sum to come from \$200,000 in water funds. (Estimated Tax Impact: no tax impact, water funds). (Majority vote required) Recommended by the Select Board 5-0.

1900  
YES   
NO   
623

## Article 12

Shall the Town vote to raise and appropriate, through special warrant article, the sum of one hundred fifty thousand dollars (\$150,000), for the purpose of rehabilitating the sewer lift station located in Folsom Acres off Prentiss Way. This sum to come from \$150,000 sewer fees. (Estimated Tax Impact: no tax impact, sewer funds). (Majority vote required) Recommended by the Select Board 5-0.

1910  
YES   
NO   
597

## Article 13

Shall the Town vote to raise and appropriate the sum of one hundred fifteen thousand and zero dollars (\$115,000) for the purpose of implementing recommendations from the Lincoln Street parking report dated January 14th, 2020, to include paid parking along Lincoln Street with consideration of one hour free parking. The sum raised will be paid back to the town's general fund through parking fees. All parking revenues exceeding the initial program cost will be accounted for in the Municipal Transportation Improvement Fund adopted by the Town at the 2005 Town Meeting. This sum \$115,000 to come from the unassigned fund balance. (Estimated tax impact: no tax impact). (Majority vote required) Recommended by the Select Board 5-0.

1350  
YES   
NO   
1177

## Article 14

Shall the Town vote to raise and appropriate, through special warrant article, the sum of one hundred ten thousand dollars (\$110,000), for the purpose of completing tasks related to a letter of deficiency from the NHDES on Pickpocket Dam. This sum to come from general taxation. (Estimated Tax Impact: .050/1,000, \$5.01/100,000 assessed property value). (Majority vote required) Recommended by the Select Board 3-2.

1357  
YES   
NO   
1115

TURN BALLOT OVER AND CONTINUE VOTING

**ARTICLES CONTINUED**

**Article 15**

Shall the Town 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 general taxation. (Estimated Tax Impact: .046/1,000, \$4.55/100,000 value). (Majority vote required) Recommended by the Select Board 4-1.

1290  
YES   
NO   
1119

**Article 16**

Shall the Town vote to raise and appropriate, through special warrant article, the sum of seventy eight thousand seven hundred and ninety two dollars (\$78,792), for the purpose of making improvements to the town's public safety communications systems. This sum to come from general taxation. (Estimated Tax Impact: .036/1,000, \$3.59/100,000 value). (Majority vote required) Recommended by the Select Board 5-0.

1649  
YES   
NO   
782

**Article 17**

Shall the Town vote to raise and appropriate, through special warrant article, the sum of sixty five thousand eight hundred and seventy two dollars (\$65,872), for the purpose of purchasing a replacement for Highway Truck #9, purchased in 2007. This vehicle is primarily used for light duty hauling, landscaping, asphalt work, drainage and catch basin maintenance. This sum to come from general taxation. (Estimated Tax Impact: .030/1,000, \$3.00/100,000 assessed property value). (Majority vote required) Recommended by the Select Board 5-0.

1475  
YES   
NO   
946

**Article 18**

Shall the Town vote to raise and appropriate the sum of sixty thousand dollars (\$60,000) to be added to the Sidewalk Repair and Replacement Capital Reserve Fund previously established. This sum to come from general taxation. (Estimated Tax Impact: .027/1,000, \$2.73/100,000 value). (Majority vote required) Recommended by the Select Board 5-0.

1624  
YES   
NO   
815

**Article 19**

Shall the Town vote to raise and appropriate, through special warrant article, the sum of fifty eight thousand dollars (\$58,000), for the purpose of purchasing a replacement of the Parks/Recreation Department 1999 tractor with a mini-loader. This sum to come from general taxation. (Estimated Tax Impact: .026/1,000, \$2.64/100,000 assessed property value). (Majority vote required) Recommended by the Select Board 5-0.

1441  
YES   
NO   
979

**Article 20**

Shall the Town vote to raise and appropriate, through special warrant article, the sum of fifty thousand dollars (\$50,000), 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 general taxation. (Estimated Tax Impact: .023/1,000, \$2.28/100,000 assessed property value). (Majority vote required) Recommended by the Select Board 5-0.

1586  
YES   
NO   
842

**Article 21**

Shall the Town vote to raise and appropriate, through special warrant article, the sum of twenty four thousand dollars (\$24,000), for the purpose of replacing a 2008 Crown Victoria maintenance vehicle with a transit van. This sum to come from general taxation. (Estimated Tax Impact: .011/1,000, \$1.09/100,000 assessed property value). (Majority vote required) Recommended by the Select Board 5-0.

1408  
YES   
NO   
992

**Article 22**

Shall the Town 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 5-0.

1670  
YES   
NO   
740

**Article 23**

Shall the Town 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 5-0.

1801  
YES   
NO   
624

**GO TO NEXT BALLOT AND CONTINUE VOTING**



**OFFICIAL BALLOT  
ANNUAL TOWN ELECTION  
EXETER, NEW HAMPSHIRE  
MARCH 10, 2020**

*Andrea J. Kohler*  
TOWN CLERK

**ARTICLES CONTINUED**

**Article 24**

Shall the Town vote to adopt the provisions of the Epping Road Tax Increment District Financing Plan Amendment (dated January 7, 2020) in accordance with RSA 162-K:9 IV which allocates the use of tax increments for retirement of bonds and notes as outlined in the plan amendment. (Majority vote required) Recommended by the Select Board 5-0.

1690  
YES   
NO   
687

**Article 25**

By petition of registered voters of Exeter. Shall the Town express its opposition to the Granite Bridge Pipeline project.

The scope of this project vastly exceeds the current and future energy demands in New Hampshire. The likely changes in energy production could result in ratepayers paying for technology that will be obsolete before it's operational. Public Utilities Commission contracted consultants reviewing the project have said the proposed plan is excessively costly and overbuilt for the long term energy needs of New Hampshire.

As of January 1, 2020, the project includes a 27 mile fracked gas pipeline along Rt. 101 from Manchester to Exeter, a metering station at the site of the Exeter water treatment plant and the construction of a 2 billion cubic foot storage tank (larger than the rainbow tank in Boston) in the Epping quarry. The pipeline would cross the Lamprey River twice and run alongside Lake Massabesic potentially threatening drinking water supply.

The safety risks of gas pipelines is evident in the recent leaks and explosions in Keene and Lawrence, Massachusetts.

Furthermore this fossil fuel project with its methane emissions and carbon dioxide is in opposition to the principles of Exeter's "Right to a Healthy Climate Ordinance" passed in 2019 and the Select board's vote to support the goals of the Paris Climate Agreement.

Upon passage the voters request that the Select board send copies of this resolution with a record of the vote to Liberty Utilities, the Public Utilities Commission, the Site Evaluation Committee, and all State Senators.

1605  
YES   
NO   
897

**Article 26**

By petition, shall the Town vote to raise and appropriate the sum of \$1,500 dollars and no cents to defray the expense of the annual Exeter Holiday Parade for the public under the direction of the Selectmen or a committee to be appointed to serve gratuitously for this purpose. (Majority vote required) Recommended by the Select Board 5-0.

1921  
YES   
NO

**Article 27**

**New Hampshire Resolution to Take Action on Climate Pollution**

By petition, the Town of Exeter hereby call upon our State and Federal elected representatives to enact carbon-pricing legislation to protect New Hampshire from the costs and environmental risks of continued climate inaction. To protect households, we support a Carbon Fee and Dividend approach that charges fossil fuel producers for their carbon pollution and rebates the money collected to all residents on an equal basis. Enacting a Carbon Cash-Back program decreases long-term fossil-fuel dependence, aids in the economic transition for energy consumers, and keeps local energy dollars in New Hampshire's economy. Carbon Cash-Back has been championed by US economists (Jan 17, 2019 WSJ) as the most effective and fair way to deliver rapid reductions in harmful carbon emissions at the scale required for our safety.

We expect our representatives to lead in this critical moment for the health and well-being of our citizens and for the protection of New Hampshire's natural resources upon which we all rely.

The record of the vote approving this article shall be transmitted by written notice to EXETER's State Legislators, to the Governor of New Hampshire, to EXETER's Congressional Delegation, and to the President of the United States, informing them of the instructions from their constituents, by EXETER's Select Board, within 30 days of this vote.

1756  
YES   
NO   
731

**Article 28**

By petition of 25 or more eligible voters of the Town of Exeter. To see if the Town will urge the New Hampshire General Court, which is obligated to redraw the maps of political districts within the state following the 2020 census, will do so in a manner that ensures fair and effective representation of New Hampshire voters. That in order to fulfill this obligation, the New Hampshire General Court shall appoint an independent redistricting commission that draws the new district maps in a way that does not rely on partisan data such as election results, party registration, or favor particular political parties or candidates.

The record of the vote approving this article shall be transmitted by written notice from the selectmen to the town of Exeter's state legislators and to the Governor of New Hampshire informing them of the instructions from their constituents within 30 days of the vote.

1829  
YES   
NO   
599

**YOU HAVE NOW COMPLETED VOTING THIS BALLOT**



## **Paving Recommendation 2020**



# EXETER PUBLIC WORKS DEPARTMENT

13 NEWFIELDS ROAD • EXETER, NH • 03833-4540 • (603) 773-6157 • FAX (603) 772-1355

[www.exeternh.gov](http://www.exeternh.gov)

## MEMO

DATE: March 13, 2020  
TO: Russell Dean, Town Manager  
FROM: Jennifer R. Perry, P.E., Public Works Director  
RE: 2020 Paving

---

Please find attached the proposal from John Bell of Bell & Flynn LLC for road paving for 2020. The 2020 unit pricing remains the same from 2019 and 2018

\$71.90 for binder course,  
\$72.90 for surface course,  
\$73.90 for "urban compact" surface course,  
\$74.90/ton for smaller neighborhoods with dead ends.

Pricing is subject to adjustment per NHDOT adjustment clause indexed to May 2018.

The 2019 road surface management budget is \$800,000. The following streets are scheduled for paving based on the available budget:

- |                                     |                |
|-------------------------------------|----------------|
| • Beech Hill Rd                     | shim & overlay |
| • Highland St                       | shim & overlay |
| • Buzzell Ave                       | shim & overlay |
| • Auburn St                         | shim & overlay |
| • Prospect Ave                      | shim & overlay |
| • Prospect St                       | shim & overlay |
| • Williams Ct                       | 2" overlay     |
| • Powder Mill Rd                    | shim & overlay |
| • Arbor Ct                          | reclaim + 3"   |
| • Arbor St                          | reclaim + 3"   |
| • Parker St                         | reclaim + 3"   |
| • Portsmouth Avenue (High St to TL) | crack seal     |

This proposal is competitive with installed tonnage prices for other southeastern New Hampshire communities. The Public Works Department recommends extending the road paving contract with Bell & Flynn for 2020.



# BELL & FLYNN LLC

Pavement Reclamation  
Engineers & Contractors

---

|          |   |         |   |        |   |                           |   |              |
|----------|---|---------|---|--------|---|---------------------------|---|--------------|
| Planning | · | Testing | · | Design | · | Engineered/Reconstruction | · | Construction |
|----------|---|---------|---|--------|---|---------------------------|---|--------------|

---

|                           |                       |
|---------------------------|-----------------------|
| Telephone: (603) 778-8511 | 69 Bunker Hill Avenue |
| Fax: (603) 772-4396       | Stratham, NH 03885    |

---

March 9, 2020

Town of Exeter  
Mr. Russell Dean, Town Manager  
10 Front Street  
Exeter, NH 03833

Dear Mr. Dean,

Despite continuing cost increases associated with wages/benefits, equipment/maintenance, transportation/energy and regulatory requirements which are customarily reflected in increased unit prices at the commencement of each construction season, Bell & Flynn LLC is pleased to be able at this time to offer to extend the current contract for road reconstruction services under the same terms, conditions and prices upon mutual agreement by the Town of Exeter.

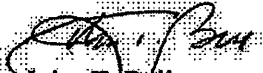
The Unit Price of Pay Item #1, "Bituminous Concrete Paving", per ton, in place, per Project Manual and Specifications, shall remain: \$71.90 per ton for Binder Course (e.g. Arbor St/Ct, Parker St)  
(the same unit price paid for all pavements installed during the 2012-2014 construction seasons!)  
\$72.90 per ton for Surface Course (e.g. Beech Hill Rd, Powder Mill Rd)  
\$73.90 per ton for "Urban Compact" Surface Course (e.g. Front St, Water St, Main St)

The unit price for Dead End Streets, e.g. Buzzell Ave, Auburn St, Prospect Ave/St, Highland St and the installation of Leveling Course shall remain \$74.90 per ton. The unit price of Bituminous Concrete Pavement shall continue to be subject to adjustment per NHDOT asphalt adjustment clause (Item 1010.2) indexed to the May 2018 NHDOT price of asphalt cement. All other terms, conditions and prices including pavement reclamation, fine grading and compaction, and installation of additional asphalt stabilized base material shall remain unchanged. The Town of Exeter Hourly Truck and Equipment Rental Rates as amended in 2018 shall be incorporated into the contract as applicable.

In closing, I am sure that you will realize the benefits of this contract extension when you observe that it includes neither a fuel surcharge to reflect the increased cost of delivery and installation nor an inflationary adjustment to reflect the increased cost of wages and benefits, While the fundamental market dynamics of liquid asphalt have remained relatively stable since June 2018 inasmuch as the strategic production cuts implemented by the OPEC cartel and Russia fortunately (?) continue to be largely offset by reduced global demand as reflected in recent respective GNP data, normal seasonal demand exacerbated by macroeconomic/geopolitical dynamics in crude oil markets is anticipated to again increase the *future* price of asphalt pavements through the summer months of 2020. Considering these anticipated cost increases, in an attempt to provide price stability (at the lowest possible price!) it should again prove beneficial to the Town of Exeter to extend the current contract for road reconstruction services including paving and to complete as much work as possible early in the paving season.

Thanking you in advance for your thoughtful consideration of the letter, I remain,

Sincerely,



John T. Bell  
Vice President

**Select Board Representatives to Town Committees**

## 2020 Committee Select Board Representatives

| Board/Committee                     | 2019 Representative | 2020 Representative |
|-------------------------------------|---------------------|---------------------|
| Planning Board                      | Niko Papakonstantis |                     |
| Recreation Advisory Board           | Molly Cowan         |                     |
| Zoning Board of Adjustment          | N/A                 |                     |
| Conservation Commission             | Julie Gilman        |                     |
| Economic Development Commission     | Outgoing Member     |                     |
| Exeter Housing Authority Commission | N/A                 |                     |
| Heritage Commission                 | Molly Cowan         |                     |
| Historic District Commission        | Julie Gilman        |                     |
| Rockingham Planning Commission      | Julie Gilman        |                     |
| Swasey Parkway Trustees             | Outgoing Member     |                     |
| Trustees of the Robinson Fund       | N/A                 |                     |
| Trustees of the Trust               | N/A                 |                     |
| Budget Recommendations Committee    | N/A                 |                     |
| Communications Advisory Committee   | Molly Cowan         |                     |
| E911                                | Outgoing Member     |                     |
| Energy Committee                    | Julie Gilman        |                     |
| Facilities Committee                | Niko Papakonstantis |                     |
| Housing Advisory Committee          | Molly Cowan         |                     |
| Human Services Funding Committee    | N/A                 |                     |
| River Advisory Committee            | Outgoing Member     |                     |
| Sustainability Advisory Committee   | Niko Papakonstantis |                     |
| Water/Sewer Advisory Committee      | Molly Cowan         |                     |
|                                     |                     |                     |
|                                     |                     |                     |

**TAP Easement Vote**



# TOWN OF EXETER

## Planning and Building Department

10 FRONT STREET • EXETER, NH • 03833-3792 • (603) 778-0591 • FAX 772-4709

[www.exeternh.gov](http://www.exeternh.gov)

---

**Date:** February 14, 2020  
**To:** Russ Dean, Town Manager  
**From:** Dave Sharples, Town Planner  
**Re:** Transportation Alternatives Program (TAP)

I am writing this memorandum to request that you place the first of two public hearings regarding the acquisition of land needed to complete the TAP sidewalk project on the Select Board's upcoming February 18, 2020 meeting agenda. As a brief background, the Town received a Transportation Alternatives Program (TAP) grant to connect existing sidewalks on Epping Road, Winter Street and Spring Street. The project was voted in at the March 2017 Town Meeting. During the project design, it was discovered that the Town needs to acquire a handful of easements to complete the project. I just got the last landowner to sign off on the easement so all owners are now on board with providing easements to the town.

As the last step in the process, the Select Board needs to vote to approve the acquisition of the easements. However, according to NHRSA 41-14-a (attached), the Select Board needs to receive a recommendation from both the Conservation Commission and Planning Board and hold two public hearings (not less than 10 days but not more than 14 days apart) and then vote to accept the easements no sooner than 7 days nor later than 14 days after the second public hearing is held. I would respectfully suggest the following timeline that would satisfy the requirements of the RSA:

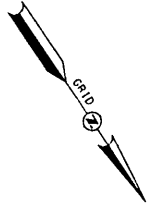
**February 18, 2020:** Hold first public hearing  
**March 2, 2020:** Hold second public hearing  
**March 16, 2020:** Vote on easement acquisition

I appeared before the Conservation Commission at their February 11, 2020 meeting and the Planning Board at their February 13, 2020 meeting and they had no objection to the Town acquiring the easements. Both boards voted unanimously for the following motion: *"Upon review of the Easement plans completed by Hoyle Tanner and Associates and as presented by the Exeter Town Planner regarding the installation of sidewalks on a portion of Epping Road, Winter Street and Spring Street, I move that the Planning Board/Conservation Commission has no objection to the Town acquiring said easements to complete the Transportation Alternatives Program project."*

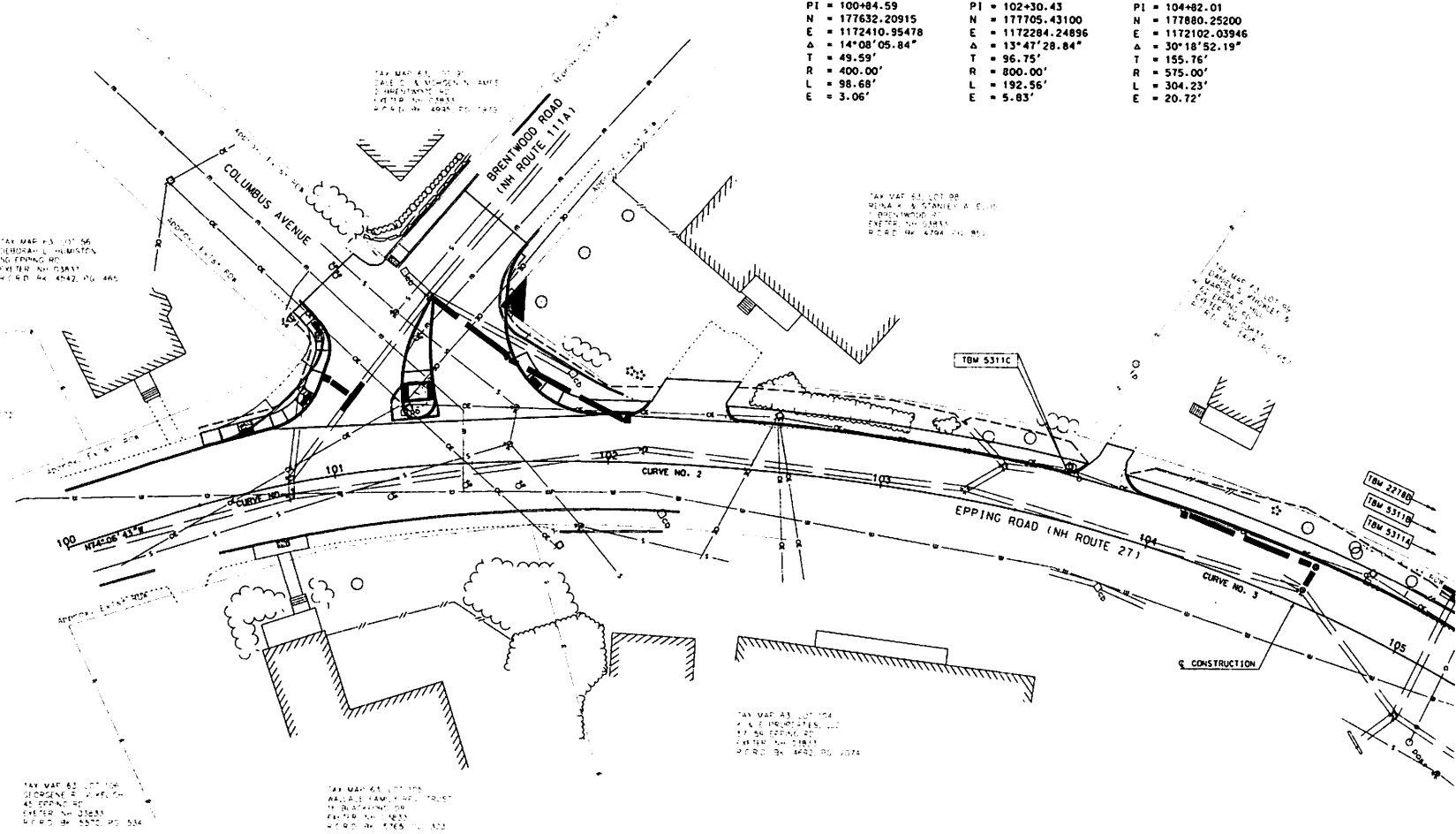
I have attached a colored plan set showing the easements that are needed to complete the project. I will provide a brief presentation of the project and the easement plans at the hearing.

Thank You.

enc (1)



| CURVE No. 1       | CURVE No. 2       | CURVE No. 3       |
|-------------------|-------------------|-------------------|
| PI = 100+84.59    | PI = 102+30.43    | PI = 104+82.01    |
| N = 177632.20915  | N = 177705.43100  | N = 177880.25200  |
| E = 1172410.95478 | E = 1172284.24896 | E = 1172102.03946 |
| Δ = 14°08'05.84"  | Δ = 13°47'28.84"  | Δ = 30°18'52.19"  |
| T = 49.59'        | T = 96.75'        | T = 155.76'       |
| R = 400.00'       | R = 800.00'       | R = 575.00'       |
| L = 98.68'        | L = 192.56'       | L = 304.23'       |
| E = 3.06'         | E = 5.63'         | E = 20.72'        |



**EASEMENT PLAN**  
SCALE: 1" = 70'

**VERTICAL CONTROL (TBM) TABLE**

| NUMBER    | ELEVATION | STATION & OFFSET     | DESCRIPTION                                       |
|-----------|-----------|----------------------|---|
| TBM 5311C | 60.98     | 103+84.75, LT 18.80' | MAG. NAIL SET UP 12" IN POLE 25/14                |
| TBM 2278B | 63.90     | 106+05.95, LT 23.09' | MAG. NAIL SET UP 18" IN POLE 16/353/113/17/NE T&T |
| TBM 5311B | 63.95     | 108+79.49, LT 23.57' | MAG. NAIL SET UP 12" IN POLE 18/9                 |
| TBM 5311A | 70.35     | 111+72.36, LT 30.51' | MAG. NAIL SET UP 12" IN POLE 61/20/22             |

**TABLE OF PROPERTY ACQUISITION**

| PARCEL NO.     | PROPERTY OWNER              | TOTAL AREA OF PARCEL | AREA OF TAKE |      | REMAINDER |       | EASEMENT  |    |             |                    | CARDW PTS OF ACCESS | REV NO. |
|----------------|-----------------------------|----------------------|--------------|------|-----------|-------|-----------|----|-------------|--------------------|---------------------|---------|
|                |                             |                      | AC           | SF   | LT        | RT    | PERMANENT |    | TEMPORARY   |                    |                     |         |
|                |                             |                      |              |      |           |       | TYPE      | SF | DESCRIPTION | EXPIRES (DURATION) |                     |         |
| MAP 63, LOT 98 | REINA K. & STANLEY W. ELLIS | 0.42                 | 14           | 0.42 | 60        | SLOPE |           |    |             |                    |                     |         |

**LEGEND**

- TAKE
- TEMPORARY EASEMENT
- PERMANENT EASEMENT

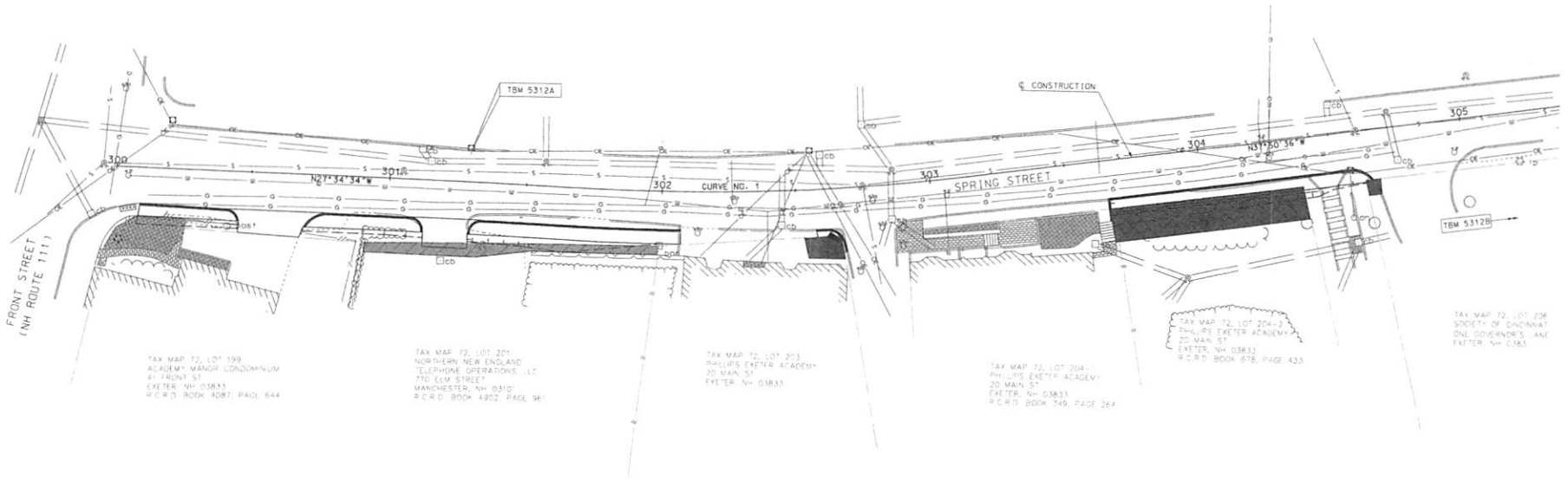
| REV | DATE | DESCRIPTION |
|-----|------|-------------|
|     |      |             |
|     |      |             |
|     |      |             |

**Hoyle Tanner**  
Associates, Inc.  
150 Dun Street, Manchester, NH 03101-1727  
Tel: (603) 866-5555 Fax: (603) 866-4188  
www.hoyletanner.com

TOWN OF EXETER  
EXETER, NEW HAMPSHIRE  
EXETER TAP SIDEWALK PROJECT  
EPPING ROAD EASEMENT PLAN



CURVE No. 1  
 PI = 302+40.02  
 N = 176017.17683  
 E = 1176256.83359  
 Δ = 10°16'02.51"  
 T = 71.87'  
 R = 800.00'  
 L = 143.36'  
 E = 3.22'



TAX MAP 72, LOT 199  
 ACADEMY WARD LONDONNIUM  
 41 FRONT ST  
 EXETER, NH 03833  
 R.C.D. BOOK 487, PAGE 844

TAX MAP 72, LOT 201  
 NORTHERN NEW ENGLAND  
 TELEPHONE OPERATIONS, LLC  
 770 ELM STREET  
 MANCHESTER, NH 03102  
 R.C.D. BOOK 4902, PAGE 967

TAX MAP 72, LOT 203  
 PHILLIPS EXETER ACADEMY  
 20 MAIN ST  
 EXETER, NH 03833

TAX MAP 72, LOT 204-2  
 PHILLIPS EXETER ACADEMY  
 20 MAIN ST  
 EXETER, NH 03833  
 R.C.D. BOOK 149, PAGE 264

TAX MAP 72, LOT 204-2  
 PHILLIPS EXETER ACADEMY  
 20 MAIN ST  
 EXETER, NH 03833  
 R.C.D. BOOK 678, PAGE 433

TAX MAP 72, LOT 206  
 SOCIETY OF CINCINNATI  
 ONE GOVERNOR'S LANE  
 EXETER, NH 03833

VERTICAL CONTROL (TBM) TABLE

| NUMBER    | ELEVATION | STATION & OFFSET     | DESCRIPTION                        |
|-----------|-----------|----------------------|------------------------------------|
| TBM 5312A | 34.40     | 301+28.82, LT 11.34' | MAG. NAIL SET UP 12" IN POLE 180/2 |
| TBM 5312B | 12.70     | 305+55.86, RT 15.28' | MAG. NAIL SET UP 12" IN POLE 180/6 |

EASEMENT PLAN

SCALE: 1" = 20'

TABLE OF PROPERTY ACQUISITION

| PARCEL NO.        | PROPERTY OWNER                                 | TOTAL AREA OF PARCEL | AREA OF TAKE |    |    |    | REMAINDER |                         | EASEMENT |                |                              |                    | CARROW PTS OF ACCESS | REV NO. |
|-------------------|--|----------------------|--------------|----|----|----|-----------|-------------------------|----------|----------------|------------------------------|--------------------|----------------------|---------|
|                   |  |                      | AC           | AC | LT | RT | SF        | PERMANENT TYPE          | SF       | DESCRIPTION    | TEMPORARY                    | EXPIRES (DURATION) |                      |         |
|                   |  |                      |              |    |    |    |           |                         |          |                |                              |                    |                      |         |
| MAP 72, LOT 201   | NORTHERN NEW ENGLAND TELEPHONE OPERATIONS, LLC | 0.42                 |              |    |    |    |           |                         |          |                |                              |                    |                      |         |
| MAP 72, LOT 203   | PHILLIPS EXETER ACADEMY                        | 0.40                 |              |    |    |    | 114       | SIDEWALK                | 418      | SLOPE/DRIVEWAY | 5 YR FROM PROJECT COMPLETION |                    |                      |         |
| MAP 72, LOT 204-1 | PHILLIPS EXETER ACADEMY                        | 0.12                 |              |    |    |    | 16        | SIDEWALK/RETAINING WALL |          |                |                              |                    |                      |         |
| MAP 72, LOT 204-2 | PHILLIPS EXETER ACADEMY                        | 0.11                 |              |    |    |    | 900       | SIDEWALK/RETAINING WALL |          |                |                              |                    |                      |         |
| MAP 72, LOT 206   | SOCIETY OF CINCINNATI                          | 0.35                 |              |    |    |    | 31        | SIDEWALK                |          |                |                              |                    |                      |         |

LEGEND

- TEMPORARY EASEMENT
- PERMANENT EASEMENT

| REV | DESCRIPTION | DATE |
|-----|-------------|------|
|     |             |      |
|     |             |      |
|     |             |      |

**Hoyle, Tanner & Associates, Inc.**  
 150 Dow Street, Manchester, NH 03101-1277  
 Tel: (603) 698-8555 Fax: (603) 698-4168  
 www.hoyletanner.com

TOWN OF EXETER  
 EXETER, NEW HAMPSHIRE  
 EXETER TAP SIDEWALK PROJECT  
 SPRING STREET EASEMENT PLAN

PROJECT NO: 098224  
 SHEET NO:  
**3**  
 SHEET 3 OF 3



**Tax Abatements, Veterans' Credit, Elderly Exemptions**

# List for Select Board meeting March 16, 2020

## Veteran's Credit

| <b>Map/Lot/Unit</b> | <b>Location</b> | <b>Amount</b> |
|---------------------|-----------------|---------------|
| 75/17/33            | 12 Blackford Dr | 500.00        |

## Elderly Exemption

| <b>Map/Lot/Unit</b> | <b>Location</b>          | <b>Amount</b> |
|---------------------|--------------------------|---------------|
| 95/64/267           | 32 Alder St              | 236,251       |
| 95/64/338           | 86 Hilton Ave            | 236,251       |
| 89/14               | 9 Phinney Ln             | 152,251       |
| 65/124/10           | 105 Portsmouth Ave #10   | 152,251       |
| 68/6/421            | 4 Sterling Hill 421      | 183,751       |
| 87/14/15A           | 15 First St Pinecrest Pk | 152,251       |

## Blind Exemption

| <b>Map/Lot/Unit</b> | <b>Location</b> | <b>Amount</b> |
|---------------------|-----------------|---------------|
| 96/15               | 26 Cullen Way   | 15,000        |

## Abatement

| <b>Map/Lot/Unit</b> | <b>Location</b>           | <b>Amount</b> |
|---------------------|---------------------------|---------------|
| 73/13/1             | 104 Front St              | Denial        |
| 113/5               | Powder Mill Rd            | Denial        |
| 83/39               | 33 Bell Ave               | \$709.74      |
| 68/6/115            | 1 Sterling Hill Lane U115 | \$30.25       |
| 24/5                | 44 Captains Way           | \$451.44      |
| 95/64/37            | 28 Wayland Circle         | Denial        |

## Correspondence

MAR - 6 2020

Received



**THE EXETER SPORTSMAN'S CLUB, Inc.**

P.O. Box 1936  
111 Portsmouth Avenue  
Exeter, New Hampshire 03833  
(603) 772-7468  
www.exetersportsmansclub.com

March 19, 2020

Exeter Select Board  
C/O Town Manager Russ Dean  
10 Front Street  
Exeter NH 03833

**Subject: Annual Report to Exeter Select Board for 2019-2020**

Dear Honorable Select Board:

In accordance with the requirements presented in Paragraph 13 of the Lease Agreement between the Town of Exeter and the Exeter Sportsman's Club, Inc. (ESC), please find below our Annual Report for our fiscal year April 01, 2019 thru March 31, 2020.

Town of Exeter Residency

- **General Membership:** 27.6% of our members are residents of the town of Exeter NH. This fulfills the requirement of our lease that at least 20% of members be residents of Exeter.
- **Board of Directors:** Of our 15 Board of Directors, 5 are residents of the town of Exeter NH. This fulfills the requirement of our lease that at least 2 members of our Board of Directors be residents of Exeter.

Activities of Civic Benefit

- The "children's fishing derby" continues to be a popular spring activity drawing in excess of 120 registered children and at least that many parents & grandparents attending in May of 2019. The 2020 fishing derby is scheduled for Saturday May 9<sup>th</sup> of which plans are currently underway to make this another great event for our local youth. This ESC program is provided at no cost to the families and the ESC pays for the breakfast, prizes, and the stocking of the reservoir.



## THE EXETER SPORTSMAN'S CLUB, Inc.

P.O. Box 1936

111 Portsmouth Avenue

Exeter, New Hampshire 03833

(603) 772-7468

[www.exetersportsmansclub.com](http://www.exetersportsmansclub.com)

### Safety & Firearms Training

Four Hunter Education classes were conducted in 2019, graduating 81 students who qualified for both archery and firearms licenses under new NHFG guidelines. 4 offerings (all one-day Field Classes for on-line Hunter Ed program) were also conducted consisting of:

- 81 students
- According to the New Hampshire Fish and Game (NHFG) reports, a steep decline in firearm accidents as a result of the emphasis on firearm safety in the Hunter Education Program. Hunting has become one of the safest activities in America.
- ESC provided NRA certified training in Basic Pistol, Basic Rifle, Personal Protection in the Home (PPIH) and Personal Protection Outside the Home (PPOH) to a total 20 students. All of these programs place heavy emphasize on firearm safety.
- ESC continues to provide NRA certified training officers and/or NRA certified range safety officers to youth groups (CAP, BSA, 4H, etc.) seeking firearms qualifications.

### Youth Programs

- The ESC continue to have a vibrant Civil Air Patrol (CAP) youth program. The program this year hosted a total of 61 citizens, an increase over last year. The new Small Bore Range greatly facilitated conducting the classes safely and efficiently. Most of the Cadets achieve an NRA Marksmanship qualification of Marksman or higher during their first season in the three position light rifle course. Several have achieved Marksman first class and we currently have two holding the Sharpshooter badge. The Squadron leadership continues to make firearm safety classes available to all Cadet Recruits and their parents, or guardians regardless of whether they intend to enroll in the Marksmanship Program or not. This enables us to teach firearm safety to youngsters and adults who have little or no other opportunity to get such training.

We also assisted several Boy Scouts in completing their Rifle merit badge requirements. As NRA certified instructors we are authorized by the Boy Scouts of America (BSA) to "sign off" on the requirements for that badge.

ESC continued to provide free membership to members of the armed forces who are on active duty. Some members of the United State Coast Guard (USCG) continue to use the range to hone their shooting skills.



## THE EXETER SPORTSMAN'S CLUB, Inc.

P.O. Box 1936  
111 Portsmouth Avenue  
Exeter, New Hampshire 03833  
(603) 772-7468  
[www.exetersportsmansclub.com](http://www.exetersportsmansclub.com)

ESC has expanded our new member orientation to two full hours with special emphasis on new members being "range safe". All new members are interviewed to determine their shooting experience and those judged to be lacking are assigned a mentor to improve their safety skills.

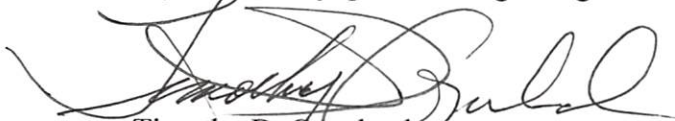
All new members are required to have a background check by the New Hampshire State Police or be a holder of a valid NH concealed carry permit which results in the same background check being performed when the permit was issued.

ESC continues to provide complimentary shooting rights, at any time during range operating hours, to all members of the Exeter and Stratham Police Departments so they can sharpen their shooting skills and qualify, whenever they feel it is necessary. This is in addition to the time required under the provisions of the current lease agreement for the Exeter Police Department. The Exeter Police Department regularly utilizes our range for qualifications of their members. The EPD and SPD enjoy the use of our facility and the fact that there aren't many ranges left to utilize and hone their skills.

Collectively, all of the ESC programs (NRA Certified Programs, Hunter Education, Youth, New Member Orientations, etc.) trained in excess of 210 individuals in the safe handling and storage of firearms last year.

The ESC strives to exceed in safety/education requirements in order to prevent injuries to our members and guests while participating in this great sport which is enjoyed by many Exeter residents whom are members and their guests.

If you have any questions regarding this report please feel free to contact me directly.



Timothy D. Copeland  
President Exeter Sportsman's Club  
603-580-1998 home



Timothy Copeland  
17 Raeder Dr.  
Stratham, NH 03885

TAMPA FL 335  
COUNTY OFFICE  
02 MAR 2005 7:45 L



TOWN OF EXETER  
c/o RUSS DEAN  
10 FRONT STREET  
EXETER NH 03833

03833-279299

