

Select Board Meeting
Monday, March 14th, 2022, 7:00 p.m.
Nowak Room, Town Offices
10 Front Street, Exeter NH 03833

Meeting in the Nowak Room at the Town Office Building. For virtual access, see instructions below.

Watch this meeting on Channel 22, or EXTV Facebook <https://www.facebook.com/ExeterTV>, or YouTube <https://www.youtube.com/c/ExeterTV98>.

To access the meeting via Zoom, click this link: <https://exeternh.zoom.us/j/83845440801>

To access the meeting via telephone, call +1 646 558 8656 and enter Webinar ID 838 4544 0801

Please join the meeting with your full name if you want to speak.

Use the "Raise Hand" button to alert the Chair you wish to speak. On the phone, press *9.

More access instruction found here: <https://www.exeternh.gov/townmanager/virtual-town-meetings>

Contact us at extvg@exeternh.gov or 603-418-6425 with any technical issues.

AGENDA

1. Call Meeting to Order
2. Swearing in of Elected Officials
3. Select Board Reorganization
4. Swearing in of Deputy Police Chief
5. Bid Openings: Fire SCBA Equipment, Engine 5 Replacement
6. Public Comment
7. Proclamations/Recognitions
 - a. Proclamations/Recognitions
8. Approval of Minutes
 - a. Regular Meeting: February 22nd, 2022
9. Appointments – Budget Recommendations Committee, Historic District Commission
10. Discussion/Action Items
 - a. Recap Town voting from March 8th
 - b. Committee Meeting Protocols
 - c. Police Department Update
 - d. ARPA Funding: Siphons Project
 - e. Legislative Updates – Selectwoman Gilman
 - f. MS232 Report of Appropriations
11. Regular Business
 - a. Tax Abatements, Veterans Credits & Exemptions
 - b. Permits & Approvals
 - c. Town Manager's Report

- d. Select Board Committee Reports
- e. Correspondence
- 12. Review Board Calendar
- 13. Non-Public Session – RSA 91:A:3 2 a
- 14. Adjournment

Niko Papakonstantis, Chair
Select Board

Posted: 03/11/22 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

Proclamations/Recognitions

37

2

Minutes

Select Board Meeting
Monday February 22, 2022
6:40 PM
Nowak Room, Town Offices
Draft Minutes

1. Call Meeting to Order

Members present: Julie Gilman, Molly Cowan, Lovey Roundtree Oliff, Niko Papakonstantis, and Town Manager Russ Dean were present at this meeting. The meeting was called to order by Mr. Papakonstantis at 6:45 PM. The Board went to the Wheelwright Room to conduct interviews.

2. Board Interviews

- a. Eduardo Contreras for the Budget Recommendations Committee
- b. Joseph Alexander for the Historic District Commission

The meeting reconvened in the Nowak Room at 7:02 PM.

3. Public Comment

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

4. Proclamations/Recognitions

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

5. Approval of Minutes

- a. Regular Meeting: February 7, 2022

MOTION: Ms. Oliff moved to approve the minutes of Feb 7, 2022 as presented. Ms. Gilman seconded. All were in favor and the motion passed 4-0.

6. Appointments

- a. There were no appointments at this meeting.

7. Discussion/Action Items

- a. COVID-19 Update

Fire Chief Eric Wilking gave a Covid update. The numbers continue to trend in a positive direction. Only 70 residents of Exeter tested positive last week. Only 5 people in Exeter were positive Wednesday and 2 on Thursday, but 10 on Friday. Generally we're doing much better than a few months ago. There are 2,683 cases in the State. We're still doing well compared to towns with similar populations.

Health Officer James Murray said last week the Health Department had a large increase in emails and calls regarding the mask regulations. Nashua, Manchester, and other towns are starting to drop the mask mandate. The Hospital as of Thursday only had 1 person with Covid, and they're modifying their mask regulations to focus on those who are unvaccinated. The NH Health Department is still recommending masking. The CDC will probably make changes to their recommendations this week.

Ms. Gilman asked about the State vaccination rate. Chief Wilking said it's about 56%.

Jeff Bouvier of 1 Hillside Ave asked if the Board would make a recommendation on masks tonight based on the data and other towns. Mr. Papakonstantis said the mask mandate is set to expire March 21st. Mr. Bouvier said the data speaks for itself.

Ms. Oliff proposed that we end the mask mandate. Ms. Gilman said she agrees, as she feels more comfortable now. People can still wear a mask if they want to.

Mr. Murray said it might be prudent that we move back to a recommendation, rather than a mandate, and support businesses and individuals who wish to wear masks.

Mr. Papakonstantis said he's concerned about school vacation next week. The last time we saw numbers surge upon kids returning to school. We also have an election on March 8th.

Mr. Bouvier said he's heard that we don't want to get rid of it before the election. Those who want to are welcome to wear an N95 or a respirator. They can say that they require masks only at that building on that day.

Ms. Oliff said we could have that option and a separate entrance for those who were unmasked at Town Meeting. We need to be realistic about what's happening. A lot of the children we were concerned about have been vaccinated.

Ms. Cowan said she's worried about the volunteers at the election. Ms. Oliff said this would not be the only town or group who does not have a mask mandate. We could still ask that people mask under particular circumstances such as town voting. This likely won't be the last time in the next few years that we will have to revisit this.

Mr. Papakonstantis said the town determines what happens in the school building on that day, despite what the school's guidelines may be at the time. No one will be prohibited from voting.

Ms. Oliff said we could consider tying regulations to the State vaccination percentage.

MOTION: Ms. Gilman moved to lift our mask regulation and go back to a mask recommendation with the following conditions: we require masks at town meeting on March 8th, providing a separate entrance for those who do not wish to wear a mask. We will revisit this as necessary. This is effective Feb 23rd. Ms. Cowan seconded. The motion passed 4-0.

b. Welfare Guidelines Update

The Welfare and Human Services Administrator Pam McElroy was present. Mr. Dean said in revising the guidelines, we followed the NHMA model. There were three core changes: the burial/cremation amount raised to \$2,000; the record retention clause has been changed to 7 years to comply with State law; and the definition of housing has been codified in the guidelines. Ms. McElroy said the last update to these guidelines was in 2015.

Ms. Cowan said she would like to hear an update on the program and its resources. Ms. McElroy said she does a monthly report that is submitted to the town manager on dollars spent and number of residents aided in different categories. We also have numbers on how many phone calls and emails we get, all of which are shared in the BRC meetings. Part of her job is to direct people to agencies that may be able to help when the town is unable to help. Ms. Cowan asked if there's any follow up on whether those people got help, and Ms. McElroy said yes, she does follow up. There are

months when she gets almost 600 calls from people, not agencies. She's been able to work through all of them, but there are some that are denied. In those cases, she tries to recommend other agencies that may be able to help them.

Mr. Papakonstantis asked if Ms. McElroy could present the data sometime in the next couple of meetings.

Ms. Gilman asked about the workfare program. Ms. McElroy said she's never placed anyone in it because when you're working within the town, everything goes through HR and there are confidentiality concerns.

Mr. Papakonstantis asked if the Human Services Funding Committee looks at other organizations you use as a resource, or just those seeking funding. Ms. McElroy said it's just the agencies that have submitted an application.

Ms. Gilman asked if the committee is solid, and Ms. McElroy said they're wonderful and have excellent discussions during their meetings. They only meet once a year.

Mr. Dean thanked Ms. McElroy for her work on the Town Report.

MOTION: Ms. Gilman moved to adopt the Town of Exeter Human Services Welfare Guidelines as revised, effective Jan 22, 2022. Ms. Oliff seconded. The motion passed 4-0.

c. Communications Update

Ms. Cowan said she's been at the Communications Committee for the last few meetings since the resignation of Selectman Browne. The committee has traditionally provided summaries of the warrant articles to the paper, but we want to turn that over to the Town Manager, as his summaries are wonderful and we should not duplicate efforts.

Bob Glowacky said Andie Kohler revamped the election site since the last election. Exeternh.gov/elections has all the information. We had a website design workshop with town staff, the Communications Committee, and our website provider Municode. In about two weeks we'll have a first look at a new exeternh.gov design. He will also be meeting with the Police and Fire Chief about the texting service they have. Mr. Dean said the Myexeter app is no longer.

Mr. Glowacky said that IT just got a call that the motion regarding masks was not heard, and the Recording Secretary read the motion for the public record.

Mr. Papakonstantis said there were website capabilities that we weren't using. Mr. Glowacky said the main one was the keyword results that we can specify, such as automatically sending searches with certain keywords to the elections page. We could also have a place with a list and a map of all town projects and their status. Most of those are in DPW, so he's working with Trisha Allen to identify those projects.

Mr. Glowacky said regarding the elections, there are a lot of short videos on YouTube about the articles, with links to read more about them.

Ms. Gilman asked if we can get the Departments to work with the committees they represent to get more information on the committee webpages. Mr. Glowacky said we're working on a best practices policy and workflow charts for both staff and committees.

d. Assessor Contract Update

Assistant Town Manager Melissa Roy was present to discuss the Assessing Contract. Ms. Roy said we have taken our Deputy Tax Assessor Janet Whitten and done a reclassification to make her the Assessor. We're now able to reorganize our MRI contract. This contract is for 2022 - 2026; the cost is split through five years, which guarantees our compliance with DRA and valuation cycles. We're planning a mid-cycle revaluation on condos and manufactured homes so they're not hit with a large tax increase at the end of the cycle.

Mr. Dean said these contracts can be terminated with 30 days' notice.

Mr. Papakonstantis said with Janet's reclassification, would it be cost efficient to hire someone to assist Janet rather than contract with MRI? Ms. Roy said using MRI is a greater savings.

MOTION: Ms. Cowan moved to authorize the Town Manager to sign the Professional Services Agreement dated January 1st, 2022 to retain professional consulting services for the town of Exeter for 2022 - 2026 to be provided by Municipal Resources Inc (MRI). Ms. Oliff seconded. All were in favor and the motion passed 4-0.

MOTION: Ms. Gilman moved to authorize the Town Manager to sign the Professional Services Agreement partial update to retain the services provided by Municipal Resources Inc (MRI). Ms. Cowan seconded. All were in favor and the motion passed 4-0.

8. Regular Business

a. Tax Abatements, Veterans Credits and Exemptions

MOTION: Ms. Gilman moved to approve a Veteran's Credit for 27/12/8 and 33/9 in the amount of \$500 for the year 2022. Ms. Cowan seconded. All were in favor and the motion passed 4-0.

MOTION: Ms. Gilman moved to approve a Solar Exemption for 97/9 in the amount of \$21,000 for the year 2022. Ms. Cowan seconded. All were in favor and the motion passed 4-0.

MOTION: Ms. Gilman moved to approve a Solar Exemption for 95/79/12 in the amount of \$11,500 for 2022. Ms. Cowan seconded. All were in favor and the motion passed 4-0.

MOTION: Ms. Gilman moved to approve a Solar Exemption for 65/169 in the amount of \$12,000 for 2022. Ms. Cowan seconded. All were in favor and the motion passed 4-0.

MOTION: Ms. Gilman moved to approve an Elderly Exemption for 104/79/612 in the amount of \$152,251 for 2022. Ms. Cowan seconded. All were in favor and the motion passed 4-0.

MOTION: Ms. Gilman moved to approve an Elderly Exemption for 87/14/20A in the amount of \$236,251 for 2022. Ms. Cowan seconded. All were in favor and the motion passed 4-0.

MOTION: Ms. Gilman moved to approve an Elderly Exemption for 104/79/226 in the amount of \$152,251 for 2022. Ms. Cowan seconded. All were in favor and the motion passed 4-0.

MOTION: Ms. Gilman moved to approve a tax abatement for 110/2/81 in the amount of \$35.25 for 2020. Ms. Cowan seconded. All were in favor and the motion passed 4-0.

MOTION: Ms. Gilman moved to approve a tax abatement for 104/71 in the amount of \$3,507.86 for 2021. Ms. Cowan seconded. All were in favor and the motion passed 4-0.

MOTION: Ms. Gilman moved to approve a tax abatement for 104/71/1 in the amount of \$1,138.07 for 2021. Ms. Cowan seconded. All were in favor and the motion passed 4-0.

MOTION: Ms. Gilman moved to approve a tax abatement for 104/71/2 in the amount of \$1,198.10 for 2021. Ms. Cowan seconded. All were in favor and the motion passed 4-0.

MOTION: Ms. Gilman moved to approve a tax abatement for 104/71/3 in the amount of \$1,308.55 for 2021. Ms. Cowan seconded. All were in favor and the motion passed 4-0.

MOTION: Ms. Gilman moved to approve a tax abatement for 104/71/4 in the amount of \$1,491.02 for 2021. Ms. Cowan seconded. All were in favor and the motion passed 4-0.

MOTION: Ms. Gilman moved to approve a tax abatement for 95/75 in the amount of \$449.80 for 2021. Ms. Cowan seconded. All were in favor and the motion passed 4-0.

b. Permits & Approvals

Mr. Papakonstantis said we received a request to waive interest as they did not receive the first tax bill. It was paid immediately once received.

MOTION: Ms. Gilman moved to waive the interest for 69/3/3 in the amount of \$68.40. Mr. Papakonstantis seconded. All were in favor and the motion passed 4-0.

c. Town Manager's Report

- i. The Finance Director's last day was last Friday. We've begun the interview process for a replacement.
- ii. We've begun the bond bank application process for July.
- iii. He was invited to Riverwoods voter information night this week
- iv. The Route 108 corridor is active again for Water and Sewer in Stratham. He attended a remote meeting on this last week.
- v. He attended a Chamber of Commerce economic forecast meeting.
- vi. He went to Concord to testify on the Waste Water State Aid Grant. Mr. Papakonstantis asked if there had been updates from Congressman Pappas's office, but Mr. Dean said no.

d. Select Board Committee Reports

- i. Ms. Oliff had no report.
- ii. Ms. Cowan had no report.

- iii. Ms. Gilman said the Conservation Commission talked about trail work. We're looking to cut off new little trails created by mountain bikers. There's a Facebook group that has volunteered to take care of the trails. There was a "Full Moon Snowshoe Trek" on Feb 12, but there was no snow, so they did a hike instead. The Tree Committee has an idea to do a big tree scavenger hunt. Exeter has 10 "big trees." The HDC approved the Academy's project on Gilman Lane and the final design of the church on Front Street. The Heritage Commission is applying for two grants, one for membership to the National Association of Preservation Commissions, and one to resurvey the waterfront commercial historic district because so much has changed there since 1980. On the State level, her committee killed several bills: one on different tax exemptions that would have added up to \$55M statewide; one regarding the budget procedures for the Gunstock Area Commission; one that would decrease the minimum lot size to .5 of an acre; and one limiting the number of parking spaces required for each building.
- iv. Mr. Papakonstantis attended the Housing Committee meeting along with town staff when Congressman Pappas and his staff came.

e. Correspondence

- i. Several communications regarding masks.
- ii. A notice from Xfinity regarding program changes.

9. Review Board Calendar

- a. The next meetings are March 14 and March 28. The election is March 8.

10. Non-Public Session

MOTION: Ms. Cowan moved to enter into non public session under RSA 91-A:3II(c). Ms. Oliff seconded. In a roll call vote, all were in favor and the motion passed 4-0. The meeting entered non public at 8:14 PM.

11. Adjournment

MOTION: Ms. Oliff moved to adjourn. Ms. Gilman seconded. The motion carried and the Board stood adjourned at 8:45 PM.

Respectfully Submitted,
Joanna Bartell
Recording Secretary

Appointments

Board and Committee Appointments

March 14th, 2022

Appointments

Eduardo Contreras, Budget Recommendations Committee

Joseph Alexander, Historic District Commission, Alternate Member, term to expire 4/30/24

Discussion /Action Items

Recap of Town Meeting Voting from March 8th

**TOWN OF EXETER
MEMORANDUM**

TO: Select Board
FROM: Town Manager *Russ*
RE: Recap of Town Voting
DATE: March 14th, 2022

Town and School District Moderator Kate Miller will be present at Monday night's meeting to discuss the School and Town Elections held on March 8th.



Ballots Cast 3,090 11,310 total Voters

BALLOT 1 OF 3

OFFICIAL BALLOT
ANNUAL TOWN ELECTION
EXETER, NEW HAMPSHIRE
MARCH 8, 2022

2790

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>FOR SELECTMEN</p> <p>Three Year Term Vote for not more than TWO <u>2142</u></p> <p>JULIE GILMAN ●</p> <p>NIKO PAPKONSTANTIS ●</p> <p><u>2144</u> (Write-in) ○</p> <p>(Write-in) ○</p>	<p>FOR TRUSTEES OF THE LIBRARY</p> <p>Three Year Term Vote for not more than THREE</p> <p>LINDA TOBER <u>2016</u> ●</p> <p>KATHY CORSON <u>2120</u> ●</p> <p>BARBARA YOUNG <u>2065</u> ●</p> <p>(Write-in) ○</p> <p>(Write-in) ○</p> <p>(Write-in) ○</p>	<p>FOR TRUSTEE OF SWASEY PARKWAY</p> <p>Three Year Term Vote for not more than ONE</p> <p>DWANE STAPLES <u>2313</u> ●</p> <p>(Write-in) ○</p>
<p>FOR SELECTMEN</p> <p>One Year Term Vote for not more than ONE <u>2276</u></p> <p>NANCY BELANGER ●</p> <p>(Write-in) ○</p>	<p>FOR TRUSTEE OF THE ROBINSON FUND</p> <p>Seven Year Term Vote for not more than ONE</p> <p>JANE McCAFFERY <u>2245</u> ●</p> <p>(Write-in) ○</p>	<p>FOR TRUSTEE OF THE TRUST FUNDS</p> <p>Three Year Term Vote for not more than ONE</p> <p>COREY STEVENS <u>2243</u> ●</p> <p>(Write-in) ○</p>
<p>FOR SUPERVISOR OF THE CHECKLIST</p> <p>Six Year Term Vote for not more than ONE <u>2296</u></p> <p>MICHELLE BERKE ●</p> <p>(Write-in) ○</p>		

ARTICLES

Article 2
Zoning Amendment #1: By petition, are you in favor of the adoption of an Amendment to the Town of Exeter's Zoning Ordinance to revise the definition of "Bed and Breakfast" contained in Article 2.2.12 as follows:

The proposed Amendment will be underlined text for proposed additions and strikethrough text for proposed deletions.

Bed and Breakfast: The primary dwelling of an owner-operator and or detached accessory structure on the same property, that provides exclusively for the lodging of transient guests and whose posted rates shall include breakfast. A Bed and Breakfast shall not be used for any other hospitality or business-related use. A Bed and Breakfast shall have not more than four (4) rentable rooms and a dining area capable of accommodating the number of registered guests. The Planning Board recommends this article 6-0.

2401
YES ●
NO ○
454

Article 3
Shall the Town vote to raise and appropriate the sum of five million seven hundred thousand and zero dollars (\$5,700,000) for the purpose of design and construction of a new sewer pump station and force main on Webster Avenue, and to authorize the issuance of not more than \$5,700,000 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 funding through a \$1.05 million dollar federal grant, \$1.395 million in state ARPA funds, and \$325,500 in principal forgiveness from the NHDES. Bond payments would begin approximately one year after issuance. Debt service to be paid from the sewer fund. (3/5 ballot vote required for approval.) Recommended by the Select Board 4-0.

2226
YES ●
NO ○
614

TURN BALLOT OVER AND CONTINUE VOTING

ARTICLES CONTINUED

Article 4

Shall the Town vote to raise and appropriate the sum of one million two hundred fifty thousand dollars (\$1,250,000) for the purchase of land and buildings at 10 Hampton Road (aka the Qessential Building), including making minor renovations to the property, to be used by the Parks and Recreation Department as recreation space, public parking and main offices, and to authorize the issuance of not more than \$1,250,000 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 .86% interest: .067/1,000, \$6/100,000 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.

2123
YES
NO
761

Article 5

Shall the Town vote to raise and appropriate the sum of three hundred thirty thousand seven hundred and fifteen dollars (\$330,715) for the purpose of design and engineering of water, sewer and drainage improvements in the Westside Drive area, and to authorize the issuance of not more than \$330,715 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 a \$100,000 grant to offset the cost of this project. Debt service will be paid from the general fund, water fund, and sewer fund. (Estimated Tax Impact: assuming 5-year bond at .50% interest: .006/1,000, \$.63/100,000 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.

2176
YES
NO
658

Article 6

Shall the Town vote to choose all other necessary Town Officers, Auditors or Committees for the ensuing year.
BUDGET RECOMMENDATIONS COMMITTEE: Liz Canada, Kathy Corson, Enna Grazier, Bob Kelly, Judy Rowan, Christine Soutter, Cory Stevens, Chris Zigmont, Anthony Zwaan
FENCE VIEWER: Doug Eastman;
MEASURER OF WOOD & BARK: Doug Eastman; **WEIGHER:** Jay Perkins

2416
YES
NO
274

Article 7

Shall the Town of Exeter 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 \$20,387,002. Should this article be defeated, the default budget shall be \$20,084,542, 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: .17/1,000 assessed property value, \$17/100,000 assessed property value). (Majority vote required) Recommended by the Select Board 4-0.

2001
YES
NO
781

Article 8

Shall the Town of Exeter 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 \$4,249,390. Should this article be defeated, the water default budget shall be \$4,161,433, 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.

2027
YES
NO
772

Article 9

Shall the Town of Exeter 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 \$7,385,953. Should this article be defeated, the default budget shall be \$7,298,636, 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.

1994
YES
NO
788

Article 10

Shall the Town vote to approve the cost items included in the four-year collective bargaining agreement reached between the Select Board and the Exeter Police Association, which calls for the following increased salaries and benefits at the current staffing levels:

Year	Estimated Salary/Benefits Increase
FY22	\$38,749
FY23	\$37,431
FY24	\$55,513
FY25	\$78,204

2186
YES
NO
651

And further, to raise and appropriate the sum of thirty-eight thousand, seven hundred and forty-nine dollars (\$38,749) for the 2022 fiscal year, such sum representing the additional costs attributable to the increase in salaries and benefits over those of the appropriation at current staffing levels. (Estimated Tax Impact: .017/1,000, \$1.73/100,000 assessed property value). (Majority vote required) Recommended by the Select Board 4-0.

GO TO NEXT BALLOT AND CONTINUE VOTING



**OFFICIAL BALLOT
ANNUAL TOWN ELECTION
EXETER, NEW HAMPSHIRE
MARCH 8, 2022**

Andrea J. Kohler
TOWN CLERK

ARTICLES CONTINUED

Article 11

Shall the town vote to approve the cost items included in the three-year collective bargaining agreement reached between the Select Board and the Exeter Firefighters Local 3491, which calls for the following increased salaries and benefits at the current staffing levels:

2236
YES
NO
539

Year	Estimated Salary/Benefits Increase
FY22	\$54,408
FY23	\$72,593
FY24	\$68,174

And further, to raise and appropriate the sum of fifty-four thousand, four hundred and eight dollars (\$54,408) for the 2022 fiscal year, such sum representing the additional costs attributable to the increase in salaries and benefits over those of the appropriation at current staffing levels. (Estimated Tax Impact: .024/1,000, \$2.43/100,000 assessed property value). (Majority vote required) Recommended by the Select Board 4-0.

Article 12

Shall the Town vote to approve the cost items included in the three-year collective bargaining agreement reached between the Select Board and the SEIU (Service Employees International Union) Local 1984 covering Public Works and Administrative/Clerical employees, which calls for the following increased salaries and benefits at the current staffing levels:

2159
YES
NO
665

Year	Water/Sewer Fund	General Fund	Total
FY22	\$22,082	\$29,145	\$51,227
FY23	\$17,538	\$17,899	\$35,437
FY24	\$26,976	\$33,003	\$59,979

And further, to raise and appropriate the sum of fifty-one thousand two hundred and twenty-seven dollars (\$51,227) for the 2022 fiscal year, such sum representing the additional costs attributable to the increase in salaries and benefits over those of the appropriation at current staffing levels. The amounts raised will be \$29,145 through taxation (General Fund), and \$22,082 (Water/Sewer Funds). (Estimated Tax Impact: .013/1,000, \$1.30/100,000 assessed property value). (Majority vote required) Recommended by the Select Board 4-0.

Article 13

Shall the Town vote to authorize the Select Board to enter into a 10-year lease/purchase agreement for \$650,000 for the purpose of lease/purchasing a replacement for Engine 5 in the Fire Department, and to raise and appropriate the sum of eighty-two thousand three hundred fifty-five dollars (\$82,355), which represents the first of 10 annual payments (a total of \$745,453) for this purpose. This lease/purchase will contain an escape (non-appropriation) clause. This sum to come from general taxation. (Estimated Tax Impact: .037/1,000, \$3.68/100,000 assessed property value). (Majority vote required) Recommended by the Select Board 4-0.

2128
YES
NO
724

Article 14

Shall the Town vote to authorize the Select Board to enter into a 7-year lease/purchase agreement for the purpose of lease/purchasing SCBA (Self-Contained Breathing Apparatus) equipment for the Exeter Fire Department, and to raise and appropriate the sum of \$59,064, which represents the first of 7 annual payments (a total of \$385,547), for this purpose. This lease agreement shall contain an escape clause. (Estimated Tax Impact: .026/1,000, \$2.64/100,000 assessed property value). (Majority vote required) Recommended by the Select Board 4-0.

2318
YES
NO
534

Article 15

Shall the Town vote to raise and appropriate the sum of two hundred forty-nine thousand dollars (\$249,000) for the purpose of making improvements to the Raynes Barn located on Newfields Road. The appropriation of \$249,000 will be offset by an LCHIP grant (\$100,000) and a withdrawal from the Conservation Fund (\$49,000) with the balance of \$100,000 to be appropriated 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.

2132
YES
NO
720

Article 16

Shall the Town vote to authorize the Select Board to enter into a 5-year lease/purchase agreement for the purpose of lease/purchasing body cameras and associated equipment for the Exeter Police Department, and to raise and appropriate the sum of \$42,846, which represents the first of 5 annual payments (a total of \$204,139), for this purpose. This lease agreement shall contain an escape clause. (Estimated Tax Impact: .019/1,000, \$1.91/100,000 assessed property value). (Majority vote required) Recommended by the Select Board 4-0.

2203
YES
NO
659

Article 17

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 engineering services related to sewer capacity rehabilitation. This sum to come from sewer funds. (Majority vote required) Recommended by the Select Board 4-0.

2166
YES
NO

TURN BALLOT OVER AND CONTINUE VOTING

649

ARTICLES CONTINUED

Article 18

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 unassigned fund balance. (Estimated Tax Impact: None. No amount to be raised by taxation). (Majority vote required) Recommended by the Select Board 4-0.

2221
YES
NO
544

Article 19

Shall the Town vote to raise and appropriate, through special warrant article, the sum of seventy-one thousand eight hundred and one dollars (\$71,801), for the purpose of purchasing a replacement for Highway Truck #9, purchased in 2007. This replacement is for an existing 1 ton truck to a 1.5 ton "Switch and Go" Hook truck F-550. This vehicle is primarily used for light duty hauling, landscaping, asphalt work, drainage and catch basin maintenance. 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.

2133
YES
NO
624

Article 20

Shall the Town vote to raise and appropriate, through special warrant article, the sum of fifty-nine thousand four hundred and eighty-one dollars (\$59,481), for the purpose of purchasing a replacement hotbox asphalt reclaiming for the Highway Department. This is the Department's primary equipment to fill potholes. The current hotbox was purchased in 2005. (Estimated Tax Impact: .027/1,000, \$2.65/100,000 assessed property value). (Majority vote required) Recommended by the Select Board 4-0.

2049
YES
NO
680

Article 21

Shall the Town vote to raise and appropriate, through special warrant article, the sum of fifty thousand dollars (\$50,000) for the purpose of conducting and creating an intersection improvement proposal with preliminary designs, to improve intersections and intersection areas, including Pine/Front/Linden Street, Front Street/Water Street, Clifford Street/Water Street, Winter Street/Columbus Avenue/Railroad Avenue, and others. This sum to come from general taxation. (Estimated Tax Impact: .022/1,000, \$2.23/100,000 assessed property value). (Majority vote required) Recommended by the Select Board 4-0.

1934
YES
NO
921

Article 22

Shall the Town vote to 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 general taxation \$25,000, water funds \$12,500, and sewer funds \$12,500). (Estimated Tax Impact: .011/1,000, \$1.12/100,000 assessed property value). (Majority vote required) Recommended by the Select Board 3-1.

1328
YES
NO
1365

Article 23

Shall the Town vote to raise and appropriate, through special warrant article, the sum of forty-seven thousand nine hundred and sixty-nine dollars (\$47,969), for the purpose of purchasing and equipping a replacement for Fire Department Car 3. This purchase would replace a 2010 Ford Expedition with an F250 Pickup. 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.

2015
YES
NO
737

Article 24

Shall the Town vote to raise and appropriate, through special warrant article, the sum of forty-five thousand and zero dollars (\$45,000), for the purpose of hiring a consultant to conduct a facilities condition assessment (FCA) and set up a database for Town facilities. The assessment will include an accounting and evaluation of all Town buildings and their systems. The consultant will input the data from the assessment into a software system that will be used by the Town for facility maintenance and capital asset planning. This sum to come from general taxation. (Estimated Tax Impact: .020/1,000, \$2.01/100,000 assessed property value). (Majority vote required) Recommended by the Select Board 4-0.

1552
YES
NO
1156

Article 25

Shall the Town vote to raise and appropriate, through special warrant article, the sum of forty-four thousand seven hundred and fifty dollars (\$44,750), for the purpose of purchasing a replacement for Jeep Patriot #65 in the Public Works Department. This purchase would replace a 2013 Jeep Patriot with a Ford Explorer Hybrid vehicle. (Estimated Tax Impact: .020/1,000, \$2.00/100,000 assessed property value). (Majority vote required) Recommended by the Select Board 4-0.

1488
YES
NO
1231

Article 26

Shall the Town vote to raise and appropriate, through special warrant article, the sum of twenty-five thousand and zero dollars (\$25,000), for the purpose of conducting a town wide bicycle/pedestrian plan as outlined in the Town Master Plan. This sum to come from general taxation. (Estimated Tax Impact: .011/1,000, \$1.12/100,000 assessed property value). (Majority vote required) Recommended by the Select Board 4-0.

1846
YES
NO
905

Article 27

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 4-0.

2067
YES
NO
650

Article 28

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 4-0.

2253
YES
NO

GO TO NEXT BALLOT AND CONTINUE VOTING

487



OFFICIAL BALLOT
ANNUAL TOWN ELECTION
EXETER, NEW HAMPSHIRE
MARCH 8, 2022

Andrea J. Kohler
TOWN CLERK

ARTICLES CONTINUED

Article 29

Shall the Town vote to raise and appropriate the sum of three thousand six hundred and twenty-five dollars (\$3,625) to be added to the Swasey Parkway 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.

2514
YES
NO
364

Article 30

Shall the Town vote to establish a revolving fund pursuant to RSA 31:95-h, for the purpose of making capital improvements to, equipping and maintaining the Town Hall building. All revenues received from the rental of space in the Town Hall will be deposited into the fund, and the money in the fund shall be allowed to accumulate year to year, and shall not be considered part of the Town's general 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 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. Further to raise and appropriate the sum of \$5,000 to be placed in the revolving fund as an initial balance. 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.

2401
YES
NO
449

Article 31

Shall the Town vote to appoint the Arts and Culture Commission as agents to expend from the Exeter Arts Program Donation Trust Fund created by vote of the 2009 Town Meeting in place of the Exeter Arts Committee which no longer exists. (Majority vote required) Recommended by the Select Board 4-0.

2307
YES
NO
535

Article 32

Shall the Town vote to adopt the Exeter Electric Aggregation Plan (voted upon by the Exeter Community Power Aggregation Committee on 12/29/21) which authorizes the Select Board to implement a Community Power Aggregation program as described therein. Community Power Aggregation programs, pursuant to State statute RSA 53-E, allow municipalities to purchase electric energy supply on behalf of their residents and businesses with the goals of allowing for more local control of energy sources, lowering relative costs, expanding access to renewable energy sources, and supporting the development of innovative energy projects. (Majority vote required) Recommended by the Select Board 4-0.

2352
YES
NO
474

Article 33

Shall the Town vote, subject to the Town obtaining approval from both the Rockingham County Probate Court and NH Division of Charitable Trusts, to close and discontinue Swasey Parkway as a public roadway from Water Street to the Pavilion, while still allowing traffic to enter from Newfields Road to park and turn around.

1819
YES
NO
1083

This action, if approved by the voters, will be conditioned on the following:

- a) Retaining the paved surface in the discontinued portion for the use of pedestrians, non-motorized vehicles, maintenance vehicles and emergency vehicles.
- b) The northerly portion of the roadway shall remain a Class V highway.

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

Article 34

By petition of Andrew Elliott and others
Washington Street Improvements

Shall the Town vote to raise and appropriate the sum of two hundred and sixty thousand and zero dollars (\$260,000) for the design and construction of road improvements (sidewalks, tree work, and traffic calming) on Washington Street. This sum to come from General taxation. (Estimated Tax Impact: .116/1,000 or \$11.60/100,000 assessed property value). (Majority vote required) Not recommended by the Select Board 0-4.


900
YES
NO
1915

YOU HAVE NOW COMPLETED VOTING THIS BALLOT

2022 Exeter Warrant Article Results		Amounts	Yes	No	Total Votes	% Yes	% No	Result
Article 1	Election							
Article 2	Zoning #1		2401	454	2855	84.1%	15.9%	Pass
Article 3	Webster Avenue Pump Station	5,700,000	2226	614	2840	78.4%	21.6%	Pass
Article 4	10 Hampton Road Purchase	1,250,000	2123	761	2884	73.6%	26.4%	Pass
Article 5	Westside Drive Design/Engineering	330,715	2176	658	2834	76.8%	23.2%	Pass
Article 6	Budget Recs Committee		2416	274	2690	89.8%	10.2%	Pass
Article 7	Operating Budget	20,387,002	2001	781	2782	71.9%	28.1%	Pass
Article 8	Water Budget	4,249,390	2027	772	2799	72.4%	27.6%	Pass
Article 9	Sewer Budget	7,385,953	1994	788	2782	71.7%	28.3%	Pass
Article 10	Police CBA	38,749	2186	651	2837	77.1%	22.9%	Pass
Article 11	Fire CBA	54,408	2236	539	2775	80.6%	19.4%	Pass
Article 12	SEIU CBA	51,227	2159	665	2824	76.5%	23.5%	Pass
Article 13	Engine 5 Replacement	82,355	2128	724	2852	74.6%	25.4%	Pass
Article 14	Fire SCBA Equipment	59,064	2318	534	2852	81.3%	18.7%	Pass
Article 15	Raynes Barn LCHIP	100,000	2132	720	2852	74.8%	25.2%	Pass
Article 16	Police Body Cameras	42,846	2203	659	2862	77.0%	23.0%	Pass
Article 17	Sewer Capacity Rehabilitation	200,000	2166	649	2815	76.9%	23.1%	Pass
Article 18	Parks Improvement Fund	100,000	2227	544	2771	80.4%	19.6%	Pass
Article 19	Highway Truck #9 Replacement	71,801	2133	624	2757	77.4%	22.6%	Pass
Article 20	DPW Hotbox Replacement	59,481	2049	680	2729	75.1%	24.9%	Pass
Article 21	Intersection Improvement Plans	50,000	1834	921	2755	66.6%	33.4%	Pass
Article 22	DPW Complex Design	50,000	1328	1365	2693	49.3%	50.7%	Fail
Article 23	Fire Department Car 3 Replacement	47,969	2015	737	2752	73.2%	26.8%	Pass
Article 24	Facilities Condition Assessment	45,000	1552	1156	2708	57.3%	42.7%	Pass
Article 25	Jeep Patriot #65 Replacement	44,750	1488	1231	2719	54.7%	45.3%	Pass
Article 26	Bike/Pedestrian Plan	25,000	1846	905	2751	67.1%	32.9%	Pass
Article 27	Sick Leave Expendable Trust	100,000	2067	650	2717	76.1%	23.9%	Pass
Article 28	Snow and Ice Deficit Fund	50,000	2253	487	2740	82.2%	17.8%	Pass
Article 29	Swasey Parkway Trust Fund	3,625	2514	364	2878	87.4%	12.6%	Pass
Article 30	Town Hall Revolving Fund	5,000	2401	449	2850	84.2%	15.8%	Pass
Article 31	Arts Culture Commission Agents to Expend		2307	535	2842	81.2%	18.8%	Pass
Article 32	Exeter Community Power Program		2352	474	2826	83.2%	16.8%	Pass
Article 33	Swasey Parkway Closure		1819	1083	2902	62.7%	37.3%	Pass
Article 34	Elliott Petition re: Washington Street	260,000	900	1915	2815	32.0%	68.0%	Fail

Committee Meeting Protocols

**TOWN OF EXETER
MEMORANDUM**

TO: Select Board
FROM: Town Manager 
RE: Committee Meeting Protocols
DATE: March 14th, 2022

This discussion item is to review committee meeting protocols. Committees are meeting with members zooming in, so a review of the 91-A requirements for participating remotely are in order. Committees will be notified of any outcomes from the Select Board discussion. Relevant sections of 91-A are 91-A:2, Section 3 a, b, and c.

Section 91-A:2

91-A:2 Meetings Open to Public. –

I. For the purpose of this chapter, a "meeting" means the convening of a quorum of the membership of a public body, as defined in RSA 91-A:1-a, VI, or the majority of the members of such public body if the rules of that body define "quorum" as more than a majority of its members, whether in person, by means of telephone or electronic communication, or in any other manner such that all participating members are able to communicate with each other contemporaneously, subject to the provisions set forth in RSA 91-A:2, III, for the purpose of discussing or acting upon a matter or matters over which the public body has supervision, control, jurisdiction, or advisory power. A chance, social, or other encounter not convened for the purpose of discussing or acting upon such matters shall not constitute a meeting if no decisions are made regarding such matters. "Meeting" shall also not include:

(a) Strategy or negotiations with respect to collective bargaining;

(b) Consultation with legal counsel;

(c) A caucus consisting of elected members of a public body of the same political party who were elected on a partisan basis at a state general election or elected on a partisan basis by a town or city which has adopted a partisan ballot system pursuant to RSA 669:12 or RSA 44:2; or

(d) Circulation of draft documents which, when finalized, are intended only to formalize decisions previously made in a meeting; provided, that nothing in this subparagraph shall be construed to alter or affect the application of any other section of RSA 91-A to such documents or related communications.

II. Subject to the provisions of RSA 91-A:3, all meetings, whether held in person, by means of telephone or electronic communication, or in any other manner, shall be open to the public. Except for town meetings, school district meetings, and elections, no vote while in open session may be taken by secret ballot. Any person shall be permitted to use recording devices, including, but not limited to, tape recorders, cameras, and videotape equipment, at such meetings. Minutes of all such meetings, including nonpublic sessions, shall include the names of members, persons appearing before the public bodies, and a brief description of the subject matter discussed and final decisions. The names of the members who made or seconded each motion shall be recorded in the minutes. Subject to the provisions of RSA 91-A:3, minutes shall be promptly recorded and open to public inspection not more than 5 business days after the meeting, except as provided in RSA 91-A:6, and shall be treated as permanent records of any public body, or any subordinate body thereof, without exception. Except in an emergency or when there is a meeting of a legislative committee, a notice of the time and place of each such meeting, including a nonpublic session, shall be posted in 2 appropriate places one of which may be the public body's Internet website, if such exists, or shall be printed in a newspaper of general circulation in the city or town at least 24 hours, excluding Sundays and legal holidays, prior to such meetings. An emergency shall mean a situation where immediate undelayed action is deemed to be imperative by the chairman or presiding officer of the public body, who shall post a notice of the time and place of such meeting as soon as practicable, and shall employ whatever further means are reasonably available to inform the public that a meeting is to be held. The minutes of the meeting shall clearly spell out the need for the emergency meeting. When a meeting of a legislative committee is held, publication made pursuant to the rules of the house of representatives or the senate, whichever rules are appropriate, shall be sufficient notice. If the charter of any city or town or guidelines or rules of order of any public body require a broader public access to official meetings and records than herein described, such charter provisions or guidelines or rules of order shall take precedence over the requirements of this chapter. For the purposes of this paragraph, a business day means the hours of 8 a.m. to 5 p.m. on Monday through Friday, excluding national and state holidays.

II-a. If a member of the public body believes that any discussion in a meeting of the body, including in a nonpublic session, violates this chapter, the member may object to the discussion. If the public body continues the discussion despite the objection, the objecting member may request that his or her objection be recorded in the minutes and may then continue to participate in the discussion without being subject to the penalties of RSA 91-A:8, IV or V. Upon such a request, the public body shall record the member's objection in its minutes of the meeting. If the objection is to a discussion in nonpublic session, the objection shall also be recorded in the public minutes, but the notation in the public minutes shall include only the member's name, a statement that he or she objected to the discussion in nonpublic session, and a reference to the provision of RSA 91-A:3, II, that was the basis for the discussion.

II-b. (a) If a public body maintains an Internet website or contracts with a third party to maintain an Internet website on its behalf, it shall either post its approved minutes in a consistent and reasonably accessible location on the website or post and maintain a notice on the website stating where the minutes may be reviewed and copies requested.

(b) If a public body chooses to post meeting notices on the body's Internet website, it shall do so in a consistent and reasonably accessible location on the website. If it does not post notices on the website, it shall post and maintain a notice on the website stating where meeting notices are posted.

III. A public body may, but is not required to, allow one or more members of the body to participate in a meeting by electronic or other means of communication for the benefit of the public and the governing body, subject to the provisions of this paragraph.

(a) A member of the public body may participate in a meeting other than by attendance in person at the location of the meeting only when such attendance is not reasonably practical. Any reason that such attendance is not reasonably practical shall be stated in the minutes of the meeting.

(b) Except in an emergency, a quorum of the public body shall be physically present at the location specified in the meeting notice as the location of the meeting. For purposes of this subparagraph, an "emergency" means that immediate action is imperative and the physical presence of a quorum is not reasonably practical within the period of time requiring action. The determination that an emergency exists shall be made by the chairman or presiding officer of the public body, and the facts upon which that determination is based shall be included in the minutes of the meeting.

(c) Each part of a meeting required to be open to the public shall be audible or otherwise discernable to the public at the location specified in the meeting notice as the location of the meeting. Each member participating electronically or otherwise must be able to simultaneously hear each other and speak to each other during the meeting, and shall be audible or otherwise discernable to the public in attendance at the meeting's location. Any member participating in such fashion shall identify the persons present in the location from which the member is participating. No meeting shall be conducted by electronic mail or any other form of communication that does not permit the public to hear, read, or otherwise discern meeting discussion contemporaneously at the meeting location specified in the meeting notice.

(d) Any meeting held pursuant to the terms of this paragraph shall comply with all of the requirements of this chapter relating to public meetings, and shall not circumvent the spirit and purpose of this chapter as expressed in RSA 91-A:1.

(e) A member participating in a meeting by the means described in this paragraph is deemed to be present at the meeting for purposes of voting. All votes taken during such a meeting shall be by roll call vote.

Source. 1967, 251:1. 1969, 482:1. 1971, 327:2. 1975, 383:1. 1977, 540:3. 1983, 279:1. 1986, 83:3. 1991, 217:2. 2003, 287:7. 2007, 59:2. 2008, 278:2, eff. July 1, 2008 at 12:01 a.m.; 303:4, eff. July 1, 2008. 2016, 29:1, eff. Jan. 1, 2017. 2017, 165:1, eff. Jan. 1, 2018; 234:1, eff. Jan. 1, 2018. 2018, 244:1, eff. Jan. 1, 2019.

Section 91-A:2-a

Police Department Update

ARPA Funding: Siphons Project



TOWN OF EXETER, NEW HAMPSHIRE

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

www.exeternh.gov

MEMORANDUM

TO: Russ Dean, Town Manager
FROM: Melissa Roy, Assistant Town Manager/ HR Director
RE: Squamscott River Sewer Siphon Project
DATE: 3/10/2022

Squamscott River Sewer Siphon Project Budget & Funding Sources			
Original FY20 Project Warrant		\$1,400,000	Approved FY20
Additional Project Costs Due to condition of the Siphons		\$1,200,000	
New Total Project Cost		\$2,600,000	
Project Budget			
	Expenses To-Date	Available Funding	
FY202 Warrant (1.4 Million)	\$422,250	\$977,750	Design, planning, permitting
Congressionally Directed Spending	-	\$600,000	
NHDES - Wastewater Infrastructure CWSRF ARPA Grant Offering (Group1)- 2021	-	\$180,000	
Project Deficit		\$420,000	Recommend Select Board approve utilizing Exeter allocated ARPA funds to cover project gap.

The Squamscott Sewer Siphons project was initially approved on the 2020 Town Warrant for \$1.4 million. As we heard last year, there was significant damage to the siphons running under the river, forcing the project to stop and be re-evaluated. It has been determined the best option to continue is to leave the current siphons in place and drill three new sewer siphons to avoid any possible collapse of the current siphons. The new project scope adds \$1.2 million to the project costs, now estimated at \$2.6 million.

The Town secured alternative funding from both the federal and state government to offset costs. Exeter expects to receive \$600,000 from the congressionally directed spending program and \$180,000 from the NHDES Wastewater Infrastruces SWSRF ARPA Grant program. There is still a deficit in the funding of \$420,000. We are recommending the Town authorize \$420,000 from the town-allocated ARPA funds to cover the projected deficit. This is an approved use of the ARPA funds.

I will be present at the meeting to answer any questions. I have provided a motion below in the event the Select Board decides to recommend using ARPA funds to approve all the necessary funding for the Squamscott Sewer Siphon Project.

Squamscott River Sewer Siphon Funding Motion: I move that the Select Board, as recommended by the Town Manager, authorize up to \$420,000 from the Town allocated ARPA funds to be used for the Squamscott River Sewer Siphon project. This authorization completes the necessary approval needed for the total project costs.

Legislative Updates: Selectwoman Gilman

Good-Bye and Hello

Many local officials completed their terms of office this week, and some will next week. Whatever the timing, we thank all of you for the time and energy you have devoted to public service, including your work on behalf of NHMA. For those who have never served in local government, it is difficult to appreciate how much work and time are involved, and how thankless the task can be. We hope you will enjoy your time off.

Meanwhile, we enthusiastically welcome all of the new officials. We look forward to working with you in the coming years. Our annual update to the Municipal Officials Directory is underway, so please be sure to provide updated contact information for your municipality. Local officials who are not yet subscribed to the *Legislative Bulletin* can do so here.

Some who are new to local government may not fully appreciate the extent to which state legislation affects what happens at the local level—but you will learn quickly. We hope you will read the *Legislative Bulletin*, get to know your legislators, think about what you can do to influence state policy, and let us know when you have questions or ideas.

A Busy Week Ahead

Thursday, March 17, is the last day for the House to act on House bills not in a second committee and the deadline for Senate policy committees to act on all Senate bills with a fiscal impact, except bills exempted pursuant to Senate Rule 4-5. As a consequence, the House will meet Tuesday, Wednesday, and Thursday in order to act on all bills not in a second committee. The Senate will meet Thursday. There will be few committee hearings in either body.

Please note that the House bills that we discussed in last week's *Bulletin* are being voted on this coming week. Members should contact their representatives to ask them to vote *against* the committee recommendations on the following bills: HB 1033, prohibiting municipalities from using funds collected from property taxes to lobby the state legislature (also written about below); HB 1268, the city council powers bill; HB 1272, the health officer bill; HB 1070, the default budget bill; and HB 1073, the attorney-client privilege exemption repeal bill.

Please note that the House has yet to concur, non-concur, or non-concur with request for a committee of conference on HB 307, which would punish local officials for adopting a local ordinance that exceeds their authority on guns. That bill, which we wrote about in *Bulletin* #3, was amended by the Senate, after passing the House, and now awaits further action by the House. We urge members to ask their representatives to vote to non-concur with the Senate and let the bill die.

Reminder: House Bill 1033

Reminder: Please contact your representatives as soon as possible and ask them to *kill* HB 1033—the bill that would prohibit municipalities from using any "funds collected from property taxes" to lobby the state legislature. We are asking legislators to vote *against* the committee recommendation of Ought to Pass and *for* an Inexpedient to Legislate motion or any other motion that would kill the bill.

We explained in *Bulletin* #10 and in a recent communication to our membership how HB 1033 hurts local government, and we think that this is a great opportunity for our members to explain to legislators why the lobbying efforts of NHMA and similar organizations are so important. Membership organizations for local governments provide education and support for local officials, while helping them to advocate, engage, and work with the legislature and other policymakers in an efficient and beneficial way. When the pandemic shut down the world in 2020, it was advocacy efforts at the state legislature that crafted a workable solution to delayed town meetings; brought \$32 million in federal CARES Act funds to cities; and *still* helped secure \$50 million in state funding for cities and towns to deal with PFAS in drinking water. The very next year, advocacy efforts at the state legislature resulted in 30 percent of meals and rooms tax revenue being distributed to towns and cities, with a total estimated value of \$196 million dollars. This year, municipal advocacy helped the House reverse a committee recommendation to kill a bill that would provide a 7.5 percent state contribution to the

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March 11, 2022

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GOVERNMENT AFFAIRS CONTACT INFORMATION

Margaret M.L. Byrnes
Executive Director

Natch Greyes
Government Affairs Counsel

Katherine Heck
Government Finance Advisor

Timothy W. Fortier
Communications Coordinator

Pam Valley
Administrative Assistant



25 Triangle Park Drive
Concord NH 03301
603.224.7447
governmentaffairs@nhmunicipal.org

employer's share of the New Hampshire Retirement System obligation, saving an \$27.7 million in fiscal year 2023 and \$28.4 million in fiscal year 2024. And those are just *some* of the *recent* examples of how advocacy improves local operations, and of the kind of results that would be much less likely if HB 1033 passes.

We are hopeful that the House will reverse the committee recommendation and support municipalities by killing HB 1033.

Election Law Committee Tackles Important Bills

On Wednesday, the House Election Law Committee voted on three bills that NHMA is following closely this year.

The first bill, HB 1064, the hand-count bill that we wrote about previously, was unanimously recommended as Inexpedient to Legislate. Had the bill been enacted, every election in New Hampshire would have had to be hand-counted. If the House agrees with the committee's recommendation during its session next week, New Hampshire cities and towns will continue to decide for themselves whether to use the AccuVote machines.

The second bill, HB 1485, which we mentioned in Bulletin #2, would have created a procedure for the direct recall of any local elected official serving a 3-year term. At the recommendation of the sponsor and with the consent of the cosponsors, the bill was unanimously recommended as Inexpedient to Legislate.

The third bill, HB 1567, which we also mentioned in Bulletin #2, was substantially modified by an amendment prior to receiving an Ought to Pass with Amendment recommendation with bipartisan support. As written, HB 1567 would have allowed any registered voter to bring suit in superior court against any municipal election official for failure to perform his or her election duties. Wisely, the committee recognized that RSA chapter 666 makes the attorney general responsible for the enforcement of the election laws, and the amendment modified the bill substantially to remove private causes of action in favor of action by the attorney general's office. Unfortunately, the amendment does grant the attorney general's office the authority to subject a municipality to a civil penalty and restitution upon negligent action of an election official. We are concerned about the recent legislative trend of trying to impose fines on municipalities for the misdeeds—intentional or negligent—of their officials. If an election official has truly failed to perform his or her duties in a material way, it seems the appropriate remedy is to remove the official from office, since the failure to perform duties imposed by law is a violation of the oath of office.

These bills, like all other House bills not going to a second committee, will be addressed by the House on or before March 17. Given the committee's recommendations on these three bills, it is likely that only HB 1567 will be moving on to the Senate.

Stiff Opposition to Privacy Bill

On Tuesday, the Senate Election Law and Municipal Affairs Committee heard testimony on HB 597 as amended by the House. The bill establishes an "expectation of privacy in personal information" and states that "[n]o municipal, county, state, or federal department, agency, employee, elected official, or contractor shall, acquire, collect, retain, or use any personal information of any individual residing in New Hampshire from any third-party provider," subject to six exceptions.

This bill has had a long life before coming to the Senate. It was originally filed last year, retained by the House, and worked on over the summer and fall by the House committee, resulting in an amendment, which was adopted by the House prior to passage of the bill. NHMA has opposed the bill throughout the process primarily because the vague and undefined language of the bill would have serious, unintended consequences for municipal government. Tuesday's hearing saw testimony on the bill not only from a municipal attorney, who raised additional concerns, but also from law enforcement, the Business and Industry Association, and other private industry groups who identified the language of the bill as prohibiting activities commonly engaged in by a wide swath of New Hampshire businesses.

Although not taking a position, the Department of Justice provided additional, extensive testimony highlighting how HB 597 would cut into a grand jury's ability to investigate, and that none of the six exceptions would allow a grand jury to perform the kind of work that it ordinarily engages in. Additional testimony by a police chief highlighted other difficulties for law enforcement's investigative capacities created by the language of the bill.

Of particular interest to municipalities, testimony from a city attorney highlighted the issues created by the bill's language. Some issues included sharing information between governmental and semi-governmental entities, such as public water systems and city officials; the lack of exception for municipal regulatory agencies; and issues related to the penalty provisions contained within the bill.

We are hopeful that the testimony presented Tuesday demonstrated to the committee that HB 597 will have serious, negative implications for the state and should be recommended as Inexpedient to Legislate. However, municipal officials with additional concerns are urged to contact committee members to express their concerns with the language of the bill.

Opioid Abatement Trust Fund Allocations

On Wednesday, March 9, the House Ways and Means Committee voted unanimously to recommend HB 1565, relative to the opioid abatement trust fund allocations, for Interim Study. The committee noted that any legislation that will affect the allocation of all future settlements needs to be studied carefully.

In 2020, HB 1639 created the opioid abatement trust fund and established an advisory commission to oversee this fund. The Department of Health and Human Service (DHHS), in collaboration with the commission, is tasked with ensuring these funds support programs associated with the prevention, treatment, and recovery of substance use disorders.

Under RSA 126-A:83, II, all funds received from opioid settlements are to be used for opioid abatement purposes, with 15% being distributed to those counties, cities, and towns that brought their own opioid lawsuits prior to September 1, 2019. The remaining 85% of those funds are deposited into a dedicated opioid abatement trust fund to be distributed to other political subdivisions and qualifying non-governmental programs.

In 2021, the first allocation of \$414,359.00 (15 percent of funds received) was distributed to the 23 political subdivisions that signed onto the settlement. In 2022, the 15 percent allocation to the 23 political subdivisions is \$2,762,394. As recently as this week, another \$46 million settlement involving Purdue Pharma has been proposed as New Hampshire's allocation in the Sackler family bankruptcy plan. This is in addition to the estimated \$115 million settlement that will be distributed over the next 18 years to all 10 counties, as well as 31 municipalities and 5 school districts that had signed onto the agreement with the three major pharmaceutical distributors: Cardinal Health, Inc., McKesson Corporation, and Amerisource Bergen Corporation. Other settlements from opioid manufacturers are expected to follow. These funds and their allocations will be instrumental in combating the opioid epidemic and deterring a future crisis over the next two decades.

As hundreds of millions of dollars in settlement funds are negotiated for New Hampshire, we continue to encourage local officials from municipalities involved in the litigation and those looking to start opioid abatement programs to share your concerns with your legislators.

Bill Would Reduce Municipal NHRS Costs

On Wednesday, the House Finance Committee–Division I held a work session on HB 1417, which proposes to reinstate a portion (7.5 percent) of the state contribution to the employer's share of the New Hampshire Retirement System (NHRS) cost for teachers, police, and firefighters. Unfortunately, the bill was recommended Inexpedient to Legislate by a 4-2 vote of the division. This bill will now move to the full House Finance Committee on Wednesday, March 23, at 10:00 a.m., in LOB room 210-211, where the Division I recommendation *can* be overturned with your support.

Over the last decade, the state has downshifted 100 percent of the employer contribution cost to the municipalities. Prior to 2012, the state contributed up to 35 percent toward these costs. Although a 7.5 percent contribution would restore far less than the state's original 35 percent share (estimated to be \$129 million), this bill would provide an estimated \$27.7 million in relief in fiscal year 2023 alone.

NHMA requested data from cities and towns to demonstrate the effect this legislation would have. It is clear from the responses of the 65 survey participants that this bill would provide significant and much-needed local tax relief. For example, a 7.5 percent state contribution translates to \$2 million for one New Hampshire city and 11 cents off the tax rate for another. One town estimates that this contribution totals 1 percent of its municipal budget while another estimates a 1.8 percent budget reduction. With this information, we will continue to advocate for this legislation—but we need your help.

We are encouraging our members to contact their state representatives and the full House Finance Committee *before* Wednesday, March 23, to ask the state to live up to its 2012 promise that it would re-instate a portion of the employer contribution when the state's fiscal position improved. The state continues to report revenues that exceed projections and estimates. With your voice, we can keep this bill moving forward.

Last Call for Volunteers

NHMA's biennial legislative policy process is getting underway. As a first step, we are recruiting volunteers to serve on our three legislative policy committees. These committees will review legislative policy proposals submitted by local officials and make recommendations on those policies, which will go to the NHMA Legislative Policy Conference in September.

And we are still looking for volunteers!

If you are a municipal official in an NHMA member municipality and are interested in serving on one of the policy committees, please contact the Government Affairs staff at 603-224-7447 or governmentaffairs@nhmunicipal.org.

Each of the committees deals with a different set of municipal issues. The committees and their subject areas are as follows:

- Finance and Revenue – budgeting, revenue, tax exemptions, current use, assessing, tax collection, retirement issues, education funding.
- General Administration and Governance – elections, Right-to-Know Law, labor, town meeting, charters, welfare, public safety.
- Infrastructure, Development, and Land Use – solid/hazardous waste, transportation, land use, technology, environmental regulation, housing, utilities, code enforcement, economic development.

When you contact us, please indicate your first and second choices for a committee assignment. We will do our best to accommodate everyone's first choice, but we do need to achieve approximately equal membership among the committees. We hope to have 15-20 members on each committee.

There will be an organizational meeting for all committees on Friday, April 1. After that, each committee will meet separately as many times as necessary to review the policy proposals assigned to it—typically three to five meetings, all held on either a Monday or Friday, between early April and the end of May.

House Calendar

There are no hearings in the House on bills of municipal interest.

Senate Calendar

<u>MONDAY, MARCH 14, 2022</u>	
ELECTION LAW AND MUNICIPAL AFFAIRS , Room 100, SH	
1:00 p.m.	HB 1029, relative to the Claremont police commission.
<u>WEDNESDAY, MARCH 16, 2022</u>	
EXECUTIVE DEPARTMENTS AND ADMINISTRATION , Room 103, SH	
9:30 a.m.	HB 1497-FN, relative to optional allowances in the retirement system.
10:00 a.m.	HB 1318-FN-L, relative to penalties for employer noncompliance with retirement system requirements.

House Floor Action

Thursday, March 10, 2022

CACR 14, relating to unions. Providing that all workers have the right to join a union. **Inexpedient to Legislate.**

CACR 22, relating to elections. Providing that all elections in New Hampshire shall be by ranked-choice voting. **Inexpedient to Legislate.**

HB 314, relative to homestead food operation licensure. **Passed.**

HB 1000, prohibiting motorcycle profiling. **Passed.**

HB 1008, establishing a commission to study the structure and election calendar of New Hampshire municipal government. **Inexpedient to Legislate.**

HB 1021, prohibiting regulation of religious land use based on the religious nature of the assembly or speech taking place on the land or in the structure. **Passed.**

HB 1025-FN, relative to impeding, provoking, or harassing law enforcement officers. **Inexpedient to Legislate.**

HB 1026, relative to budget information provided to a budget committee. **Passed.**

HB 1031, prohibiting law enforcement from encrypting public frequencies. **Tabled.**

HB 1068, relative to building codes for tiny houses. **Inexpedient to Legislate.**

HB 1109, relative to approval for off highway recreational vehicles use on class V and class VI roads. **Passed with Amendment.**

HB 1122, authorizing municipalities to collect and resell construction and demolition debris. **Passed.**

HB 1124, requiring businesses to use the federal E-Verify system of the United States Citizenship and Immigration Services. **Inexpedient to Legislate.**

HB 1128, relative to financial liability for damage caused by OHRV use of class VI roads. **Inexpedient to Legislate.**

HB 1143, relative to medical mandates adopted by employers. **Inexpedient to Legislate.**

HB 1147, relative to governmental records available upon request. **Inexpedient to Legislate.**

HB 1151-FN, prohibiting the display of a deadly weapon at a parade, funeral procession, picket line, march, rally, vigil, or demonstration. **Inexpedient to Legislate.**

HB 1156-FN, requiring certain public servants to receive a copy of a pre-employment background investigation. **Inexpedient to Legislate.**

HB 1157, relative to electronic ballot counting devices. **Passed.**

HB 1167, establishing a maximum contaminant level for perfluorinated chemicals in surface water. **Interim Study.**

HB 1174, relative to election challengers. **Passed with Amendment.**

HB 1175, relative to recording interactions with public officials. **Tabled.**

HB 1183, relative to the calculation of property taxes for residents 75 years of age and older. **Inexpedient to Legislate.**

- HB 1185**, relative to treatment of water contaminated with perfluorinated chemicals. **Passed with Amendment.**
- HB 1188**, establishing a commission to study OHRV use in the state. **Passed with Amendment.**
- HB 1195**, relative to public comment periods at public meetings. **Passed with Amendment.**
- HB 1216-FN**, repealing the housing appeals board. **Inexpedient to Legislate.**
- HB 1254**, relative to the housing appeals board. **Inexpedient to Legislate.**
- HB 1257-FN**, requiring the retirement system to divest from investment in companies located in China. **Inexpedient to Legislate.**
- HB 1260**, making immunization status a protected class. **Inexpedient to Legislate.**
- HB 1275**, relative to municipal representation on regional planning commissions. **Inexpedient to Legislate.**
- HB 1277**, relative to the reporting of cybersecurity incidents. **Passed.**
- HB 1282**, relative to the records of communication common carriers. **Passed.**
- HB 1315**, relative to immunity from civil liability for sports officials. **Inexpedient to Legislate.**
- HB 1322**, modifying the governmental records exempted from RSA 91-A. **Inexpedient to Legislate.**
- HB 1351**, prohibiting certain employers from requiring a COVID-19 vaccination as a condition of employment. **Inexpedient to Legislate.**
- HB 1358**, requiring public and private employers to establish procedures and exceptions for the use of mandatory intrusive testing as a condition of new or continued employment. **Inexpedient to Legislate.**
- HB 1359**, relative to the election-day duties of incumbent election officials who also appear on the ballot. **Inexpedient to Legislate.**
- HB 1377**, relative to unemployment benefits for employees terminated for refusing to comply with a vaccine mandate. **Inexpedient to Legislate.**
- HB 1385**, prohibiting the use of credit history in employment decisions. **Inexpedient to Legislate.**
- HB 1387**, enabling municipalities to adopt a property tax homestead exemption. **Inexpedient to Legislate.**
- HB 1415**, relative to employer health screening reimbursement. **Inexpedient to Legislate.**
- HB 1430-FN-A**, repealing the tax on rentals of motor vehicles under the meals and rooms tax. **Inexpedient to Legislate.**
- HB 1440**, relative to surface water quality standards for perfluorinated chemicals. **Interim Study.**
- HB 1445-FN**, relative to the identification of police vehicles. **Interim Study.**
- HB 1450-FN**, including agricultural resources under the land and community heritage investment program. **Inexpedient to Legislate.**
- HB 1494**, relative to a property tax exemption concerning certain communications services leases. **Inexpedient to Legislate.**
- HB 1549**, relative to special duty hours worked by retired police members in the retirement system. **Inexpedient to Legislate.**
- HB 1555-FN**, repealing the permit required for fires at campgrounds. **Tabled.**
- HB 1569-FN**, relative to the status of “totally unemployed” for purposes of unemployment compensation. **Inexpedient to Legislate.**
- HB 1570-FN**, relative to reducing vehicle registration fees. **Inexpedient to Legislate.**
- HB 1602-FN**, relative to perfluorinated chemicals in drinking water. **Interim Study.**
- HB 1620**, identifying part of the Merrimack River as a protected river. **Interim Study.**
- HB 1681-FN**, relative to the state building code. **Passed with Amendment.**

Upcoming Member Events

Mar. 15	Webinar: Unite with US in NH: A Coordinated Care Network- 12:00 – 1:00
Mar. 23	Webinar: Overview of Treasury’s Final Rule for ARPA Funds- 12:00 – 1:00
Apr. 1	NHMA’s Legislative Policy Process Organizational Day: 9:00 a.m.
<p>Please visit www.nhmunicipal.org for the most up-to-date information regarding our upcoming virtual events. Click on the Events and Training tab to view the calendar.</p> <p>For more information, please call NHMA's Workshop registration line: (603) 230-3350.</p>	

MS232 Report of Appropriations



Report of Appropriations Actually Voted

Exeter

For the period beginning January 1, 2022 and ending December 31, 2022

Form Due Date: **20 Days after the Annual Meeting**

GOVERNING BODY CERTIFICATION

This is to certify that the information contained in this form, appropriations actually voted by the town/city meeting, was taken from official records and is complete to the best of our knowledge and belief. Under penalties of perjury, I declare that I have examined the information contained in this form and to the best of my belief it is true, correct and complete.

Name	Position	Signature
DRAFT		
THIS IS A DRAFT REPORT FOR REVIEW PURPOSES ONLY THE APPROPRIATIONS AS VOTED PROCESS MUST BE COMPLETED IN THE TAX RATE SETTING PORTAL BEFORE A FINAL REPORT CAN BE GENERATED FOR THE PURPOSES OF CERTIFICATION		

This form must be signed, scanned, and uploaded to the Municipal Tax Rate Setting Portal:
<https://www.proptax.org/>

For assistance please contact:
NH DRA Municipal and Property Division
(603) 230-5090
<http://www.revenue.nh.gov/mun-prop/>



Appropriations

Account	Purpose	Article	Appropriations As Voted
General Government			
4130-4139	Executive	07	\$281,503
4140-4149	Election, Registration, and Vital Statistics	07	\$400,281
4150-4151	Financial Administration	07	\$1,017,031
4152	Revaluation of Property	07	\$1
4153	Legal Expense	07	\$80,000
4155-4159	Personnel Administration	07	\$575,065
4191-4193	Planning and Zoning	07,21,26	\$354,141
4194	General Government Buildings	07	\$1,240,668
4195	Cemeteries		\$0
4196	Insurance	07	\$72,746
4197	Advertising and Regional Association		\$0
4199	Other General Government	07,24	\$45,001
General Government Subtotal			\$4,066,437
Public Safety			
4210-4214	Police	07,10	\$3,530,529
4215-4219	Ambulance		\$0
4220-4229	Fire	07,11	\$3,850,033
4240-4249	Building Inspection	07	\$279,445
4290-4298	Emergency Management	07	\$33,062
4299	Other (Including Communications)	07	\$426,213
Public Safety Subtotal			\$8,119,282
Airport/Aviation Center			
4301-4309	Airport Operations		\$0
Airport/Aviation Center Subtotal			\$0
Highways and Streets			
4311	Administration	07	\$538,276
4312	Highways and Streets	07,12	\$2,172,327
4313	Bridges		\$0
4316	Street Lighting	07	\$169,000
4319	Other	07	\$313,201
Highways and Streets Subtotal			\$3,192,804
Sanitation			
4321	Administration		\$0
4323	Solid Waste Collection	07	\$1,314,555
4324	Solid Waste Disposal		\$0
4325	Solid Waste Cleanup		\$0
4326-4328	Sewage Collection and Disposal		\$0
4329	Other Sanitation		\$0
Sanitation Subtotal			\$1,314,555



Appropriations

Account	Purpose	Article	Appropriations As Voted
Water Distribution and Treatment			
4331	Administration		\$0
4332	Water Services		\$0
4335	Water Treatment		\$0
4338-4339	Water Conservation and Other		\$0
Water Distribution and Treatment Subtotal			\$0
Electric			
4351-4352	Administration and Generation		\$0
4353	Purchase Costs		\$0
4354	Electric Equipment Maintenance		\$0
4359	Other Electric Costs		\$0
Electric Subtotal			\$0
Health			
4411	Administration	07	\$149,663
4414	Pest Control	07	\$1,300
4415-4419	Health Agencies, Hospitals, and Other		\$0
Health Subtotal			\$150,963
Welfare			
4441-4442	Administration and Direct Assistance	07	\$75,825
4444	Intergovernmental Welfare Payments		\$0
4445-4449	Vendor Payments and Other	07	\$105,105
Welfare Subtotal			\$180,930
Culture and Recreation			
4520-4529	Parks and Recreation	07	\$639,072
4550-4559	Library	07	\$1,124,643
4583	Patriotic Purposes	07	\$15,500
4589	Other Culture and Recreation	07	\$18,500
Culture and Recreation Subtotal			\$1,797,715
Conservation and Development			
4611-4612	Administration and Purchasing of Natural Resources	07	\$10,089
4619	Other Conservation		\$0
4631-4632	Redevelopment and Housing		\$0
4651-4659	Economic Development	07	\$153,114
Conservation and Development Subtotal			\$163,203



Appropriations

Account	Purpose	Article	Appropriations As Voted
Debt Service			
4711	Long Term Bonds and Notes - Principal	07	\$1,020,812
4721	Long Term Bonds and Notes - Interest	07	\$364,689
4723	Tax Anticipation Notes - Interest	07	\$1
4790-4799	Other Debt Service		\$0
Debt Service Subtotal			\$1,385,502
Capital Outlay			
4901	Land		\$0
4902	Machinery, Vehicles, and Equipment	07,13,14,16,1 9,20,23,25	\$666,179
4903	Buildings	04	\$1,250,000
4909	Improvements Other than Buildings	15	\$249,000
Capital Outlay Subtotal			\$2,165,179
Operating Transfers Out			
4912	To Special Revenue Fund	30	\$5,000
4913	To Capital Projects Fund	05	\$69,338
4914A	To Proprietary Fund - Airport		\$0
4914E	To Proprietary Fund - Electric		\$0
4914O	To Proprietary Fund - Other		\$0
4914S	To Proprietary Fund - Sewer	03,05,09,12,1 7	\$13,366,332
4914W	To Proprietary Fund - Water	05,08,12	\$4,452,470
4915	To Capital Reserve Fund	18,28	\$150,000
4916	To Expendable Trusts/Fiduciary Funds	27,29	\$103,625
4917	To Health Maintenance Trust Funds		\$0
4918	To Non-Expendable Trust Funds		\$0
4919	To Fiduciary Funds		\$0
Operating Transfers Out Subtotal			\$18,146,765
Total Voted Appropriations			\$40,683,335

Tax Abatements, Veterans Credits & Exemptions

List for Select Board meeting March 14, 2022

Veteran Credit

Map/Lot/Unit	Location	Amount	Year
95/64/376	11 Juniper St	500.00	2022
73/49/1	156 Front St #101	500.00	2022

Solar Exemption

Map/Lot/Unit	Location	Amount	Year
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Elderly Exemption

Map/Lot/Unit	Location	Amount	Year
52/84/10	30 Downing ct	\$ 152,251	2022

Abatement

Map/Lot/Unit	Location	Amount	Year
86/1	1 Wayside Dr	\$ 3,517.47	2021
68/6/513	513 Sterling Hill Ln #513	\$ 1,267.73	2021
111/5/2	2 Green Gate CG	\$ 165.22	2019
111/5/2	2 Green Gate CG	\$ 173.88	2020
111/5/2	2 Green Gate CG	\$ 170.47	2021

Permits & Approvals



TOWN OF EXETER

Planning and Building Department

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

www.exeternh.gov

Date: March 10, 2022
To: Russ Dean, Town Manager
From: Dave Sharples, Town Planner
Re: Street name recommendation

I'm writing this memorandum after the E911 Committee has recommended naming a private right-of-way. Please note that this recommendation is for a newly created right-of-way and is not a name change. I list the recommendation made by the E911 Committee that can be the motion made by the Select Board followed by a brief analysis of the recommendation.

Recommendation # 1: Name the private roadway that will access 16 new condominium units on Tax Map 96 Lot 15, Wild Apple Lane.

Analysis: The Planning Board approved an open space subdivision off Tamirind Lane that is currently under construction. I have included a map showing the subdivision and I identify the new private roadway.

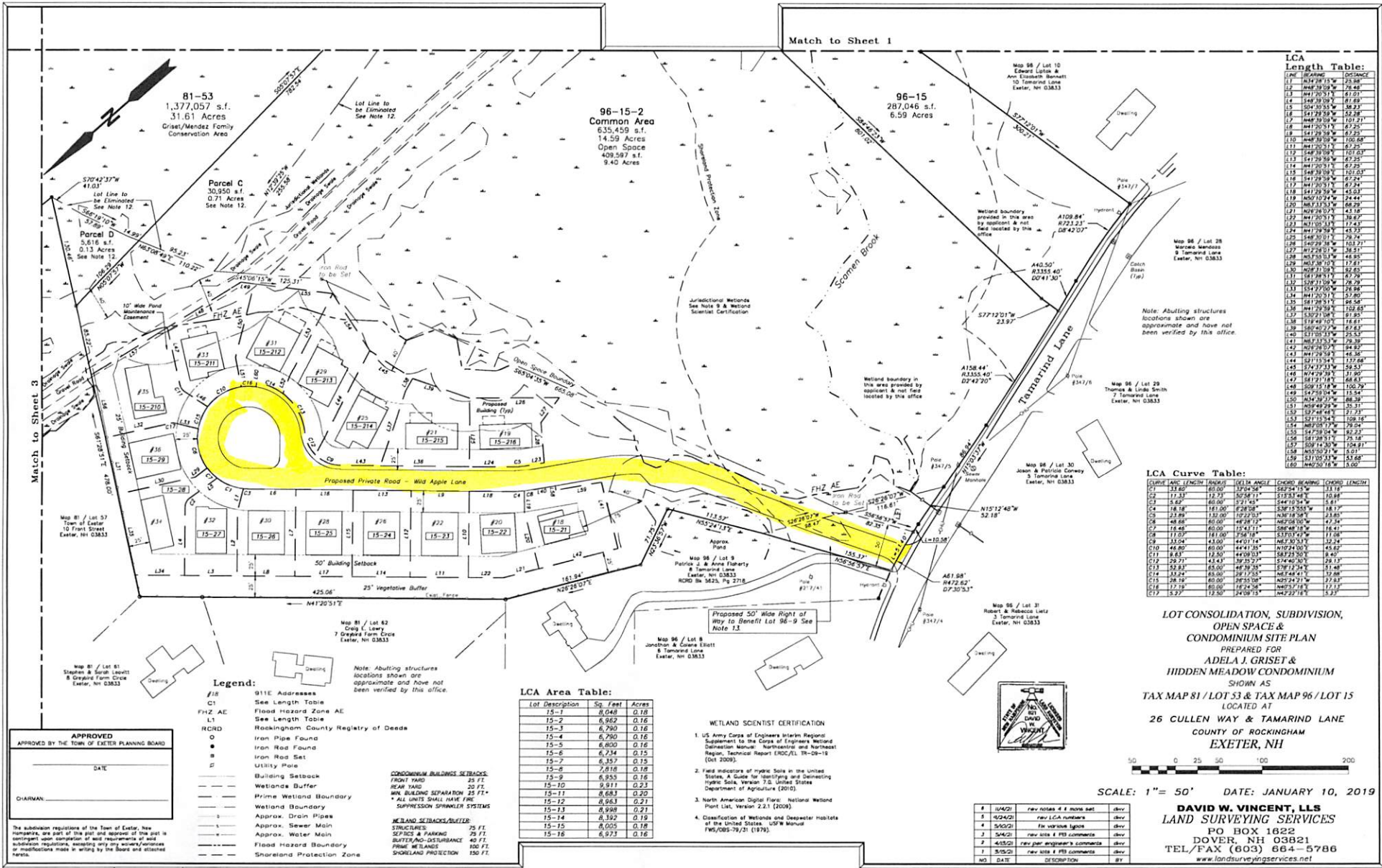
The Addressing Standards Guide prepared by the NH Department of Safety states:

"Each Street within a municipality should be given its own unique name to prevent confusion on the part of emergency responders. In the case of a new road, the municipality is prohibited from choosing a name which is already in use, or which is confusing similar to any such existing name or which otherwise might delay the location of any address in an emergency per RSA 231:133."

The Committee reviewed the name "Wild Apple Lane" as submitted by the property owner. The Committee checked both Kensington and Brentwood street names and neither use Wild Apple as a street name. The Committee also reviewed the Exeter street list and did not find any existing street name that is confusingly similar to Wild Apple.

Thank you.

enc (1)



LCA Length Table:

LINE #	LENGTH	AREA
11	100.00	100.00
12	100.00	100.00
13	100.00	100.00
14	100.00	100.00
15	100.00	100.00
16	100.00	100.00
17	100.00	100.00
18	100.00	100.00
19	100.00	100.00
20	100.00	100.00
21	100.00	100.00
22	100.00	100.00
23	100.00	100.00
24	100.00	100.00
25	100.00	100.00
26	100.00	100.00
27	100.00	100.00
28	100.00	100.00
29	100.00	100.00
30	100.00	100.00
31	100.00	100.00
32	100.00	100.00
33	100.00	100.00
34	100.00	100.00
35	100.00	100.00
36	100.00	100.00
37	100.00	100.00
38	100.00	100.00
39	100.00	100.00
40	100.00	100.00
41	100.00	100.00
42	100.00	100.00
43	100.00	100.00
44	100.00	100.00
45	100.00	100.00
46	100.00	100.00
47	100.00	100.00
48	100.00	100.00
49	100.00	100.00
50	100.00	100.00
51	100.00	100.00
52	100.00	100.00
53	100.00	100.00
54	100.00	100.00
55	100.00	100.00
56	100.00	100.00
57	100.00	100.00
58	100.00	100.00
59	100.00	100.00
60	100.00	100.00

LCA Curve Table:

CURVE #	ARC LENGTH	AREA	DELTA ANGLE	CHORD BEARING	CHORD LENGTH
C1	11.85	60.00	120.00	S120°00'00"W	11.85
C2	11.85	60.00	120.00	S120°00'00"W	11.85
C3	11.85	60.00	120.00	S120°00'00"W	11.85
C4	11.85	60.00	120.00	S120°00'00"W	11.85
C5	11.85	60.00	120.00	S120°00'00"W	11.85
C6	11.85	60.00	120.00	S120°00'00"W	11.85
C7	11.85	60.00	120.00	S120°00'00"W	11.85
C8	11.85	60.00	120.00	S120°00'00"W	11.85
C9	11.85	60.00	120.00	S120°00'00"W	11.85
C10	11.85	60.00	120.00	S120°00'00"W	11.85
C11	11.85	60.00	120.00	S120°00'00"W	11.85
C12	11.85	60.00	120.00	S120°00'00"W	11.85
C13	11.85	60.00	120.00	S120°00'00"W	11.85
C14	11.85	60.00	120.00	S120°00'00"W	11.85
C15	11.85	60.00	120.00	S120°00'00"W	11.85
C16	11.85	60.00	120.00	S120°00'00"W	11.85
C17	11.85	60.00	120.00	S120°00'00"W	11.85

LCA Area Table:

Lot Description	Sq. Feet	Acres
15-1	8,048	0.18
15-2	6,962	0.16
15-3	6,790	0.16
15-4	6,790	0.16
15-5	6,800	0.16
15-6	6,734	0.15
15-7	6,357	0.15
15-8	7,516	0.18
15-9	6,933	0.16
15-10	9,911	0.23
15-11	6,683	0.20
15-12	8,963	0.21
15-13	8,998	0.21
15-14	6,352	0.15
15-15	6,005	0.18
15-16	6,973	0.16

WETLAND SCIENTIST CERTIFICATION

1. US Army Corps of Engineers Interim Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Northeastern and Northeast Region, Technical Report ERO/11 TR-08-18 (Oct 2008).

2. Field indicators of Hydric Soils in the United States. A Guide for Identifying and Delineating Hydric Soils, Version 7.5, United States Department of Agriculture (2010).

3. North American Digital Flora: National Wetland Plant List, Version 2.1 (2008).

4. Classification of Wetlands and Deepwater Habitats of the United States. USFWS Manual FWS/OBS-78/51 (1979).

Legend:

- #18 B1E Addresses
- C1 See Length Table
- FH2 AE Flood Hazard Zone AE
- L1 See Length Table
- RD1 Rockingham County Registry of Deeds
- O Iron Pipe Found
- Iron Rod Found
- Iron Rod Set
- Utility Pole
- Building Setback
- Wetlands Buffer
- Private Wetland Boundary
- Wetland Boundary
- Approx. Drain Pipes
- Approx. Sewer Main
- Approx. Water Main
- Flood Hazard Boundary
- Shoreland Protection Zone

CONDOMINIUM BUILDING SETBACKS:
 FRONT YARD 25 FT
 REAR YARD 20 FT
 MIN. BUILDING SEPARATION 40 FT
 * ALL UNITS SHALL HAVE FIRE SUPPRESSION SPRINKLER SYSTEMS

WETLAND SETBACKS/BUFFER:
 STRUCTURES 75 FT
 SEPTICS & PARKING 75 FT
 BUFFER AND OBSTRUCTION 40 FT
 PRIME WETLANDS 100 FT
 SHORELAND PROTECTION 150 FT

APPROVED
 APPROVED BY THE TOWN OF EXETER PLANNING BOARD

DATE _____

CHAIRMAN _____

The subdivision regulations of the Town of Exeter, New Hampshire, are part of this plan and approval of this plan is contingent upon verification of said requirements of said subdivision regulations, including any other notices/ordinances or modifications made in writing by the Board and attached hereto.

SCALE: 1" = 50' DATE: JANUARY 10, 2019

DAVID W. VINCENT, LLS
LAND SURVEYING SERVICES
 PO BOX 1625
 DOVER, NH 03821
 TEL./FAX (603) 664-5786
 www.landsurveyingservices.net

#	DATE	DESCRIPTION	BY
1	04/20/18	new notes & 4 more sets	dwv
2	04/24/18	new LCA numbers	dwv
3	04/27/18	fix various typos	dwv
4	05/02/18	new notes & PB comments	dwv
5	05/02/18	new notes & PB comments	dwv
6	05/02/18	new notes & PB comments	dwv
7	05/02/18	new notes & PB comments	dwv
8	05/02/18	new notes & PB comments	dwv
9	05/02/18	new notes & PB comments	dwv
10	05/02/18	new notes & PB comments	dwv



5 McKay Drive Tax bill

2 messages


Cari Birkhauser <cbirkhauser@primroseexeter.com>
To: pmcelroy@exeternh.gov
Cc: rlaughner@exeternh.gov, birkhauserp@gmail.com


Tue, Feb 22, 2022 at 10:02 AM

Hi Pam, pursuant to our discussion attached is a copy of the tax bill and payment receipt as well as a letter requesting consideration because we never received the document. Please advise.

Thank you

2 attachments

 **Tax interest.docx**
63K

 **5 McKay tax documents.pdf**
1397K

Pam McElroy <pmcelroy@exeternh.gov>
To: Cari Birkhauser <cbirkhauser@primroseexeter.com>
Cc: Rachel Laughner <rlaughner@exeternh.gov>, birkhauserp@gmail.com

Tue, Feb 22, 2022 at 11:46 AM

Thank you for your email. I will forward your request to the Select Board for review at the next meeting on March 14, 2022.

Have a good day.

[Quoted text hidden]

--

Pam McElroy

Town of Exeter

Senior Executive Assistant, Town Manager's Office

603-773-6102

Human Services Administrator

603-773-6116

Pam McElroy
Town of Exeter
10 Front Street
Exeter Town Office
Exeter, New Hampshire 03833

Dear Pam McElroy,

Hi we are in the process of building an early childhood education center at 5 McKay Drive Exeter, N.H. We never received a tax bill and it was not returned to the tax office. We are the Seacoast Early Learning Center DBA Primrose School of Exeter our mailing address is: Seacoast Early Learning Center, P.O. Box 568, Exeter N.H. for further tax bills. We stopped in the town hall and paid the taxes, we were informed that the tax bill was sent to 5 McKay Drive which at this time does not have a mail box. We were told that the bill was not returned thru the mail so we have no idea where this bill is. We ask that consideration be given to remove the interest charged \$59.50 due to the incorrect address and not receiving the bill. We did provide the PO Box address to the town of Exeter Building Department and Water Department in July 2021 and where not aware of any other town office that required this since the school is under construction. Please advise,

Thank you

Sincerely,
Cari Birkhauser

Enclosure



Town of Exeter
 Tax Collector
 10 Front Street
 Exeter NH 03833

2021

Installment 2 of 2

PROPERTY TAX BILL
 Customer Copy
 Keep this portion for your records

SEACOAST EARLY LEARNING CENTER REAL ESTATE DEV LLC				5-13 MCKAY DR		
Parcel	Tax Year	Assessment Date	Area	Effective Date	Rate	Expiration Date
55-3-1	2021	11/5/2021	656	12/8/2021	8%	12/8/2021
1.990		15.290		5.790	0.940	24.010
Land	325,000	Total Gross Tax \$7,803.25 Less Veteran(s) Credit(s) \$0.00 Less Payments -\$3,979.63 Plus Interest \$0.00				
Buildings	0					
Total Exemptions	0					
Net	325,000					
						\$3,823.62
						\$0.00

IMPORTANT TAXPAYER INFORMATION IS LOCATED ON BACK OF BILL. PAYMENT MAY BE MADE IN PERSON, LEFT IN BLACK DROPBOX AT TOWN OFFICE (CHECKS ONLY), BY MAIL, OR ONLINE AT <https://selfservice.exeternh.gov/MSS>. WE ACCEPT eCHECKS, MASTERCARD, VISA, DISCOVER, AND DEBIT CARDS ONLINE - FEES APPLY. CALL 773-6108 FOR PAYMENT QUESTIONS.

Detach and return the below portion with your payment



Town of Exeter
 Tax Collector
 10 Front Street
 Exeter NH 03833

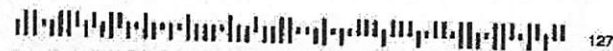
2021

Installment 2 of 2

PROPERTY TAX BILL
 Remit Copy

Please write parcel number on your check and enclose this portion of the bill with your payment. Make checks payable to: Town of Exeter

656	11/5/2021	55-3-1	5-13 MCKAY DR	12/8/2021	\$3,823.62
<input type="checkbox"/> Please See Change of Address on Back					\$



SEACOAST EARLY LEARNING
 CENTER REAL ESTATE DEV LLC
 5 MCKAY DR
 EXETER NH 03833

Remit To:

TOWN OF EXETER
 10 FRONT ST
 EXETER NH 03833

70132082021400000656700003823622

Town of Exeter, NH
TAX/WATER/SEWER
10 Front Street
Exeter, NH 03833
6037736108

001950-0804 Marian L. 02/17/2022 03:20PM

REAL ESTATE

SEACOAST EARLY LEARNING

55-3-1

2021 Item: 656

Balance unpaid: 0.00

REAL ESTATE TAXES 3,883.12

3,883.12

Subtotal 3,883.12

Total 3,883.12

CHECK FOR TAX/WATER/SEWER 3,883.12

Check Number 119

Change due 0.00

Paid by: SEACOAST EARLY LEARNING

Thank you for your payment

CUSTOMER COPY

Correspondence

RECEIVED
MAR 04 2022

March 3, 2022 - Notice of Trespass to Exeter Selectman

Infringement on Constitutional Rights

Unconstitutional Use of Electronic Voting Machines

This is a notice of trespass on my constitutional rights. It is intended to inform you as a local official that a Remonstrance has been filed with the New Hampshire legislature to protest the use of electronic voting machines.

This copy of the original Remonstrance has been filed with the Secretary of State, the Governor, the House of Representatives, the Senate, and the office of the Attorney General. Everyone involved in the election process is now on notice. You are hereby instructed under the sovereign authority of the people, protected by Part I, art. 1. art. 2. art.7, art. 12. and art. 32. to cease and desist the use of electronic voting machines which are repugnant and contrary to the constitutional requirements for “sorting and counting votes,” as detailed in Part II, art. 32.

Any use of voting machines, by any city, town or political subdivision of this State is unauthorized by the Constitution. Such use infringes on the aforesaid rights. When any city, town or political subdivision steps beyond its bounds, it acts without authority. Therefore, such actions are unconstitutional.

Ignorance of the law is no excuse. It should be noted that if you choose to ignore your obligation (oath) as a trustee of the trust indenture (the Constitution), and if you fail to faithfully protect the private rights of the people in your performance of your duties as a public servant, you can be held accountable in a court of law. Such actions shall be considered ultra vires (acting beyond one’s legal power or authority), malfeasance of office and a violation of your oath. Therefore, you will be liable in your private capacity.

All public officials shall take notice hereof and conduct themselves according to the Constitution of New Hampshire and the Constitution of the United States of America.

Charles Hughes
24 River Bend Circle
Exeter, NH 03833

Town Manager's Office

MAR - 4 2022

Received

Notice of Trespass

Infringement on Constitutional Rights

Unconstitutional Use of Electronic Voting Machines

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All public officials shall take notice hereof and conduct themselves according to the Constitution of New Hampshire and the Constitution of the United States of America.

Town Manager's Office

MAR - 7 2022

*Received
Revised E. sign
3/7/22 2:53 PM*

Arthur M. Gestele

Gestele Resident

RECEIVED
FEB 24 2022
By *Adm. M. Clark House*

RECEIVED
2/24/22

To the Honorable General Court
of
The State of New Hampshire

RECEIVED
FEB 24 2022
NEW HAMPSHIRE
DEPARTMENT OF STATE

FEB 24 2022
D. Schoenfeld

REPT OF JUSTICE
FEB 24 2022 PM 12:41

Memorial and Remonstrance

Honorable and respected Ladies and Gentleman:

When a people, led to freedom by the hand of a patriotic virtue, entrust the Supreme power of Government in the hands of individuals selected and chosen from among the Citizens at large, it becomes the duty of the people to respect, honor, and support their representatives on one hand, while on the other it becomes the duty of the persons so promoted to guard and secure the political interest and privileges of the community at large. Further, whenever the representatives of a free people, either through design or inattention, do adopt measures that tend to injure the common interest or neglect to pursue those steps that would promote the public good, their constituents have a natural and a constitutional right to remonstrate against such conduct.

Although your Memorialists cannot persuade themselves that their representatives have ever adopted measures with the design of injuring the community, the experience and feeling of your Memorialist too dearly prove them, that by some fatally, the most ruinous System of Policy has been adopted in New Hampshire, that could have been devised to bring the good people of this State into the deepest distress by trespassing on their constitutional rights.

We respectfully require the General Court to assemble, to hear and consider this Remonstrance. "Where rights as secured by the Constitution are involved, there can be no rule making or legislation which will abrogate them." Miranda v. Ariz., 384 U.S. 436 at 491 (1966).

Town Manager's Office

MAR - 7 2022

Received

Affidavit

Notice of Trespass

Infringement on Constitutional Rights

Unconstitutional Use of Electronic Voting Machines

I, Daniel Richard, an inhabitant of the State of New Hampshire, hereby give notice to the General Court that the previous legislature of 1979, with no constitutional authority to do so, did adopt N.H. RSA 656:40. to allow local towns to use electronic voting machines on a trial basis in direct violation of Part II, art. 32. and art. 100.

You are hereby instructed under the sovereign authority of the people, protected by Part I, art. 1. art. 2. art.7, art. 12. and art. 32. to cease and desist the use of electronic voting machines which are repugnant and contrary to the constitutional requirements for "sorting and counting votes," as detailed in Part II, art. 32.

You are hereby noticed that any further use of any electronic voting machine by any town, city, or other political subdivision of this State, under N.H. RSA 656:40 further infringes on the sovereignty of the people protected by Part I, art. 1, art. 7, and art. 12. which prohibits any of Part II, Form of Government from exercising any undelegated powers. RSA 656:40 also infringes on Part I, art. 1. and art.12, as said articles reinforce the sovereignty of the people. The inhabitants are not subject to any other laws, other than those which they, the inhabitants of this State, have given their consent as required by Part I, art. 1. Part I, art. 32 is also the people's authority to instruct you to obey the Constitution.

Any act by the legislature, or any act by any town, city, or political subdivision of this State under the color of law, which amends the Constitutional definition of how votes must be counted, without the consent of the inhabitants protected by Part I, art. 1, infringes on the due process required to amend the Constitution of this State under Part II, art. 100, and is therefore an

infringement on the due process clause of Part I, art. 15 and the due process clause of the 14th Amendment of the U.S. Constitution.

“The legislature may not, even in the exercise of its “absolute” internal rulemaking authority, violate constitutional limitations. Id. at 284, 288. Indeed, “[n]o branch of State government can lawfully perform any act which violates the State Constitution.” LaFrance, 124 N.H. at 176. Therefore, “[a]ny legislative act violating the constitution or infringing on its provisions must be void because the legislature, when it steps beyond its bounds, acts without authority.” Id. at 177. Burt v. Speaker 2020.

Mason’s Legislative Manual, Chapter 2, (Constitutional Rules Governing Procedure.)

Section 7; According to Mason’s Legislative Manual, Constitutional Requirements Concerning Procedure must be complied with:

1. “Being organic in character, constitutional provisions stand on a higher plane than statutes and are mandatory. Constitutional provisions prescribing exact or exclusive time or methods for certain acts are mandatory and must be complied with.”

The laws of the land governing counting of votes in this State were established by the inhabitants on Oct. 31, 1783, as written in the Constitution in Part II, art. 32. Said article established that counting of votes be “governed by a moderator, who shall, in the presence of the selectmen (whose duty it shall be to attend) in open meeting, receive the votes of all the inhabitants of such towns and wards present....and shall, in said meetings, **“in presence of the said selectmen, and of the town or city clerk, in said meetings, sort and count the said votes,”** and make a public declaration thereof, with the name of every person voted for, and the number of votes for each person...” In other words, the votes must be counted by hand under the supervision of the town selectman, and town or city clerk.

Part I, of the Constitution of New Hampshire, The BILL of RIGHTS contains the essential principles of the Constitution. It is foundation on which the political fabric is “reared”, and is consequently, a most important part thereof.

The people are the source and creator of the Constitution of New Hampshire. The people reserved unto themselves a Bill of Rights including, Part I, art. 7, which declares that:

“The people of this State, have sole and exclusive right of governing themselves as a free, sovereign and independent State, and do, and forever hereafter shall exercise, and enjoy every power, jurisdiction and right pertaining thereto, which is not, or shall not hereafter be by them expressly delegated to the United States of America in Congress assembled.”

“The division of the constitution into two parts was not made without a purpose, and the name of each part is not without purpose, and name of each part is not without significance. The first is a “bill of rights:” the second is a “form of government.” The Second is, in general, a grant of powers, made by the people to “magistrates and officers of government,” who are declared (in Part I, art. 8) to be grantors’ “agents.” The first contains a list of rights not surrendered by the people when they formed themselves into a state. Part I, arts. 1, 2, 3; Part II, art. 1. By the reservation of these, they limited the powers they granted in the second part, and exempted themselves, to the stipulated extent, from the authority of the government they created.”

It was universally understood by the founders of our institutions the jury trial, and other usual provision of bill of rights, were not grants of rights to the public body politic, but reservations of private rights of the subject, paramount to all governmental authority; and this constitutional principle has never been abandoned.”

“The distinctive character of our bill of rights as the first chapter of constitutional law in which the people, as the original sovereigns, before delegating certain public powers in the second chapter, reserve for themselves, as subjects of the collective body politic, certain rights which they do not give that body,” ... Wooster v. Plymouth 62 N.H. 193, 199 (N.H. 1882)

Part I, art. 1. All men are born equally free and independent; Therefore, all government of right originates from the people, is founded in consent, and instituted for the general good.

Part I, art. 12, establishes a prohibition on Part II, form of government that “no part of a man’s property shall be taken from him, or applied to public uses, without his own consent, or that of the representative body of the people. Nor are the inhabitants of this State controllable by any other laws than those which they, or their representative body have given their consent.”

Part I, art. 15, provides that *“No subject shall be arrested, imprisoned, despoiled, or deprived of his property, immunities, or privileges, put out of the protection of the law, exiled or deprived of his life, liberty, or estate, but by the judgment of his peers, or the law of the land:”*

“This provision of the bill of rights was unquestionably designed to restrain the legislature, as well as the other branches of government, from all arbitrary interference with private rights. It was adopted from Magna Charta, and was justly considered by our forefathers, long before the formation of our constitution, as constituting the most efficient security of their rights and liberties.”

“The object of the clause in our bill of rights seems always to have been understood in this state to be a protection of private rights” Dartmouth College v. Woodward 1 N.H. 129

“...none of the reserved rights can be touched without resorting to the people to appoint another convention for the expressed purpose of permitting it.” December 4, 1790 Noah Webster. Wooster v. Plymouth 62 N.H. 193, 199 (N.H. 1882)

“That clause, which confers upon the ‘general court’ the authority ‘to make laws,’ provides at the same time, that they must not be repugnant or contrary to the constitution....” Merrill v. Sherburne Id.210 1818. Therefore, no city, town or political subdivision of this State may exercise powers not delegated to it by the Constitution.

All elected officials are required to take an oath. They swear that they will bear faith and allegiance to the Constitution of the United States. and the Constitution of New Hampshire, and they further swear to faithfully and impartially discharge and perform all duties incumbent upon them, agreeably to the rules and regulations of this Constitution and the Laws of the State of New Hampshire. So help them God. In exchange they have received an emolument from the inhabitants, thereby establishing a fiduciary duty upon them as trustees of the public trust (trust indenture), to protect the private rights of the inhabitants of this State.

Ignorance of the law is no excuse. It should be noted that you have chosen to ignore your obligation as a trustee of the trust indenture (the Constitution), and you have failed to faithfully

protect the private rights of the people in your performance of your duties as a public servant. Your actions are ultra vires, malfeasance of office and a violation of your oath. Therefore, you are now liable in your private capacity.

N.H. RSA 92:2 Oath Required. — No persons chosen or appointed to any public office or to any position where an oath is required....and any such person who violates said oath after taking the same shall be forthwith dismissed from the office or position involved.

Any exercise of undelegated powers by any officer, of any town, is a violation of their oath of office sworn under RSA 42:1, which requires them to protect the rights of the people. Failure to protect such rights subjects that person to removal from office.

42:1-a Manner of Dismissal; *The manner of dismissing a town officer who violates the oath as set forth in RSA 42:1 shall be by petition to the superior court for the county in which the town is located.*

Any use of voting machines, by any city, town or political subdivision of this State, is unauthorized by the Constitution. Such use infringes on the aforesaid rights. When any city, town or political subdivision steps beyond its bounds, it acts without authority. Therefore, such actions are unconstitutional.

Any deprivation rights protected by the Constitutions, by any actor of the State, is a violation of the due process clause of the 14th Amendment of the Constitution for the United States of America. Any such wrongdoer shall be liable to an action at law, suit in equity, or other proper proceeding for redress.

14th amendment

“nor shall any State deprive any person of life, liberty, or property, without due process of law;”

Any encroachment of my Constitutional Rights by any two public officials shall subject the offenders to criminal prosecution under Federal laws 18 U.S. Code § 241 - Conspiracy against rights;

If two or more persons conspire to injure, oppress, threaten, or intimidate any person in any State, Territory, Commonwealth, Possession, or District in the free exercise or

enjoyment of any right or privilege secured to him by the Constitution or laws of the United States, or because of his having so exercised the same; or

If two or more persons go in disguise on the highway, or on the premises of another, with intent to prevent or hinder his free exercise or enjoyment of any right or privilege so secured—

They shall be fined under this title or imprisoned not more than ten years, or both; and if death results from the acts committed in violation of this section or if such acts include kidnapping or an attempt to kidnap, aggravated sexual abuse or an attempt to commit aggravated sexual abuse, or an attempt to kill, they shall be fined under this title or imprisoned for any term of 10 years or for life, or both, or may be sentenced to death.

Therefore, any infringement of my Constitutional Rights by any public official's collusion (use of voting machines), shall subject the offender(s) to a civil action in a Federal Court for deprivation of Rights under the color of law.

42 U.S. Code § 1983. Civil action for deprivation of rights;

Every person who, under color of any statute, ordinance, regulation, custom, or usage of any State or Territory or the District of Columbia, subjects, or causes to be subjected, any citizen of the United States or other person within the jurisdiction thereof to the deprivation of any rights, privileges, or immunities secured by the Constitution and laws, shall be liable to the party injured in an action at law, suit in equity, or other proper proceeding for redress.

All public officials shall take notice hereof and conduct themselves according to the Constitution of New Hampshire and the Constitution of the United States of America.

I, Daniel Richard, an inhabitant of this State who dwelleth and hath my home in Rockingham County, swear that all the information provided above to be true and correct. Executed the 23rd day of the 2nd month, Two Thousand, Twenty-Two.

Daniel Richard

State of New Hampshire County of Rockingham

The forgoing instruments was acknowledged before me this 23rd day of February, 2022,

Donna T. Judge, JP

DONNA T. JUDGE
Justice of the Peace New Hampshire
My Commission Expires March 3, 2026



March 3, 2022

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

Dear Mr. Dean,

Thank you so much for attending the Exeter Town Forum at RiverWoods on February 23rd. We know that the demands on your time are many, and we feel very fortunate that you were able to attend.

Your explanation of the article seeking body cameras for Exeter police was very useful, and it was especially interesting that the officers are enthusiastic about adding this equipment.

As you could see, you had a lively and interested crowd for the forum, and that is a reflection of the appreciation residents here have for the town they live in.

Sincerely,

The RiverWoods Voter Information Committee

Town Manager's Office

MAR - 7 2022

Received





Russ Dean <rdean@exeternh.gov>

Fw: Leveraging Local ARPA Funds in Support of Municipal, Arts, & Cultural Partnerships, March 21 at 3pm

1 message

Anthony Callendrello <acallendrello@vinoevivo.com>
To: Russ Dean <rdean@exeternh.gov>, Greg Bisson <gbisson@exeternh.gov>
Cc: "Scott Ruffner (scottruffner@mac.com)" <scottruffner@mac.com>

Thu, Mar 10, 2022 at 11:32 AM

Russ:

FYI.

I was thrilled to see that articles 30 and 31 passed with a large margin. I also have an action item from Tuesday's meeting to see if we can establish a Task Force or ad-hoc committee for the Town Hall renovations. I was thinking that it should include representatives from the Facilities Committee, Parks and Rec, Public Works, Energy Committee, and Historic Commission but there may be others who should be a part.

I am around to discuss whenever you'd like.

Regards,

Tony Callendrello, CSW, WSET L3
Owner/Manager
Vino e Vivo
163 Water Street, C-1
Exeter, NH 03833
(603) 512-9174

From: Burk-McCoy, Lisa <Lisa.M.Burk-McCoy@dncr.nh.gov>
Sent: Wednesday, March 9, 2022 1:40 PM
To: Burk-McCoy, Lisa <Lisa.M.Burk-McCoy@dncr.nh.gov>
Subject: Leveraging Local ARPA Funds in Support of Municipal, Arts, & Cultural Partnerships, March 21 at 3pm

Please share this announcement with your Arts Commission members and local arts organizations in your network!