

**THE STATE OF NEW HAMPSHIRE
TOWN OF EPPING**

TOWN MEETING WARRANT

To the inhabitants of the Town of Epping, County of Rockingham, in the State of New Hampshire, qualified to vote in town affairs:

FIRST SESSION

You are hereby notified to meet for the First (Deliberative) Session of the annual town meeting, to be held at the Epping Town Hall, Epping, NH on the Fifth day of February 2019 being Tuesday, at seven in the evening (7:00 P.M.). The First (Deliberative) Session will consist of explanation, discussion, and debate of each of the following warrant articles, and will afford those voters who are present the opportunity to propose, debate and adopt amendments to each warrant article, except those articles whose wording is prescribed by state law.

SECOND SESSION

You are also notified to meet for the Second Session of the annual town meeting, to elect town officers by official ballot and to vote by official ballot on the warrant articles as they may have been amended at the First Session, to be held at the Epping Middle School Gymnasium, Epping, NH on the Twelfth day of March 2019, being Tuesday, at eight o'clock in the forenoon (the polls are to be open at 8:00 A.M. and may not close prior to 7:00 P.M.) to act upon the following:

ELECTION OF OFFICERS

Article 1: To choose necessary town officers for the ensuing year:

- **Two Selectmen for three (3) years**
- **Three Budget Committee Members for three (3) years**
- **Two Cemetery Trustees for three (3) years**
- **One Cemetery Trustee for one (1) year**
- **Two Library Trustees for three (3) years**
- **One Library Trustee for one (1) year**
- **One Planning Board Member for three (3) years**
- **Two Board of Adjustment Members for three (3) years**
- **One Tax Collector for three (3) years**
- **One Town Clerk for three (3) years**
- **One Trustee of Trust Fund for three (3) years**
- **One Water and Sewer Commission Member for three (3) years**
- **One Water and Sewer Commission Member for two (2) years**

Article 2: Variances and Special Exceptions – Zoning Article 13

Are you in favor of the adoption of Amendment No. 1 as proposed by the Planning Board for the Town Zoning Ordinance to adopt state statute 674:33, this provides a three-year sunset for variances and special exceptions approved before August 19, 2013 that have not been acted upon? Variances that may have been granted in as early as 1972 and never acted upon may now be inconsistent with surrounding properties. This gives property owners that may have outstanding variances or special exceptions until 2022 to exercise them.

[Recommended by the Planning Board 5-0]

Majority Vote Required

Article 3: Removing Multi-family as a use with a special exception from the Residential Zone – Zoning Article 2 Section 6

Are you in favor of the adoption of Amendment No. 2 as proposed by the Planning Board for the Town Zoning Ordinance to remove Multi-family as a special exception in the Residential Zone? The Board feels that these types of developments are not consistent with the housing type in this zone.

[Recommended by the Planning Board 5-0]

Majority Vote Required

Article 4: Reorganize the Multi-family Regulations - Zoning Article 6 Section 10

Are you in favor of the adoption of Amendment No. 3 as proposed by the Planning Board for the Town Zoning Ordinance to reorganize the multi-family regulations and incorporate duplex regulations into this section? This also eliminates special exceptions in this section of the ordinance.

[Recommended by the Planning Board 5-0]

Majority Vote Required

Article 5: Adding Light Industrial to the Residential Commercial Zone – Zoning Article 2 Section 2

Are you in favor of the adoption of Amendment No. 4 as proposed by the Planning Board for the Town Zoning Ordinance to allow light industrial in the residential commercial zone? (This is the corridor along 125 from Rt 87 to the Lee town line). Light Industrial will be defined as follows in article 12: A use engaged in the manufacture, predominately from previously prepared materials, of finished products or parts, including processing, fabrication, assembly, treatment, packaging incidental storage, sales and distribution of such products; but excluding basic industrial processing such as casting and forging. It does not result in significant noise, glare, odor, dust, smoke, or vibration which could be detectable beyond the building. This use would be consistent with other uses in the zone.

[Recommended by the Planning Board 4-1]

Majority Vote Required

Article 6: Residential Access in the Residential Commercial Zone – Zoning Article 2 Section 2

Are you in favor of the adoption of Amendment No. 5 as proposed by the Planning Board for the Town Zoning Ordinance to prohibit residential development for lots that only have frontage on Route 125? New residential driveways on Route 125 in the area between Route 87 and the Lee town line will create safety and traffic congestion issues. This change would require new residential developments to have their driveways on a road other than Route 125, which would allow the traffic to come out at already existing intersections.

[Recommended by the Planning Board 5-0]

Majority Vote Required

ARTICLE 7: WASTEWATER TREATMENT FACILITY UPGRADE 1

To see if the Town will vote to raise and appropriate the sum of \$2,190,000.00 (gross budget) for the purpose of replacing the membranes and ancillary equipment in all three treatment trains and for upgrading the intermediate pumping station, that will qualify the Town for federal and state funds, and to authorize the issuance of bonds or notes in accordance with the provisions of the Municipal Finance Act (RSA 33) in the amount up to \$2,190,000.00; and further to authorize the Selectmen and the Epping Water and Sewer Commissioners as applicable, to issue, negotiate, sell and deliver such bonds or notes, and to determine the interest rate thereon and the maturity and other terms thereof; and further to authorize the Selectmen and the Epping Water and Sewer Commissioners as applicable, to apply for, obtain and accept federal, state, or other aid, grants or other funds, if any which may be available for said project that may reduce the amount to be financed with bonds and notes, and to participate in the State Revolving Fund (SRF) RSA 486:14 established for this purpose, and to allow the Selectmen and the Epping Water and Sewer Commissioners as applicable, to expend such monies as become available; and to authorize the Selectmen and the Epping Water and Sewer Commissioners as applicable, to take any other action or to pass any other vote relative thereto. It is anticipated that the Town will receive at least \$200,000.00 in principal forgiveness from the State Revolving Fund program. Without impairing the general obligation nature of the bonds and notes, it is the intention of the Town that the bond or note repayment shall be paid for by sewer user rates, with no impact on the tax rate.

[Recommended by the Board of Selectmen 5-0]

[Recommended by the Municipal Budget Committee 9-0]

3/5 Majority Vote Required

ARTICLE 8: WASTEWATER TREATMENT FACILITY UPGRADE 2

Passage of this article shall override the 10 percent limitation imposed on this appropriation due to the non-recommendation of the budget committee. To see if the Town will vote to raise and appropriate the sum of \$3,300,000.00 (gross budget) for the purpose of decommissioning the lagoons to the extent possible in accordance with the Environmental Protection Agency Region 1 Order for Compliance issued to the wastewater treatment facility on June 9, 2016, that will qualify the Town for federal

and state funds, and to authorize the issuance of bonds or notes in accordance with the provisions of the Municipal Finance Act (RSA 33) in the amount up to \$3,300,000.00; and further to authorize the Selectmen and the Epping Water and Sewer Commissioners as applicable, to issue, negotiate, sell and deliver such bonds or notes, and to determine the interest rate thereon and the maturity and other terms thereof; and further to authorize the Selectmen and the Epping Water and Sewer Commissioners as applicable, to apply for, obtain and accept federal, state, or other aid, grants or other funds, if any which may be available for said project that may reduce the amount to be financed with bonds and notes, and to participate in the State Revolving Fund (SRF) RSA 486:14 established for this purpose, and to allow the Selectmen and the Epping Water and Sewer Commissioners as applicable, to expend such monies as become available; and to authorize the Selectmen and the Epping Water and Sewer Commissioners as applicable, to take any other action or to pass any other vote relative thereto. Without impairing the general obligation nature of the bonds and notes, it is the intention of the Town that the bond or note repayment shall be paid for by sewer user rates, with no impact on the tax rate.

[Not Recommended by the Board of Selectmen 5-0]

[Not Recommended by the Municipal Budget Committee 9-0]

3/5 Majority Vote Required

ARTICLE 9: 2019 OPERATING BUDGET

To see if the Town will vote to raise and appropriate as an operating budget, not including appropriations by special warrant articles and other appropriations voted separately, the amount 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 Eight Million, Four Hundred and Sixteen Thousand, Six Hundred Seventy-One Dollars (\$8,416,671.00). Should this article be defeated, the default budget shall be Seven Million, Seven Hundred Fifty Nine Thousand, Three Hundred Seventy-Nine Dollars (\$7,759,379.00), which is the same as last year, with certain adjustments required by previous action of the town or by law; or the governing body may hold one special meeting, in accordance with RSA 40:13, X and XVI, to take up the issue of a revised operating budget only.

[Recommended by the Board of Selectmen 5-0]

[Recommended by the Municipal Budget Committee 9-0]

Majority Vote Required

Article 10: TRANSFER STATION TRUCK LEASE

To see if the Town will vote to authorize the Board of Selectmen to enter into a Seven (7) Year Lease/Purchase Agreement for One Hundred Sixty Thousand Four Hundred Fifty Dollars (\$160,450.00) for the purpose of leasing a Roll-Off Truck for transporting municipal solid waste and recyclables; and to raise and appropriate the sum of Twenty-Five Thousand Nine Hundred Eighty Dollars (\$25,980.00) for the first year's lease payment. This lease agreement contains a non-appropriation clause.

[Recommended by the Board of Selectmen 5-0]

[Recommended by the Municipal Budget Committee 9-0]

Majority Vote Required

Article 11: HIGHWAY TRUCK LEASE

To see if the Town will vote to authorize the Board of Selectmen to enter into a Seven (7) Year Lease/Purchase Agreement for One Hundred Forty Four Thousand Nine Hundred Twenty-Five Dollars (\$144,925.00) for the purpose of leasing and equipping a 6 wheeled dump truck with a 4 season dump body, plow and wing; and to raise and appropriate the sum of Twenty Three Thousand Five Hundred Fifty Dollars (\$23,550.00) for the first years lease payment. This lease agreement contains a non-appropriation clause.

[Recommended by the Board of Selectmen 5-0]

[Recommended by the Municipal Budget Committee 9-0]

Majority Vote Required

Article 12: POLICE EQUIPMENT

To see if the Town will vote to raise and appropriate the sum of Twenty-Eight Thousand, Five Hundred Dollars (\$28,500.00) for the purpose of purchasing an Automated Fingerprint Interface System (A.F.I.S.) and the user fees to implement the system.

[Recommended by the Board of Selectmen 5-0]

[Recommended by the Municipal Budget Committee 9-0]

Majority Vote Required

Article 13: POLICE CRUISER LAPTOPS

To see if the Town will vote to raise and appropriate the sum of Sixty-Five Thousand Dollars (\$65,000.00) for the purpose of replacing 10 cruiser lap tops and docking stations. Twenty Thousand Dollars (\$20,000.00) will come from a Highway Safety Grant and the remainder of Forty-Five Thousand (\$45,000.00) to come from taxation.

[Recommended by the Board of Selectmen 5-0]

[Recommended by the Municipal Budget Committee 9-0]

Majority Vote Required

ARTICLE 14: ACCRUED BENEFITS EXPENDABLE TRUST FUND

To see if the Town will vote to raise and appropriate the sum of Twenty-Five Thousand Dollars (\$25,000.00) to be placed in the previously established Accrued Benefits Expendable Trust Fund.

[Recommended by the Board of Selectmen 4-0]

[Recommended Municipal Budget Committee 9-0]

Majority Vote Required

ARTICLE 15: TOWN HALL IMPROVEMENT EXPENDABLE TRUST FUND

To see if the Town will vote to raise and appropriate the sum of Ten Thousand Dollars (\$10,000.00) to be placed in the previously established Town Hall Improvement Expendable Trust Fund.

[Recommended by the Board of Selectmen 5-0]

[Recommended by the Municipal Budget Committee 9-0]

Majority Vote Required

ARTICLE 16: HIGHWAY EQUIPMENT CAPITAL RESERVE FUND

To see if the Town will vote to raise and appropriate the sum of Twenty-Five Thousand Dollars (\$25,000.00) to be placed in the previously established Highway Equipment Capital Reserve Fund.

[Recommended by the Board of Selectmen 5-0]

[Recommended by the Municipal Budget Committee 9-0]

Majority Vote Required

ARTICLE 17: WATSON ACADEMY REPAIRS EXPENDABLE TRUST FUND

To see if the Town will vote to raise and appropriate the sum of Twenty Thousand Dollars (\$20,000.00) to be placed in the previously established Watson Academy Repairs Expendable Trust Fund.

[Recommended by Board of Selectmen 5-0]

[Recommended by the Municipal Budget Committee 9-0]

Majority Vote Required

ARTICLE 18: RECREATION FACILITIES EXPENDABLE TRUST FUND

To see if the Town will vote to raise and appropriate the sum of Five Thousand Dollars (\$5,000.00) to be placed in the previously established Recreation Facilities Expendable Trust Fund.

[Recommended by the Board of Selectmen 5-0]

[Recommended by the Municipal Budget Committee 9-0]

Majority Vote Required

ARTICLE 19: LANDFILL CLOSURE CAPITAL RESERVE FUND

To see if the Town of Epping will vote to raise and appropriate the sum of \$10,000.00 (Ten Thousand Dollars) to be placed in the previously established Landfill Closure Capital Reserve Fund.

[Recommended by the Board of Selectmen 5-0]

[Recommended Municipal Budget Committee 9-0]

Majority Vote Required

ARTICLE 20: FIREWORKS CAPITAL RESERVE FUND

To see if the Town of Epping will vote to raise and appropriate the sum of \$10,000.00 (Ten Thousand Dollars) to be placed in the previously established Fireworks Capital Reserve Fund.

[Recommended by the Board of Selectmen 5-0]

[Recommended Municipal Budget Committee 9-0]

Majority Vote Required

Article 21: POLICE DETAIL REVOLVING FUND AMENDMENT

To see if the Town of Epping will vote to Amend Warrant Article #15 passed in 2009, amended in 2013 with Warrant Article #15 titled Police Detail Revolving Fund, to the following: To see if the Town will vote to establish a revolving fund pursuant to RSA 31:95h, for the purpose of police special details, including grant funding for special patrols. All revenues deposited into the fund and the money in the fund shall be allowed to accumulate from year to year, and shall not be considered part of the Town's general fund unreserved fund balance. The Town Treasurer shall have custody of all monies in the fund, and shall pay out the same only upon order of the Board of Selectmen and no further approval is required by the legislative body to expend. Any surplus in said fund shall only be expended for the purpose of purchasing a new cruiser *and for all payments associated with leasing a new cruiser.*

[Recommended by Board of Selectmen 5-0]

Majority Vote Required

Article 22: JOSHUA LANE

To see if the Town of Epping will vote to retain Map 26 Lot 24, off Joshua Lane, all to be managed by the Conservation Commission. At the Town Meeting in 1997, Warrant Article 21 passed with a hand vote retaining Map 25, Lots 14-23 and Lots 25-28 for public purposes and to be managed by the Conservation Commission as the Folsom Conservation Area. Parcel 26-24 was acquired by the Town in 1999.

[Recommended by Board of Selectmen 5-0]

Majority Vote Required

ARTICLE 23: EPPING YOUTH ATHLETIC ASSOCIATION

To see if the Town will vote to raise and appropriate the sum of Five Thousand Dollars (\$5,000.00) in support of the Epping Youth Athletic Association.

[Recommended by Board of Selectmen 5-0]

[Recommended by the Municipal Budget Committee 9-0]

Majority Vote Required

ARTICLE 24: DISSOLVING WATER AND SEWER COMMISSION

To see if the Town will vote to discontinue the Water and Sewer Commission and transfer to the Board of Selectmen all the authority to manage and control the water and sewer systems provided for under RSA chapter 149-I and RSA chapter 38. This transfer of authority shall be effective on the date of the March, 2020 Town Meeting.

[Recommended by Board of Selectmen 4-1]

Majority Vote Required

Article 25: DISCONTINUE PORTION OF “OLD” SOUTH SIDE ROAD

To see if the Town of Epping will consider the complete discontinuance of a portion of the “Old” South Side Road, as existed prior to 1935, in the Town of Epping, New Hampshire, as lying on the property in Epping, N.H. for Tax Map 21, Lots 7, 8, 9, 10, 11 and 12 due to the relocation of the road as per the State of New Hampshire State Highway Department U.S. Public Works Project NRH 240-G (1935), as on record at the New Hampshire Department of Transportation. The relocated road is described as the land between the land formerly owned by H.W. Bentley, near Station 681.0 as shown on sheet 9 on the NRH 240-G plan, and the land formerly owned by Ladd, near Station 696.0 on sheet 10 of said plan.

And to see if the Town of Epping will authorize its Selectmen to convey to the current owners of the property over which the former South Side Road is located by release deed any and all right, title and interest, if any, in that portion of the discontinued portion of the “Old” South Side Road as is located on said current owners’ property. The plans and instruments referenced above are available at the Board of Selectmen’s Office.

[Recommended by Board of Selectmen 5-0]

Majority Vote Required

Article 26: BY PETITION: ROCKINGHAM COMMUNITY ACTION

To see if the Town will vote to raise and appropriate the sum of Eleven Thousand, Three Hundred Dollars (\$11,300.00) for the purpose of funding Rockingham Community Action for its work in providing fuel, utility, food, homeless and housing assistance, budgeting education and support to Epping residents in crisis to move them toward self-sufficiency.

[Recommended by Board of Selectmen 4-0]

[Recommended by the Municipal Budget Committee 8-1]

Majority Vote Required

Article 27: BY PETITION: CHAMBER CHILDREN’S FUND

To see if the Town will vote to raise and appropriate the sum of Three Thousand Dollars (\$3,000.00) for the purpose of supporting services provided to residents by the Chamber Children’s Fund (CCF). The CCF raises funds to provide warm clothing and bedding to needy children in the 10 communities served by the Exeter Area Chamber. Since 1989 the CCF has helped thousands of children through clothing vouchers and direct aid through the schools. Epping children have received over \$60,000 in aid since 2009.

[Recommended by Board of Selectmen 3-1]

[Recommended by the Municipal Budget Committee 8-1]

Article 28: BY PETITION: ROCKINGHAM NUTRITION & MEALS ON WHEELS PROGRAM

To see if the Town will vote to raise and appropriate the sum of Five Thousand and Two Dollars (\$5,002.00) to enable Rockingham Nutrition & Meals on Wheels Program to continue to provide the meal service to elder, homebound and disabled Epping residents.

[Recommended by Board of Selectmen 4-0]

[Recommended by the Municipal Budget Committee 8-1]

Majority Vote Required

Article 29: BY PETITION: RICHIE MCFARLAND CHILDREN’S CENTER

To see if the Town will vote to raise and appropriate the sum of Six Thousand Six Hundred Dollars (\$6,600.00) for the Richie McFarland Children's Center's early intervention program that serves children from birth to three years of age and their families. This investment will support the cost of providing early childhood special education, pediatric therapies and family support services to Epping residents. RMCC is requesting level funding from the Town which helps support 5% of the annual cost of weekly home-based therapies.

[Recommended by Board of Selectmen 3-1]

[Recommended by the Municipal Budget Committee 8-1]

Majority Vote Required

Article 30: BY PETITION: LAMPREY HEALTH CARE SENIOR TRANSPORTATION PROGRAM

To see if the Town will vote to raise and appropriate the sum of Three Thousand Three Hundred Ninety Dollars (\$3,390.00) for the Lamprey Health Care Senior Transportation Program.

[Recommended by Board of Selectmen 3-1]

[Recommended by the Municipal Budget Committee 8-1]

Majority Vote Required

Article 31: BY PETITION: RIGHT TO DECIDE RESOLUTION

WHEREAS, the Right to Local Community Self-Government includes the people's authority to use prohibitions and other means to elevate the rights of people, their communities, and ecosystems free from preemption, competing rights, powers, or duties of corporations and other business entities.

WHEREAS, our right to local community self-government is premised on our New Hampshire Constitution, Part First, Bill of Rights, which provides in part that *all men have certain natural, essential and inherent rights...(Article 2.)...all government of right originates with the people [and] is founded in consent...(Article 1.); all power residing originally in, and being derived from, the people, all magistrates and officers of government are...at all times accountable to them (Article 8.); and government being instituted for the common benefit...and not for...private interest..., whenever the ends*

of government are perverted...the people may, and of right ought to reform the old, or establish a new government...(Article 10.).

NOW, THEREFORE, BE IT RESOLVED, the residents of the Town of Epping determine that a Liquified Natural Gas Storage Facility, should not be located in Epping without a vote of approval by a simple majority of voters **and**

We call on the General Court (Legislature) and Governor of the State of New Hampshire to place and support a state constitutional amendment on the biennial ballot to expressly secure the people's inherent and inalienable Right to Local Community Self-Government; **and**

Within 30 days of its adoption, this resolution shall be transmitted by written notice from the Town of Epping, New Hampshire, to the General Court [Legislature] and Governor of New Hampshire informing them of these instructions from their constituents.

Given under our hand and seal and ordered posted this 14th day of January, 2019:

THE EPPING BOARD OF SELECTMEN:

Adam Munguia, Chairman

Robert Jordan, Vice-Chairman

Cody Belanger, Selectman

Tom Dwyer, Selectman

Michael Yergeau, Selectman

A TRUE COPY ATTEST:

Adam Munguia, Chairman

Robert Jordan, Vice-Chairman

Cody Belanger, Selectman

Tom Dwyer, Selectman

Michael Yergeau, Selectman