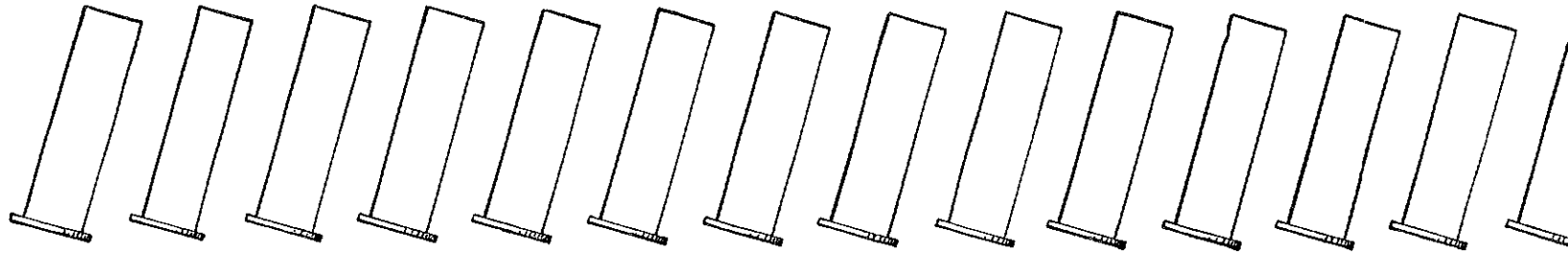


EXETER, N.H.

VOTING MACHINE



	PROPOSED ZONING AMENDMENTS AMENDMENT #1 "Are you in favor of the adoption of Amendment #1 as proposed by the Planning Board for the Town Zoning Ordinance as follows: Amend Section 2.20 — Definitions, by adding a new definition for Amateur Radio Communications Tower as follows: A free-standing, guy supported or building-mounted structure, including appurtenances and antenna intended for two-way Amateur Radio Communications?" NOTE: THIS DEFINITION IS INTENDED TO SPECIFY WHAT QUALIFIES AS AN "AMATEUR RADIO COMMUNICATIONS TOWER".				AMENDMENT #2 "Are you in favor of the adoption of Amendment #2 as proposed by the Planning Board for the Town Zoning Ordinance as follows: Amend Section 5.40 — Height Regulations, by adding a new section as follows: 5.43 — Amateur Radio Communication Tower Exception to Height Regulation: Amateur radio communications towers may be erected as to their structural design in accordance with existing, or hereafter adopted ordinances, of the Town of Exeter providing they do not exceed a height of eighty (80) feet?" NOTE: THIS AMENDMENT WILL ALLOW "HAM" RADIO TOWERS UP TO 80' IN HEIGHT.		AMENDMENT #3 "Are you in favor of the adoption of Amendment #3 as proposed by the Planning Board for the Town Zoning Ordinance as follows: Amend Section 5.14 — Continuance of Non-conforming Uses, by adding the following sentence after the first sentence in the existing text: The type of non-conformity shall remain the same and not be substituted for a different unrelated non-conforming use?" NOTE: THIS AMENDMENT WOULD PROHIBIT A CHANGE IN A NON-CONFORMING USE FROM ONE TYPE OF USE TO ANOTHER.		AMENDMENT #4 "Are you in favor of the adoption of Amendment #4 as proposed by the Planning Board for the Town Zoning Ordinance as follows: Amend Section 9.41 — Definition of Terms of Floodplain Development, by adding a definition for "Recreational vehicle" as follows: A vehicle which is (a) built on a single chassis; (b) 400 square feet or less when measured at the largest horizontal projection; (c) designed to be self-propelled or permanently towable by a light duty truck; and (d) designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel or seasonal use?" NOTE: THIS AMENDMENT IS REQUIRED IN ORDER FOR RESIDENTS OF THE TOWN TO CONTINUE TO BE ELIGIBLE FOR FLOOD INSURANCE UNDER THE NATIONAL FLOOD INSURANCE PROGRAM.		AMENDMENT #5 "Are you in favor of the adoption of Amendment #5 as proposed by the Planning Board for the Town Zoning Ordinance as follows: Amend Section 9.48 — 100 Year Flood, by adding a new section 2.c. as follows: Recreational vehicles placed on sites within Zones A1-30, AH and AE shall either (i) be on the site for fewer than 180 consecutive days, (ii) be fully licensed and ready for highway use, or (iii) meet all standards of Section 60.3 (b)(1) of the National Flood Insurance Program Regulations and the elevation and anchoring requirements for "manufactured homes" in Paragraph (c)(6) of Section 60.3?" NOTE: THIS AMENDMENT IS REQUIRED IN ORDER FOR RESIDENTS OF THE TOWN TO CONTINUE TO BE ELIGIBLE FOR FLOOD INSURANCE UNDER THE NATIONAL FLOOD INSURANCE PROGRAM.			
QUESTIONS	611 Yes	299 No	480 Yes	423 No	536 Yes	309 No		729 Yes	166 No		708 Yes	162 No		
OFFICES	1	2	3	4	5	6	7	8	9	10	11	12	13	14
	FOR SELECTMAN For Term of Three Years Vote for ONE:			FOR TOWN MODERATOR For Term of Two Years Vote for ONE:	FOR TRUSTEES OF LIBRARY COMMITTEE For Term of Three Years Vote for THREE:			FOR TRUSTEE OF SWASEY PARKWAY For Term of Three Years Vote for ONE:	FOR TRUSTEE OF TRUST FUNDS For Term of Three Years Vote for ONE:	FOR TRUSTEE OF ROBINSON FUND For Term of Seven Years Vote for ONE:	FOR SUPERVISOR OF THE CHECKLIST For Term of Six Years Vote for ONE:		FOR SCHOOL BOARD MEMBERS For Term of Three Years Vote for TWO:	
	222 1 A Helen Carr DIX	384 2 A Steve JENKINS	513 3 A George ST. AMOUR	991 4 A Charles F. TUCKER	716 5 A Thomas E. CARBONNEAU	788 6 A Judith HASKELL	746 7 A John A. PAYSON	948 8 A Douglas E. DICEY	837 9 A Robert A. LEE	885 10 A Peter A. SMITH	524 11 A Ruthan DAGOSTINO	497 12 A Robert STOCKBRIDGE	822 13 A Linda P. HENDERSON	785 14 A Roy E. MORRISSETTE

Town of Exeter

Date: March 12, 1994
Memo To: Moderator, Town Meeting
From: Nominating Committee
RE: 1994 Slate of Officers

Article 21

We would like to nominate the following residents to serve as Town Officers on the committees as noted:

Budget Recommendations Committee:

Sal Morgani ✓
Ann Titus ✓
Donald Schultz ✓
George Gram ✓
Ronald Roy ✓
Douglas Forrest ✓
John Sinclair ✓
John Payson ✓
Brian Fieldsend ✓
Sam Daniell ✓
Ben Dagostino Jr ✓
Dwayne Staples ✓
Donald Brabant ✓
Jeffrey Warnock ✓
James Griswold ✓
Neil Fitch ✓

Measurer of Wood and Bark:

Octave Carbonneau

Weigher:

George Wool

Fence Viewer:

Peter Dow

Respectfully submitted,

THE NOMINATING COMMITTEE

Robert H. Rowe, Chairman
Michael Dawley
Donald Brabant



recycled paper

ADJOURNED TOWN MEETING

TALBOT GYMNASIUM
EXETER AREA HIGH SCHOOL
SATURDAY, MARCH 12, 1994

Town Moderator Charles Tucker called the Adjourned Town Meeting to order at 9:00 A.M., having been sworn in earlier that morning by Town Clerk Linda Hartson. He introduced the Board of Selectmen, the Town Manager, the Town Clerk, and the Town Treasurer. He announced that the Selectmen held their organizational meeting and Paul Binette had been elected Chairman of the Selectmen; Robert Rowe, Vice Chairman; Paul Scafidi, Clerk. Moderator Tucker reminded Exeter residents to check in with the Checklist Supervisors and pick up a voting card if they planned to participate in "hand" votes. He explained the "ground rules" of the meeting, explaining the discussion of articles, and reiterated that each resident who wanted to speak would have a chance to do so.

Moderator Tucker then introduced Chairman Binette who publically thanked newly retired Selectman Herbert Moyer for the six(6) long years of hard work on the Board, and wished him well in the future.

Moderator Tucker reminded residents that Articles #1- 20 had been voted on at the Town elections on March 8th.

ARTICLE 21: To choose all other necessary Town Officers, Auditors or Committees for the ensuing year.

A motion was made and seconded to accept this Article as read. Moderator Tucker asked Nominating Committee Chairman Robert Rowe to read the slate of officers as prepared by this Committee. Mr. Rowe spoke on behalf of Committee members Michael Dawley, Donald Brabant, and himself and presented the slate for Budget Recommendations Committee; Measurer of Wood and Bark; Weigher; Fence Viewer. There being no other nominations from the floor for these positions, a motion was made and seconded to accept these nominations. (See list attached). **The vote was unanimous in favor to accept this slate as read, and the Town Clerk was instructed to cast one vote for the slate of officers as presented.**

ARTICLE 22: To authorize Board of Selectmen to raise and appropriate sum of \$2,500,000 for the permanent closure of the Cross Road landfill by the issuance of serial notes or bonds of the Town under and in accordance with, the provisions of RSA Chapter 33 (Municipal Finance Act), as amended; the discretion of fixing dates, maturity, interest or discount rates, the place of payment, the forms and details of said bonds or notes to be delegated to the Board of Selectmen. (B.O.S. recommends this appropriation.)

Motion made and seconded to accept this Article as read. Selectman Sherman Chester spoke to this Article. Gave a brief synopsis of closing of landfill; asked for support of this Article.

Resident Norman Morrisette asked what the future costs of maintaining and providing safety factors for this landfill would be, if any. Public Works Director Keith Noyes said that between \$10,000 - \$15,000 a year would be required for testing and monitoring the landfill. No further discussion, **Moderator Tucker said this Article required a one-hour checklist voting period, and a 2/3 vote for passage, per State law. At 9:15 A.M. Moderator Tucker declared the ballot box open. At 10:15 A.M. Moderator Tucker asked if all residents who wanted to vote on this Article had done so, and declared the Ballot Box closed. The Ballot clerks counted the ballots: YES - 183, NO - 35. Moderator Tucker declared that Article 22 had passed with a 2/3 vote..**

ARTICLE 23: Vote to raise and appropriate \$9,518,704, which represents the operating budget. Said sum does not include special articles to be addressed. (B.O.S. recommends passage)

Motion made and seconded to accept this Article as read. Sal Morgani, Chairman of Budget Recommendations Committee, spoke to this Article, and explained the figures. Since the printing of the warrant three (3) additional expenses have been added to the figure.

Selectman Paul Binette spoke to the additional expenses, which are: the cost of plowing and removing great amount of snow (\$45,750); a typographical error in the listing of benefits for sewer personnel (\$17,179); and a need for additional funding for a Town Office account (\$800). Mr. Binette explained that the budget is now over-expended by some \$5,000 and winter is not yet over, and funds will be needed for November and December, 1994. It is anticipated that revenues from the sale of Town equipment (landfill related) will offset this additional amount. The second increase would be covered by water and sewer bills and would not impact the tax rate. The third change covers \$25,000 worth of life insurance for each member of the Board of Selectmen, and expenses associated with the creation of a plaque showing the names of individuals who have served as Selectmen since 1970. The addition of these three items brings the total 1994 budget to \$9,582,433.

Mr. Binette made a motion to amend Article 23 to read \$9,582,433. The motion was seconded. There was no further discussion and the amendment passed on a voice vote.

Resident Dick Robbins, Dogtown Road, asked if there were estimated figures available resulting from the negotiations now in progress for Police, Fire, Public Works and Town Office employees. Mr. Binette explained that any discussions relative to the negotiations cannot be disclosed until both sides have agreed on their contracts. He said the Town may have to hold a Special Town Meeting following the agreement of negotiations. Mr. Robbins asked what last years increase in salaries was. Mr. Binette said a 3% raise was given to Town employees last year; he also said that 65% of the budget comes from salaries and benefits.

Another resident asked for an explanation for the printed total appropriation figure. Town Manager Olson explained that the total figure included the amounts shown in the Warrant for the different articles to be discussed today.

There being no further discussion, Moderator Tucker asked for a voice vote on the amended budget of \$9,582,433. The Ayes have it, and Moderator Tucker declared that the amended budget had passed.

ARTICLE 24: Vote to authorize Board of Selectmen to accept, on behalf of the Town, gifts, legacies and devises made to the Town in Trust for any public purpose, per RSA 31:19.

A motion was made and seconded to accept Article 24 as read. Town Manager Olson spoke to this Article. He explained this Article must be voted on at each Town Meeting, and the B.O.S. recommended it pass.

There being no futher discussion on this Article, Moderator Tucker called for a voice vote on article 24. The Ayes have it, and Moderator Tucker declared that Article 24 had passed.

ARTICLE 25: Vote to accept provisions of RSA 31:95-b providing that any Town at an annual meeting may adopt an article authorizing indefinitely, until specific rescission of such authority, the selectmen to apply for, accept and expend, without further action by the Town Meeting, unanticipated money from a state, federal or other governmental unit or a private source which becomes available during the fiscal year.

A motion was made and seconded to accept Article 25 as read. Mr. Olson spoke to this Article, and said that the B.O.S. is in favor of this article's passage. Mr. Olson also noted that this Article plus Article #26, #27, and #28 reflects wording that once passed, the article would remain in effect until the Town Meeting reversed its vote at a later date. (RSA 31:95-e).

There being no further discussion on Article 25, Moderator Tucker called for a voice vote. The Ayes have it, and Article 25 was declared passed.

ARTICLE 26: Vote to authorize the Board of Selectmen to accept gifts of personal property, other than money, to the municipality for any public purpose.

A motion was made and seconded to accept Article 26 as read. **There being no discussion, Moderator Tucker called for a voice vote. The Ayes have it, and Article 26 was declared passed.**

ARTICLE 27: Vote to authorize the Board of Selectmen to convey any real estate acquired by the Town by Tax Collector's deed. Such conveyance shall be by deed following a public auction, or the property may be sold by advertised sealed bid, or may be otherwise disposed of as justice may require, per RSA 80:80.

A motion was made and seconded to accept Article 27 as read. **There being no discussion, Moderator Tucker called for a voice vote. The Ayes have it, and Article 27 was declared passed.**

ARTICLE 28: Vote to accept provisions of RSA 33:7 providing that any Town, at an annual meeting, may adopt an article authorizing indefinitely, until specific rescission of such authority, the selectmen to issue tax anticipation notes.

A motion was made and seconded to accept Article 28 as read. **There being no discussion, Moderator Tucker called for a voice vote. The Ayes have it, and Article 28 was declared passed.**

ARTICLE 29: Vote to authorize Board of Selectmen to accept dedication of any street shown on a subdivision plot approved by Planning Board, provided that such street has been constructed to applicable Town specifications as determined by the B.O.S. or their agent.

A motion was made and seconded to accept Article 29 as read. **There being no discussion, Moderator Tucker called for a voice vote. The Ayes have it, and Article 29 was declared passed.**

ARTICLE 30: Town to accept RSA 202-A:4-c, providing that any town, at an annual Town Meeting, may adopt an article authorizing indefinitely, until specific rescission of such authority, the Public Library Trustees to apply for, accept, and expend, without further action by the Town Meeting, unanticipated money from a state, federal or other governmental unit or a private source which becomes available during the fiscal year.

A motion was made and seconded to accept Article 30 as read. **There being no discussion, Moderator Tucker called for a voice vote. The Ayes have it, and Article 30 was declared passed.**

ARTICLE 31: Vote to raise and appropriate \$33,200.00 to be deposited into the Town Retirement Sick Leave Fund, and to authorize B.O.S. to expend such monies from said funds as are required by the Town to meet its obligation to retiring employees. (B.O.S. recommends approval.)

A motion was made and seconded to accept Article 31 as read. **There being no discussion, Moderator Tucker called for a voice vote. The Ayes have it, and Article 31 was declared passed.**

ARTICLE 32: Vote to discontinue Portsmouth Avenue Capital Reserve Fund as created in 1993. Said funds, with accumulated interest to date of withdrawal, are to be transferred to the General Fund.

A motion was made and seconded to accept Article 32 as read. Town Manager Olson explained this Article, and referred to the proposed 4-lane street that was going to be built with the assistance of the State of N.H. because of the new Route 51 work being done. However, the State has now put this project on hold until approximately year 2000. The State suggests we do away with the capital reserve fund for this project. We will need to pay this year for the proposed designs. The B.O.S. is suggesting that the \$92,000 be deposited into the General Fund and \$30,000 of it be used to pay for the designs (see Article 33) and the remaining \$62,000 be used as a deposit on the new ladder truck the fire department is requesting (see Article 34).

There being no further discussion, Moderator Tucker called for a voice vote. The Ayes have it, and Article 32 was declared passed.

ARTICLE 33: Vote to establish a Capital Reserve fund, re RSA 35:1, for the purpose of widening Portsmouth Avenue to four lanes, raise and appropriate \$30,000 for this Fund and to designate the selectmen as agents to expend said sum. (B.O.S. recommends approval.)

Resident Arthur Baillargeon asked for further explanation of this particular article, in retrospect to the last Article (#32). Mr. Olson admitted it was confusing but reiterated that \$30,000 is needed for the designs for the proposed four lane road. He said there would be no effect on the tax rate. Mr. Binette also tried to explain this Article further; the money is all ready in another Fund, which has just been dissolved, and now it will be spent in a different way.

There being no further discussion, Moderator Tucker called for a voice vote on Article 33. The Ayes have it, and Article 33 was declared passed.

ARTICLE 34: Vote to raise and appropriate \$62,000 for a down payment on a new ladder truck, with subsequent lease purchase payments not to exceed \$77,000 per year for the following five years. (B.O.S. recommends approval.)

A motion was made and seconded to accept this Article as read. Selectman Binette spoke to this Article. He explained the need for a newer, better ladder truck with a ladder that will expand to higher heights, for safety reasons, and also has the most up-to-date equipment on it. Our present truck was made in 1972, has had many repairs, and concern is great as to where we will continue to buy parts as the manufacturer is out of business.

Fire Chief John Carbonneau explained further about this new ladder truck. He presented visual aids to the audience, showing both the new truck and present truck. He said that our present truck operates at 1/2 its capability. A committee of fire fighters had been put together last year to research the situation. It had considered what height ladder would be needed, the equipment provided with the new truck, and worked on a complete study analysis regarding this matter. The committee checked around to see what sticker prices are available, and it was decided that no more than \$400,000. is necessary for this piece of equipment. Also considered was the manner of payment, and it is felt that a lease for a 5-year period is the best way to go.

Resident Lee DiPietro asked what would happen to the old ladder truck. The Chief said the Department will negotiate the best deal possible, but it is their hope that the present one can be turned in toward the newer one. Research showed that \$11,000 is the current value of the present truck.

The Fire Chief and Selectmen assured the residents that all details of this purchase would be shared with the public. Bids would need to go out for this truck, and bids would be opened at a public Selectmen's meeting before any decision is made.

Resident Dick Robbins asked about the current value and wondered if it was an appraised figure or an actual figure. Chief Carbonneau said it is an approximate figure, and reiterated that he intended to negotiate the best possible deal for the Town.

Resident William Campbell asked if there would be any hidden costs associated with this acquisition, i.e. added personnel, added equipment. The Chief assured the public that there were no hidden costs; this newer truck can be staffed by one (1) firefighter to start the process, whereas now it takes three (3) firefighters to even begin.

Treasurer Donald Brabant asked if the Committee had looked into borrowing the money for this purchase, as opposed to leasing. He pointed out that this Article is asking for lease only rather than borrowing money. The Fire Chief said the committee had looked into the possibility of borrowing money and if it were done this way then a different approach would have to be taken.

Mr. Binette shared figures he had been given to refurbish the present truck - \$200,500.00 with no guarantees that this truck would last. In January the Board of Selectmen had spoken with County Commissioner Warren Henderson and with the Brentwood Fire Department about the possibility of them reimbursing the Town of Exeter when our ladder truck is used at a fire scene. Commissioner Henderson agreed that this makes sense, especially if Exeter is on a first call basis. This possibility can be researched, but no definite answer could be given at this time.

Fire Captain Harry Thayer, a resident of Brentwood and a member of our Fire Department, asked to speak. The Moderator asked the audience if they had any objection to a non-resident speaking to this Article; there being none, Mr. Thayer said that they had looked into bonding this Article, but it would have taken a 2/3 vote. He also pointed out that originally an interest rate of 5.3% had been quoted. The lease gives the Town a 5-year guarantee on this equipment.

Resident Herb Moyer stated that with a lease purchase the Town would be

committing to a 5-year plan but with the possibility of a buy-out during this period. He also reminded the residents that the Fire Department is trying to protect Exeter's taxable property better.

Much discussion continued on this issue - whether to lease, or bond, or to buy outright. The residents were reminded that if they want to bond, a special Town Meeting will need to be held, after it has been advertised and the legal process is followed. An amendment to the Article was made and seconded that the Town raise and appropriate the sum of \$400,000 to purchase a new ladder truck. There was discussion on this amendment and finally Moderator Tucker asked for a voice vote on the amendment to the Article. The Nays have it, and **Moderator Tucker reported that the amendment had been defeated. There was no further discussion on the original Article and the Moderator called for a voice vote on Article 34 as originally read. The Ayes have it, and Moderator Tucker declared that Article 34 had passed.**

ARTICLE 35: Vote to authorize Board of Selectmen to acquire, in the name of the Town, 18.548 acres, more or less, of land from L. Chester Simpson - now the Exeter landfill site and adjacent land - so the Town can complete the closure of the Exeter Landfill, and to pay \$1.00 to Mr. Simpson. Also to grant Mr. Simpson an access easement over Town property to access to a 2.815 acres lot being retained by him; and to provide Mr. Simpson with an Indemnity Agreement whereby the town agrees to indemnify and save Mr. Simpson harmless from any claim alleging environmental contamination of said land or alleging death, bodily injury, property damage or other loss arising out of the Town's use of said land as landfill for disposal of waste. (B.O.S. recommends passage.).

A motion was made and seconded to accept Article 35 as read. Town Manager George Olson explained this Article. He spoke about the closure of the Landfill, and about the Town having leased this land from Mr. Simpson over the past years. Resident Wayne Patten said he was concerned with the liabilities the Town is relieving Mr. Simpson of. Mr. Olson explained that the lease has exempted Mr. Simpson from any pollution in the past and the Town will continue to do so. Concern about the Town owning the property and being the owner of any toxic waste problems was expressed. An amendment to the Article was made regarding the Town entering into another type of agreement with Mr. Simpson; however, there was no second to this amendment.

Selectmen Chester reminded the voters that the Town is now spending a great deal of money to close this Landfill site and therefore the Town would like to control who goes on the land, who might be putting in fences or poles, and so on. Public Works Director Keith Noyes said that with the passage of this Article the Town will actually be saving money - the money we have spent each year to lease this land.

There being no further discussion, Moderator Tucker called for a voice vote. The Ayes have it, and Article 35 was declared passed

ARTICLE 36: Vote to authorize Board of Selectmen to accept Deer Run Road as a public street, subject to the Grantors complying with all conditions stipulated by said Board at their January 10, 1994 meeting.

A motion was made and seconded to accept Article 36 as read. This Road is off Watson Road. Resident Peter Valade explained this Article. He said that all construction has been completed. The Road complies to Town standards and Private Way regulations.

Public Works Director Keith Noyes said this road is in good condition. The homeowners have agreed to fix any minor problems, and public works has no problem accepting this road.

There being no further discussion, Moderator Tucker called for a voice vote. The Ayes have it, and Article 36 was declared passed.

ARTICLE 37: Vote to authorize the Board of Selectmen to accept Cragmere Heights as a public street, subject to the Grantors complying with all conditions stipulated by said Board at their January 10, 1994 meeting.

A motion was made and seconded to accept Article 37 as read. This Road is off Beech Hill Road. Resident David Stewart spoke to the Article. He said all the Town regulations have been followed and complied with.

There being no further discussion, Moderator Tucker called for a voice vote. The Ayes have it, and Article 37 was declared passed.

ARTICLE 38: Vote to delete Section 820 (Alarms: Business, Residences, Burglary, Fire, Medical Emergency or any emergency alarm device or system) of the Town's ordinances and replace with a new Section 820 as follows:

820 ALARMS: BUSINESS, RESIDENCES, BURGLARY, FIRE, MEDICAL EMERGENCY OR ANY EMERGENCY ALARM DEVICE OR SYSTEM.

820.1 Definitions: Alarm system; False Alarm

820.2 Conform to standards for fire alarms

820.3 No installation of Direct Dial Alarm Systems within Town of Exeter

820.4 Automatic cut-off for External Audible alarm devices

820.5 Alarm owners/contractors provide certain information prior to alarm system becoming operational

820.6 Penalty for causing false alarm because of alarm system

820.7 Penalties associated with alarm violations

820.8 Appeals process

A motion was made and seconded to waive the reading of this Article in its entirety because of the length of the Article. No discussion; voice vote; passed.

A motion was made and seconded to accept this Article. Selectman Paul Scafidi spoke to this article, and said it was basically a housekeeping article to bring the Town of Exeter up to standards. **There being no further discussion, Moderator Tucker called for a voice vote. The Ayes have it, and Article 38 was declared passed.**

ARTICLE 39: On petition of Gary M. Carraux and others, to see if the Town will vote to accept Kelby Scott Way as a public highway and to authorize and instruct the Selectmen to accept a deed of said Kelby Scott Way and related easements and to waive any requirement for posting of a maintenance bond in connection therewith.

A motion was made and seconded to accept Article 39 as read. Gary Carraux explained that the residents of Kelby Scott Way have worked with P.W. Director Keith Noyes to make this Road in compliance with Town specifications. He said this Road is off Watson Road and is a cul-de-sac. A question was asked as to why the language of this Article was different from Articles 36 and 37. It was

explained that these residents did not meet with the Selectmen January 10, 1994, and therefore did not realize the verbage of the other two roads.

Resident Ronald Roy wanted to know if the residents of Kelby Scott Way would be waiving bond. P.W. Director Noyes said that the properties will be liened and the residents of this Road will be responsible for compliance, just the same as the other areas.

Resident Edward Gage asked if Article 29 of this warrant applied to this situation. Selectman Chester said that Article 29 did not apply here. He agreed the language is confusing but Article 39 was not filed prior to the Selectmen's meeting. Resident Herb Moyer said he did not believe that Article 29 makes this Article a retroactive policy.

There being no further discussion, Moderator Tucker called for a voice vote. The Ayes have it, and Article 39 was declared passed.

ARTICLE 40: On petition of Joanna Pellerin and others, to see if the Town will vote to reauthorize the Exeter Conservation Commission to negotiate and sell an 11.2 acre parcel adjacent to the Exeter River on Linden Street and a 1.7 acre parcel north of Swasey Parkway subject to Conservation easements and architectural covenants for amounts not less than their fair market value to be confirmed by an MAI appraisal with proceeds from the sales to be returned to the Exeter Conservation Fund.

A motion was made and seconded to accept Article 40 as read. Ms. Pellerin explained this is a housekeeping article. She further explained it is necessary to come before Town Meeting when buying or selling property for conservation purposes. She also referred to the 1993 amendment where a 50/50 split with the Town and Conservation Commission had been voted on. She gave a brief synopsis of past conservation matters. A resident made a motion to amend this Article to read "proceeds from the sales to be split with 50% going to the Town General Fund and 50% going to the Conervation Commission." The motion was seconded. Selectman Herb Moyer said that the intent originally was for all the money to go to conservation, and it was changed last year (1993). He urged that this amendment be turned down.

There being no further discussion on the amendment, the Moderator asked for a card vote on the amendment: YES - 54, NO - 155. The Moderator declared that the amendment had failed.

Resident and Commission member Peter Waltz spoke about conservation land owned in Exeter. He said over 800 acres has been acquired by land acquisition funds. He reiterated the importance of this project.

Selectman Robert Rowe commended the Conservation Commission on their efforts; however, he stated that he is opposed to the article as proposed because he feels the Conservation Commission members are "renigging" on their agreement with the Town as of last year.

There was discussion as to why sell the land when it should be kept for Exeter residents to enjoy. Peter Dow said the sale of this particular parcel will in no way jepordize the public's right and ability to use the waterfront.

There being no further discussion, the Moderator called for a voice vote. The Ayes have it, and Article 40 was declared passed.

ARTICLE 41: On petition of Felicia Donovan and others, to see if the Town will vote to raise and appropriate the sum of \$14,556 for the Exeter Public Library for funding for the "Reach to Read Family Literacy Program" for 1994.

A motion was made and seconded to accept Article 41 as read. Felicia Donovan, Chairman of the Library Trustees, spoke to this Article. The Trustees would like to expand the low literacy rate here in Exeter. There is a need to increase the library hours, as well as to acquire more materials for adult tutorial program.

Sal Morgani, Chairman of the Budget Recommendations Committee, explained the Budget Committee's approach to budgets this year. He spoke about the 3% cut that all Departments agreed to make. He objected to this Article because he feels the Library Trustees are now putting that 3% back into the budget. He also asked if this was not a school function instead of a Library function. Ms. Donovan said the Trustees and School personnel had met and they do want to coordinate their programs.

Resident Ruthan Dagostino referred to the many cuts in the School Budget that had been made at last weeks School District Meeting, and thought this was not appropriate at this time.

There being no further discussion, Moderator Tucker called for a voice vote on Article 41. The Ayes have it, and Article 41 was declared passed.

****At this point in the meeting Moderator Tucker said he would entertain a motion to move forward Article 46 as it requires a one-hour checklist ballot vote. He commented that this would be a good time for residents to get lunch after they have voted. He also urged residents to return for the remainder of the warrant article voting.**

ARTICLE 46: On petition of Salvatore Morgani, representing a majority of the Town of Exeter Budget Recommendations Committee, and others, to see if the Town will vote to adopt the provisions of RSA 32 (Municipal Budget Law), which gives **one** newly elected or appointed budget committee (including a selectman and a school board member) budgetary authority over **both** the Town and School District budgets.

A motion was made and seconded to accept Article 46 as read. Mr. Morgani spoke to this article and explained the Municipal Budget Law. He reiterated that the people would be **electing** people to a Board to work on a budget.

Resident Warren Henderson spoke against passage of this Article. He feels this Budget Law restricts the voter. He pointed out that M.B.L. does not cover salaries and benefits, bond issues, and other programs.

Resident Lawrence Dobson, member of School Budget Committee urged residents to vote this Article down. He and the Chairman of the School Budget Committee spoke about the M.B.Act some more, explaining that once this is voted in it is in place for 3 years and takes another Town Meeting vote to rescind. He also pointed out that it takes at least 3-4 months to discuss the School budget items and wondered if one Board would give up this much time for the School as well as time for the Town. They also pointed out that the remedial reading program and special education programs are exempt from the Budget Act.

Selectman Chester said it could be a 12-member board. He gave other facts in favor of the Act, but did agree that it is another layer of government. Many

other residents spoke to this Article, both for and against. Finally a motion was made to move the question; this was seconded; Moderator Tucker called for a voice vote on this motion. Ayes have it. There being no further discussion on the Article itself, Moderator Tucker reminded the residents this was a one-hour checklist vote, and declared the ballot box open at 12:47 P.M.

At 1:47 P.M. Moderator Tucker asked if all residents had voted on Article 46 who so wanted to. No further voters, Moderator Tucker declared the ballot box closed, and asked the Ballot Clerks to count the votes. **The votes being counted, the Moderator declared that Article 46 had been defeated with a vote of YES = 36, NO = 220.**

ARTICLE 42: On petition of Stephen Jenkins and others to see if the Town will vote to raise and appropriate \$2,800. to the New Hampshire SPCA to support the many services they provide to the Town of Exeter. (B.O.S. does not recommend passage of this Article.)

Mr. Jenkins was not present to address this Article; Donald Schultz spoke to this Article. Mr. Schultz is a member of the Budget Recommendations Committee and explained that money for the SPCA had been appropriated in the recommended budget. This would be an additional amount for this organization. He urged the residents to defeat this Article.

There being no further discussion, Moderator called for a voice vote on this Article. The Nays have it, and the Article was declared defeated.

ARTICLE 43: On petition of Susan L. Hanson and others, to see if the Town will vote to designate Linden St./Powder Mill Road, from Second Bridge to the Kingston Road (Route 111), as a Scenic Road under the provisions of RSA 231:157, 158. The purpose is to protect and enhance the scenic beauty of Exeter.

A motion was made and seconded to accept this Article as read. Susan Hanson spoke in favor of this Article commenting on the scenic beauty of the road and its surroundings. Resident Joseph Baillargeon asked what the limitations for cutting trees, removing stone walls, and digging fence holes would be if this is a Historic Road. Peter Dow, a resident and Code Enforcement Officer for the Town of Exeter, said he believed that this request would need to go before the Planning Board and hold a public hearing to make any changes. Mr. Dow referred to a State RSA regarding scenic roads.

There being no further discussion, Moderator Tucker called for a voice vote on this Article. The Ayes have it, and Article 43 was declared passed.

ARTICLE 44: On petition of Jane Geffken Henderson and others, to see if the Town will vote to raise and appropriate the sum of \$3,000 for the support of AIDS Response of the Seacoast. (The B.O.S. does not recommend passage of this Article.)

A motion was made and seconded to accept Article 44 as read. Budget Recommendations Committee member Donald Schultz addressed this Article. He said this petition did not get filed with the Town in time to be included in the Social Services portion of the budget. **He made a motion to amend this Article "...to raise and appropriate the sum of \$1,000. for the support of**

AIDS Response of the Seacoast." The amendment was seconded; no further discussion on the amendment. Moderator Tucker called for a voice vote on the amendment. The Ayes have it, and Moderator Tucker declared the amendment had passed.

There was no further discussion on the amended Article; Moderator Tucker called for a voice vote. The Ayes have it, and Article 44 was declared passed.

ARTICLE 45: On petition of David B. LaFreniere and others, to see if the Town will support urging the Town of Exeter ... "to end all plans for continued use of the Landfill site after October 8, 1993."

A motion was made and seconded to accept Article 45 as read. Resident Herb Moyer asked if the Article passed did it mean there would no longer be a stump dump and/or compost pile? Selectman Paul Scafidi addressed this question saying Mr. Moyer was correct. If this Article passes, the landfill will be closed **COMPLETELY**. He went on to say the State has approved our using this site as a "transfer station." Each night the rubbish packer at the landfill is returned to the Public Works Department on Newfields Road.

Resident Wayne Raymond, Jr. asked if other sites had been looked into for this "transfer station." Mr. Scafidi said there were no other sites available in the Town of Exeter for this "transfer station." He reiterated that the area is kept picked up from debris and the odor should be under control.

There being no further discussion, Moderator Tucker called for a voice vote on this Article. The NAYS have it, and Article 45 was declared DEFEATED.

ARTICLE 47: On petition of Salvatore Morgani, representing a majority of the Town of Exeter Budget Recommendations Committee, and others, to see if the Town will, upon adoption of RSA 32 (Municipal Budget Law), vote to authorize the ELECTION of NINE members-at-large to the Municipal Budget Committee, per RSA 32:15.

A motion was made and seconded to accept this Article as read. Moderator Tucker said that because ARTICLE 46 had been DEFEATED, ARTICLE 47 is also DEFEATED.

ARTICLE 48: On petition of Ludger Bernier and others, to see if the Town will vote to raise and appropriate the sum of \$20,000 to be incorporated into the Street Light account, to include a light on every other pole within compact; state and country roads lit every 1000 feet; congested areas outside compact, lights every 500 feet.

A motion was made and seconded to accept this Article as read. Mr. Bernier was not present to speak to this Article. Selectman Scafidi explained the Street Light Committee's suggestion is to put lights up in a systematic manner. He explained there is money in the budget for this suggested plan, and he urged defeat of this Article because it is too costly.

Resident Mark Trafton asked if a lower cost light bulb had been researched? P.W. Director Noyes spoke to this and said the Town will be switching to high pressure sodium bulbs. He had spoken with Exeter & Hampton Electric about a lower cost bulb, but they are not ready to use this higher technology yet.

Resident Wayne Raymond, Crawford Avenue, said this street had no lights on it at all, and the residents of the neighborhood were concerned about safety. He urged support of the Article's passage.

Mr. Noyes then explained that the Street Light Committee had come up with four (4) options and researched the matter completely. The poles in Exeter are not necessarily every 150 feet or 500 feet apart now, and this is what this Article refers to. He said there are two plans: Option #2 which the Selectmen have approved; there is enough money to put that into effect immediately. (See attached sheet for Options.)

Resident Warren Henderson made a motion to amend Article 48, by adding the following after the last period of the Article: **"...congested areas outside compact lights every 500 feet, except that no area of Exeter will lose existing street lights as a result of the passage of this Article."** One problem should not cause a problem for other residents. This motion was seconded. Discussion on amendment. Don Schultz said he understands there are two plans: One to provide adequate lighting by putting back the lights that were removed, and there is money for that now. The second plan is the proposal before the Meeting which changes the plan, whereby in certain areas as established by a pattern, lights will have to be on every other poles. Concern is that every other pole may not be spaced equally, some being close together and others spaced farther apart. Problem would be that some areas would have more light than others. Suggested that the amendment be defeated, go with Plan #2 and defeat the Article.

P.W. Director Keith Noyes further explained that an additional \$25,000 will need to be added to the requested Article for the amendment to work. The passage of this Article will mean there will be areas within the urban compact that will probably see more lights because now where we may have six poles on a road and three lights, the Article says we are going to have lights on every other pole. The poles are not every 150 feet and there is a logistical problem with the way this Article is written. Mr. Noyes would like to use a formula involving the total distance of the road between intersections, divided by 500, which would then determine the amount of light needed on that road. The amount of light determined by the equation would determine the way the light is distributed along that roadway. All roads would not necessarily see additional lights but urban compact roads would get more lights.

Selectman Scafidi and Selectman Rowe were on the Committee, and Mr. Scafidi explained that the Town wants to replace these lights in a systematic manner, which would put lights in all areas of the Town with limited expense. He reiterated there is now money in the budget for Plan #2.

There appeared to be no further discussion on the Amendment, and Moderator Tucker called for a voice vote on the Amendment. It was confusing and a card vote was called for. YES = 55, NO = 65. The Amendment failed.

Resident Charles Thayer said he would like to know exactly what Plan #2 is, and what the time frame for working on the lighting problem is. Selectman Scafidi read Plan #2, and said the time frame for the work to be started would be immediately. He also said that Exeter & Hampton Electric Company is taking the lights down for free but they will not be putting them back up for free.

Resident Norman Morrisette made an amendment to raise and appropriate \$20,000 to be incorporated into the Street Light account, to replace the street lights that have been removed. Motion was seconded. Resident Karen Plumer reiterated that money is already in the budget that will bring back the lights that were taken away. Why are we asking for more money if we don't need it?

Article 48

STREET LIGHT COMMITTEE

MINUTES

DECEMBER 6, 1993

PRESENT: Ludger Bernier, Public Works Director Keith Noyes, Town Manager George Olson, Chief Steve MacKinnon. ABSENT: Selectmen Paul Scafidi, Fire Chief John Carbonneau, and Dennis Alexander. Also present: Norm Pouliot.

In the absence of a quorum, the meeting was rescheduled to 5:00PM Monday the 13th. Mr. Noyes noted that had the meeting gone forward, the following 4 options developed to address street lighting and the cost of each would have been discussed:

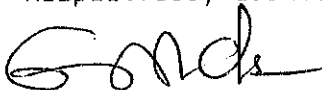
Option #1: Policy now on hold i.e. lights at intersections and dead-ends; at dangerous road situations; poles with fire boxes; arterial roads with sidewalks. \$77,000.

~~Option #2:~~ Same as #1 plus; by petition vote of neighborhood (50%); arterial road without sidewalks within compact and town connector/residential roads, lights every 500 feet or proportional amount spaced evenly; country roads every 1000 feet; no state road coverage. \$103,000. *114,000 to state for 94 to 1997*

Option #3: Same as #2 plus; light on every other pole within compact (but no light closer than 150'); state and county roads lit every 1000 feet; congested areas outside compact lights every 500' (e.g. Marshall Farms), \$127,000.

Option #4: Same as #2 plus; light on every other pole in all densely settled residential and commercial areas; state and ~~county~~ *country* roads every 1000 feet. *143,000*

Respectfully submitted,



George M. Olson
Town Manager

GNO:bb

Selectman Sherman Chester wanted clarification of the \$20,000. Same amount being asked for originally. No further discussion, **Moderator Tucker called for a voice vote on the amendment. The Nays have it, and the amendment was defeated.**

Moderator Tucker then called for a voice vote on original Article as written. The Nays have it, and Article 48 declared as defeated.

ARTICLE 49: On petition of Bonnie Bethel and others, to see if the Town will vote to instruct the Selectmen to write to President Bill Clinton to request that he keep his campaign promise to the Town regarding the holocaust in Bosnia, namely to lift the arms embargo of Bosnia and to attack the Serbian gun emplacements with U.S. air power, or to take any other action relating thereto.

A motion was made and seconded to accept Article 49 as read. Moderator Tucker explained that Mr. Charles Terry of North Hampton asked to speak to this Article, and as in the past the Town Meeting is asked if a non-resident can speak. The residents agreed to allow Mr. Terry to speak. Selectman Chester asked a procedural question: "If one or more Selectman is not in agreement, must that Selectman sign the letter?" A motion was made and seconded to delete **"to instruct the Selectmen to write"** This would mean that the Town Meeting would have to send the letter; and probably the Moderator would have to sign the letter. **The Moderator called for a voice vote on the amendment. The Ayes have it, and the Amendment passed.**

Resident Tom Gage then made a motion to make a further amendment to this Article: to delete **"and to attack the Serbian gun emplacements with U.S. air power, or to take any other action relating thereto."** Mr. Gage explained his motion and talked about the Article itself. The motion was seconded; there was no further discussion on the amendment. **The Moderator called for a voice vote on the Amendment. The Ayes have it, and the Amendment was declared as passed.**

Selectman Paul Scafidi said he thought it would be more effective if a letter was written on an individual basis to President Clinton. Resident Joyce Morgan spoke about the Bosnian students who are presently here in Exeter, and their feelings regarding what is going on in their country. She asked for the Town to consider this Article, the feeling being that the TOWN would carry more weight than on an individual basis. A question was then raised by resident Joe Tardiff as to "Should we, the Town, get involved in foreign policy?" Discussion then followed on this. Mr. Terry said he would agree with the amended Article.

There being no further discussion, Moderator Tucker called for a voice vote. The voice vote was unclear and the Moderator called for a card vote. YES = 35, NO = 60. Moderator Tucker declared Article 49 Defeated.

Article 50: To transact any other business that may legally come before said meeting.

A motion was made and seconded to accept this Article as read. There being no further business to come before this meeting, Moderator Tucker entertained a motion to adjourn; seconded; unanimously in favor. Town Meeting adjourned at 3:20 P.M.

Respectfully submitted,

Linda M. Hartson

Linda M. Hartson, Exeter Town Clerk