

**REPORT OF THE ANNUAL TOWN MEETING
FOR THE TOWN OF RYE, NEW HAMPSHIRE**

February 4, 2023

DELIBERATIVE SESSION

At 9:05 a.m., on the 4th day of February 2023, at the Rye Junior High School gymnasium, Moderator Robert Eaton called the meeting to order and led those in attendance in reciting the Pledge of Allegiance. He introduced himself and thanked everyone for coming to the meeting. Moderator Eaton continued the tradition of reading the names of friends and neighbors who passed away during 2022. A moment of silence was observed in their memory.

Moderator Eaton then introduced Town Officials: Town Administrator Matt Scruton, Finance Director/Asst. Town Administrator Becky Bergeron, Town Clerk/Tax Collector Donna DeCotis, Town Counsel Representative William Warren, Select Board Member Bill Epperson, Select Board Vice-Chair Tom King, and Select Board Chair Phil Winslow.

Moderator Eaton opened to Selectman Winslow to say a few words.

Selectman Winslow stated that he has been honored to have been one of Rye's selectmen over the past six years. He is sad to say that he will not be running for a third term. He thanked the Select Board Members and the town staff for the accomplishments they have been able to make over the past six years.

In looking at some of the accomplishments over the past six years, Selectman Winslow noted that Rye celebrated the opening of the new Town Hall Annex this past week with a ribbon cutting ceremony. This took eleven years, three town office committees, and fourteen warrant articles to finally bring it to fruition. There are now nine people located in the annex with the hopes of expanding that number over the next few years. He continued that they also obtained a nine hundred thousand dollar grant from the State to reconfigure the Lang Road and U.S. Route 1 intersection, which was finally completed in 2022. This provides safe access for Rye residents onto U.S. Route 1. Third, in working with U.S. Senators and the Army Corps of Engineers, three million dollars in federal funds was obtained to finally dredge Rye Harbor after thirty years. Rye also facilitated the construction of a new cell tower on Port Way for use by Verizon and AT & T. This enhances the cell reception in the northeast part of town and also improves safety communications, as well as brings in over three hundred and forty thousand dollars to Rye in revenue over the next ten years. This is revenue that will benefit all taxpayers.

Selectman Winslow noted the first town center charette was also conducted and the Town Center Committee was set up. In working with the Rockingham Planning Commission and N.H. DOT, Rye acquired eight hundred thousand dollars in State funds to put in sidewalks and bike lanes in the Center of Town, in order to provide safety access for students travelling from the Rye Junior

High School to the Library. With the help from Dania Seigle and a core of Rye residents, over one thousand signatures were obtained on a petition which persuaded Pro-Con/Kane to back out of constructing a seven hundred and fifty thousand square foot air cargo facility at Pease; thereby, protecting residents from nighttime aircraft noise. That would have brought in over three thousand flights a year with many of them being in the middle of the night. For those who were at the tree lighting ceremony, they know what it sounds like because the flight path runs right over the Center of Rye. As people were signing Silent Night, a 317 flew over and no one could hear anything for three or four minutes.

Selectman Winslow continued that Rye also obtained a commitment for five hundred thousand dollars in State funding to put in bike lanes along Route 1B from the Rye/New Castle bridge to Route 1A, along with the route from the Sagamore bridge down to Odiorne State Park. Construction is expected to begin in two years. Leadership in the town departments has significantly changed over the past six years with the hiring of a town treasurer, fire chief, public works director, recreation director, and also a town administrator. All of this was done while maintaining a stable tax base and only increasing taxes by less than three percent over the entire six year period. Rye still has one of the lowest property tax rates in the State. In addition, the Town's unassigned fund balance has increased to over eleven percent, which was down at seven percent two years ago. This is the Town's "rainy day" fund, so there is money if something unexpected should happen. On top of that, Rye's annual debt service is the lowest it's been over the last five years and the Town is in a very healthy financial position.

Selectman Winslow thanked the select board members, town staff and various town volunteers for making these accomplishments. There's a total of twenty-seven different committees, commissions, and boards in Rye with over one hundred and eight people volunteering to serve on these commissions. This is the core of the Town. It's what makes the Town run. He applauds the people who continue to serve. Selectman Winslow gave a special thank you to his wife, Mae Winslow, for her support with late night meetings, late night dinners, and for putting up with hundreds of phone calls, cancelled trips and changes in schedules.

Moderator Eaton asked everyone to stand and give Selectman Winslow a round of applause for his work over the years. He then introduced Lisa Sweet from the Rye Energy Committee to give a brief presentation about Rye Community Power.

Lisa Sweet, Rye Energy Committee Member, stated that Rye Community Power, which was an approved warrant article from last year, is ready to be implemented. It should be launching around mid-April for Rye. Community Power is enabled by RSA 53-E the Community Power Law. This law enables cities, towns, and counties to aggregate or pool their energy customers and purchase energy supply on their behalf, which gives better economy of scale and access to wholesale market. Rye Community Power has chosen to work with the Community Power Coalition of New Hampshire (CPCNH). CPCNH has a team of industry professionals who will handle all the services for Rye's energy procurement. The cost of these services is shared amongst all members of the coalition. The power demand of all members of the coalition is

aggregated. This means a lower cost for services and a higher bulk purchasing power. CPCNH is a member-governed nonprofit power agency. There are currently twenty-eight members representing over twenty percent of New Hampshire's population and membership is growing consistently.

Ms. Sweet explained that all electricity supply customers, all Rye residences, and businesses, will be notified by mail in early to mid-March. This notification will explain what Rye Community Power is and all the options that are available. In essence, Rye Community Power will be providing the electrons that will be running into homes, which is the supply. Eversource will continue to deliver the power, maintain the lines, maintain the grid, and continue to send out the bills. Rye Community Power will immediately provide lower prices for energy and there will also be more choices for renewable energy. The default product will be the same renewable energy content as the Eversource default, but it will cost less, and there will be three other choices with higher renewable energy content that customers may opt into if they so choose. Any resident who is currently taking the Eversource default energy supply, which is probably about eighty percent or more, will be automatically enrolled in Rye Community Power. The bill will list CPCNH, or Rye Community Power, as the energy supplier. The rate will be cheaper than Eversource's. The customer needs to do nothing to enroll. Someone who wishes to opt out and stay with Eversource may do so. The mailer will explain how this can be done easily with no penalties. Customers who currently purchase their electricity from a competitive supplier will have the opportunity to opt in at any time; however, they will not automatically be enrolled. Ms. Sweet assured everyone that all of this will be explained in the mailer. This information is also available on the Rye Energy Committee's webpage. A meeting is being held on March 13th right before the select board meeting to answer any questions. Rye Energy Committee meets the first Tuesday of every month and anyone is welcome to attend if there are questions.

Ms. Sweet concluded that during the short-term there will be lower prices and more choices. In the longer-term the intent is to offer programs that will benefit the residents and develop more local supply to provide more reliability and control costs over the long-term.

Moderator Eaton introduced the candidates who are running for Town and School District offices and invited those present to please stand. The School District Deliberative Session will be Tuesday, February 7th at 6:30 p.m., in the RJH cafeteria. The Town and School elections will be held on Tuesday, March 14th at the Rye Elementary School. The polls will be open from 8:00 a.m. until 7:00 p.m. Absentee ballots can be applied for at the Town Hall until the day before the election. Residents who have not yet registered to vote may do so on election day. A Candidate's Night is being held at the Library on March 9th at 7:30 p.m.

Moderator Eaton read his rules for the meeting:

1. Meeting Purpose: The purpose of this meeting is to discuss and debate the articles on the Town warrant. However, this meeting cannot remove articles from the ballot. Up or down voting on an article only occurs at the March election. Most articles may be amended to change how they appear on the ballot.

2. Moderator's Rules: By New Hampshire Law, the Moderator sets the rules and procedures for the meeting. I won't follow Robert's Rules of Order or any other complicated rules of parliamentary procedure. I may not run a perfect meeting, but I will do my best to run a fair meeting. Ultimately though, this is your meeting. By majority vote, you can change my rules or overrule any decision I make.

3. Procedure: I will read each article in the order that it appears on the warrant, unless somebody moves to take an article out of order. The article will also be projected on the screen and hard copies are available. After reading an article, I will ask for a motion and a second to move each article to the floor for debate. I will then recognize the article's sponsor. After that, everyone here is invited to speak. If you want to speak to an article, line up behind the microphone, staying six feet apart per the blue tape on the floor. When it's your turn, introduce yourself by name and street address. I will recognize new speakers before I permit someone to speak a second time. Remember, we are here in the spirit of fair debate. Some of you may be passionate about an issue, but don't let your passion get the better of you. Please be civil and courteous. Don't raise your voice or make personal attacks. Please address all comments to me. When there is no more discussion on an article, I will order it to be placed on the ballot, either as written or as amended. I am not imposing a time limit on speakers this year. However, I encourage people to stick to three minutes or less. I will let you know if I think you need to wrap things up.

4. Amendments: Any registered voter can move to amend an article. All amendments must be in writing, unless they are very simple. Try to write out your amendment in advance and please make them legible. They can be given to Town Clerk Ms. DeCotis in the front. I will read the motion, call for a second, and then open the floor for discussion. When you are ready to vote, I will restate the motion to amend. There are five limits to amendments. First, articles whose words are required by law may not be amended. Secondly, I will not allow motions to amend amendments before the original amendment is voted on. Thirdly, an amendment may not add a new subject. Fourth, you cannot increase the budget, including warrant articles, by more than ten percent, unless you use specific language seeking to override the ten percent limitation. Finally, amendments cannot eliminate an article's subject matter.

5. Voting: If you haven't already done so, check in at the clerk's table, get a fluorescent yellow voting card and sign it. To vote, I will ask you to raise your card. I will vote only to break or create a tie. We will vote by secret ballot if, before voting on an article, five voters present sign a written request for a secret ballot.

6. Recounts/Questioning a Vote: I will call for a recount if seven voters, either orally or in writing, request one. Such recounts will be conducted by secret ballot. The recount of a secret ballot will be held at the request of five voters.

7. Reconsideration: Any voter can move to reconsider a vote. You do not need to have been in the majority to make such a motion. However, I will not permit multiple motions to reconsider on the same matter.

8. Restricting Reconsideration: You may also move to restrict reconsideration of an article. Such a motion may be made after I order an article to be placed on the ballot. It is not debatable. If the motion carries, this meeting may not reconsider that article later.

9. Calling the Question: This is the same as moving to end debate. The motion requires a second and is not debatable. It requires a two-thirds majority to pass. If the question is called, I will let the person speaking finish. I will also use my discretion to let others speak if I think fairness requires it. Otherwise, nobody else may speak to the article unless the motion is defeated. Sometimes a person who is not a Rye resident will wish to speak.

10. Non-Voters Who Wish to Speak: Sometimes a person who is not a registered Rye voter may wish to speak. I will ask if there is any objection. If nobody objects, I will permit the person to speak. If there is an objection and a second, I will call for a vote. The will of the majority will prevail. However, I will allow town department heads who do not live in Rye speak to issues relating to their departments.

11. I remind you that this is your meeting. You may appeal any ruling I make and I will entertain any motion that is made.

Moderator Eaton moved to the warrant. Articles 1 and 2 invite voters to vote in the election on March 14th. There is nothing to discuss or debate. Article 3 proposes eleven amendments to the Rye Zoning Ordinance. Article 4 proposes one amendment to the Rye Building Code. Traditionally, such amendments have not been discussed because by law they cannot be amended. Anyone wishing to make a motion to discuss any part of these articles may do so. Hearing no such motion, **Moderator Eaton ordered Articles 3 and 4 to appear on the ballot as written.**

Moderator Eaton noted that all the following articles on the warrant are recommended unanimously by the Select Board and that all articles seeking an appropriation are recommended unanimously by the Budget Committee. He also stated that all articles required a majority vote to pass unless he said otherwise.

Moderator Eaton read Article 5.

ARTICLE 05. Shall the Town raise and appropriate as an operating budget, not including appropriations by special warrant articles and other appropriations voted separately, the amounts set forth on the budget posted with the warrant or as amended by vote of the first session, for the purposes set forth therein totaling twelve million, nine hundred sixty-five thousand, nine hundred four and 00/100 dollars (\$12,965,904.00)? Should this article be defeated, the default budget shall be eleven million, six hundred fifty-one thousand, eight hundred eighty-five and 00/100 dollars

(\$11,651,885.00) 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.

NOTE: This operating budget warrant article does not include appropriations in any other warrant articles.

Selectman Winslow moved Article 5 to the floor. Seconded by Selectman Epperson.

Selectman Winslow noted that there has to be an amendment to this article, which is being dictated by the N.H. Department of Revenue. It's an administrative requirement only.

Motion by Selectman Winslow to reduce the operating budget from twelve million, nine hundred sixty-five thousand, nine hundred four and 00/100 dollars (\$12,965,904.00) to eleven million, nine hundred eighty-five thousand, nine hundred ten and 00/100 dollars (\$11,985,910.00) and reduce the default budget from eleven million, six hundred fifty-one thousand, eight hundred eighty-five and 00/100 dollars (\$11,651,885.00) to ten million, seven hundred thirteen thousand, four hundred twenty-six and 00/100 dollars (\$10,713,426.00). Seconded by Selectman Epperson.

Finance Director Becky Bergeron explained that the DRA does not allow special revenue funds to be placed in the operating budget. Sewer Fund 2, Outside Detail Fund 7, Parking Fund 8, Recreation Revolving Fund 9, and Beach Cleaning Fund 12 need to be removed from the operating budget. There is absolutely no change in tax impact. The amount of the operating budget needs to be revised in order to meet DRA requirements.

Shawn Crapo, 676 Central Road, asked if another warrant article is needed in order for those appropriations to be voted on to allow for them to be spent.

Finance Director Bergeron explained that under RSA 31:95, authorization has already been given. The only additional approval that would be required is if funds were being withdrawn from the fund balance.

Hearing no further discussion on the amendment to Article 5, Moderator Eaton called for a vote on the amendment to **reduce the operating budget from twelve million, nine hundred sixty-five thousand, nine hundred four and 00/100 dollars (\$12,965,904.00) to eleven million, nine hundred eighty-five thousand, nine hundred ten and 00/100 dollars (\$11,985,910.00) and reduce the default budget from eleven million, six hundred fifty-one thousand, eight hundred eighty-five and 00/100 dollars (\$11,651,885.00) to ten million, seven hundred thirteen thousand, four hundred twenty-six and 00/100 dollars (\$10,713,426.00). Seconded by Selectman Epperson. Motion carried. Article 5 hereby amended.**

Moderator Eaton called for further discussion on Article 5 as amended. Hearing none, **Moderator Eaton ordered Article 5 to appear on the ballot as amended.**

Selectman Winslow moved to restrict reconsideration of Article 5. Seconded by Tom King. Motion passed. Article 5 hereby restricted.

Moderator Eaton read Article 6.

ARTICLE 06. To see if the Town of Rye will vote to approve the cost items included in the Collective Bargaining Agreement reached between the Town of Rye Select Board and the Professional Fire Fighters Association of Rye affiliated with the International Association of Fire Fighters IAFF Local #4411, which calls for the following increases in salaries and benefits at the current staffing level:

Year	Estimated Increase over prior Year
2023	<u>\$50,023.00</u>
2024	<u>\$46,812.00</u>

Further, to raise and appropriate the sum of fifty thousand and twenty-three and 00/100 dollars (\$50,023.00) for the 2023 fiscal year, such sum representing additional costs attributable to the increase in salaries and benefits required by the new agreement over those that would be paid at current staffing levels in accordance with the current collective bargaining agreement. This appropriation is in addition to funds appropriated through the operating budget for current staffing levels in accordance with the current collective bargaining agreement.

Selectman Epperson moved Article 6 to the floor. Seconded by Selectman King.

Selectman King explained that all three town union collective bargaining agreements are up for renewal this year. This article is for the Fire Department. The Select Board negotiated an agreement with a basic 5% for the year for cost of living and 3.75% for the following year. The wage rates were not changed, other than the COLA. There were a few other minor issues with longevity pay, which was increased nominally. There were other increases for uniform allowance, detail rate changes, change to the insurance plan to transition employees from one of the more expensive to a fiscally conservative plan, and some educational incentives. Basically, it's pretty close to previous collective bargaining agreements.

Steven Borne, 431 Wallis Road, asked if the agreements made in the collective bargaining agreements are enough. He pointed out that the schools have lost a lot of their paraprofessionals to other towns. He wants to be sure the Town doesn't run into similar problems with essential workers.

Selectman King responded that it was fairly hard-fought negotiations this year. It was well negotiated on both sides. The Select Board recognizes there were issues during Covid trying to keep and acquire new employees. That's why it ended up with a 5% cost of living for this first year, which in a historical sense is pretty high. However, that's what it takes to keep good employees in this current climate. Minor tweaks have been made throughout the year with nonunion employees. The Select Board had to make some changes. This is the catchup to try to fix it for the collective bargaining employees. The unions have agreed to the agreements, so the Select Board hopes that means something.

Hearing no further discussion, **Moderator Eaton ordered Article 6 to appear on the ballot as writing.**

Moderator Eaton read Article 7.

ARTICLE 07. Shall the Town of Rye, if Article 6 is defeated, authorize the Select Board to call one special meeting, at its option, to address Article 6 cost items only?

Selectman Epperson moved Article 7 to the floor. Seconded by Selectman King.

Selectman King explained that Article 7 allows for one special meeting to address the cost items in the collective bargaining agreement if it does not pass.

Hearing no further discussion, **Moderator Eaton ordered Article 7 to appear on the ballot as written.**

Moderator Eaton read Article 8.

ARTICLE 08. To see if the Town of Rye will vote to approve the cost items included in the Collective Bargaining Agreement reached between the Town of Rye Select Board and the Rye Police Association affiliated with the Teamsters Local 633 of New Hampshire, which calls for the following increases in salaries and benefits at the current staffing level:

Year	Estimated Increase over prior Year
2023	<u>\$34,681.00</u>
2024	<u>\$36,304.00</u>
2025	<u>\$30,327.00</u>

And further, to raise and appropriate the sum of thirty-four thousand six hundred and eighty-one and 00/100 dollars (\$34,681.00) for the 2023 fiscal year, such sum representing additional costs attributable to the increase in salaries and benefits required by the new agreement over those that would be paid at current staffing levels in accordance with the current collective bargaining agreement. This appropriation is in addition to funds appropriated through the operating budget for current staffing levels in accordance with the current collective bargaining agreement.

Selectman King moved Article 8 to the floor. Seconded by Selectman Winslow.

Selectman Epperson stated that a three year term was negotiated with the Police Department. Basically, the increases are coming from COLA. In 2023, the COLA will be 5.5%. This was a significant savings for the Town. However there were some tweaks to other parts of the contract by adding more tiers to the longevity pay and increasing some of the mandatory overtime payment. In 2024, the COLA is going to 4.5% and the third year it will go to 2.0%. The Select Board thinks this was well negotiated. There was a lot of cooperation from both the union and the team of negotiators.

Hearing no further discussion, **Moderator Eaton ordered Article 8 to appear on the ballot as written.**

Moderator Eaton read Article 9.

ARTICLE 09. Shall the Town of Rye, if Article 8 is defeated, authorize the Select Board to call one special meeting, at its option, to address Article 8 cost items only?

Selectman Winslow moved Article 9 to the floor. Seconded by Selectman King.

Selectman Epperson noted that in the event Article 8 should not pass, Article 9 would authorize one special meeting to address costs only.

Hearing no further discussion, **Moderator Eaton ordered Article 9 to appear on the ballot as written.**

Moderator Eaton read Article 10.

ARTICLE 10. To see if the Town of Rye will vote to approve the cost items included in the Collective Bargaining Agreement reached between the Town of Rye Select Board and the Rye Town Employees Association affiliated with the Teamsters Local 633 of New Hampshire, which calls for the following increases in salaries and benefits at the current staffing level:

Year	Estimated Increase over prior Year
2023	<u>\$52,875.00</u>
2024	<u>\$55,889.00</u>
2025	<u>\$34,850.00</u>

And further, to raise and appropriate the sum of fifty-two thousand eight hundred and seventy-five and 00/100 dollars (\$52,875.00) for the 2023 fiscal year, such sum representing additional costs attributable to the increase in salaries and benefits required by the new agreement over those that would be paid at current staffing levels in accordance with the most recent collective bargaining agreement. This appropriation is in addition to funds appropriated through the operating budget for current staffing levels in accordance with the current collective bargaining agreement.

Selectman Winslow moved Article 10 to the floor. Seconded by Selectman Epperson.

Selectman Winslow noted that this Article offers town employees the same COLA as the Police Department. In this case, 2023 would be 5.5%. In 2024, it would be 4.5% and 2025 would be 2.0%.

Hearing no further discussion, **Moderator Eaton ordered Article 10 to appear on the ballot as written.**

Moderator Eaton read Article 11.

ARTICLE 11. Shall the Town of Rye, if Article 10 is defeated, authorize the Select Board to call one special meeting, at its option, to address Article 10 cost items only?

Selectman Winslow moved Article 10 to the floor. Seconded by Selectman Epperson.

Selectman Winslow noted that this article is the same as Articles 7 and 9. It allows for a special meeting if Article 10 is defeated.

Hearing no further discussion, **Moderator Eaton ordered Article 11 to appear on the ballot as written.**

Shawn Crapo moved to restrict reconsideration of all Articles 1 through 11. Seconded by Scott Marion. Motion carried. Reconsideration of Articles 1 through 11 hereby restricted.

Moderator Eaton read Article 12.

ARTICLE 12. To see if the Town will vote to raise and appropriate the sum of three hundred seventy thousand and 00/100 dollars (\$370,000.00) to purchase a new emergency ambulance for the Fire Department to replace the existing 2008 ambulance and to authorize the withdrawal of the three hundred seventy thousand and 00/100 dollars (\$370,000.00) from the Fire and Ambulance Vehicle Capital Reserve Fund, the purpose of which was amended by Article 15 of the 2018 Town Meeting. This appropriation is in addition to the operating budget. This article has no current tax impact.

Selectman King moved Article 12 to the floor. Seconded by Selectman Winslow.

Selectman King explained that this article proposes to withdraw \$370,000 from the Fire and Ambulance Vehicle Capital Reserve Fund to purchase a new ambulance. The current balance in this fund is just over \$387,000. He asked Fire Chief Mark Cotreau to speak to the article.

Chief Cotreau noted that typically an ambulance will come up for purchase every eight years. This is coming up two years early. The reason is because of the manufacturing time lag in getting an ambulance. Right now, the delivery time is eighteen months plus from the time the ambulance is ordered. The present ambulance has 80,000 miles on it. The runs have increased about 10% this past year. In tracking the simultaneous runs, for a small town, Rye has a lot of simultaneous runs. This year about 17% of the runs occurred when the Department was out on another call, so the second ambulance is significant. He asked for the residents' support for the warrant article.

Shawn Crapo proposed an amendment to remove the word "emergency" from the first sentence in the article to read "to purchase a new ambulance." Seconded by Julie Tucker.

Moderator Eaton called for further discussion on the motion to amend Article 12. Hearing none, he called for a vote on the motion to amend Article 12 to **strike the word "emergency" in the first sentence. Motion carried.**

Moderator Eaton called for further discussion on Article 12 as amended. Hearing none, **Moderator Eaton ordered Article 12 to appear on the ballot as amended.**

Moderator Eaton read Article 13.

ARTICLE 13. To see if the Town will vote to raise and appropriate the sum of two hundred thousand and 00/100 dollars (\$200,000.00) to be added to the Highway Heavy Equipment Capital Reserve Fund created in 1994. This appropriation is in addition to the operating budget.

Selectman Winslow moved Article 13 to the floor. Seconded by Tom King.

Selectman Epperson noted that over the last few years, \$100,000 has been added to this particular account. In looking at the Capital Improvements Plan (CIP), \$100,000 over the next three or four years is not going to cover the replacement of equipment costs. Currently, there's \$74,307 in this fund. The last purchase was a new Volvo loader in the amount of \$195,000. He asked DPW Director Jason Rucker to speak to this article.

DPW Director Rucker stated that at current funding levels of \$100,000, the Town will not be able to continue to fund adequately the Highway Heavy Equipment Capital Reserve Fund for future purchase of vehicles for the Public Works Department. The CIP lists the replacement of a one-ton plow truck which will be used for winter weather maintenance, as well as for every day use. He's requesting support of the additional \$100,000 for a total of \$200,000 to the Highway Heavy Equipment Capital Reserve Fund, in order to maintain appropriate levels for vehicle replacement.

Hearing no further discussion, **Moderator Eaton ordered Article 13 to appear on the ballot as written.**

Moderator Eaton read Article 14.

ARTICLE 14. To see if the Town will vote to raise and appropriate the sum of one hundred five thousand and 00/100 dollars (\$105,000) to purchase a new one-ton truck with plows and material spreader and to authorize the withdrawal of one hundred five thousand and 00/100 dollars (\$105,000.00) from the Highway Heavy Equipment Capital Reserve Fund created in 1994 for this purpose. This appropriation is in addition to the operating budget. This article has no current tax impact.

Selectman Winslow moved Article 14 to the floor. Seconded by Selectman King.

Selectman Winslow noted there is \$74,306 in the fund currently. The purchase is for \$105,000. Once the \$200,000 from Article 13 is converted back in, there will be no tax impact. He explained that in the past they have tried to fund these accounts with small amounts, so there is no spike in the taxes. In some cases, there is equipment that will cost \$300,000 to \$400,000. If the Town waits to fund that purchase, once it hits the books, it will spike the taxes. The intent of putting in \$100,000 or \$200,000 each year is to maintain a stable tax base.

Hearing no further discussion, **Moderator Eaton ordered Article 14 to appear on the ballot as written.**

Moderator Eaton read Article 15.

ARTICLE 15. To see if the Town will vote to raise and appropriate the sum of one hundred thousand and 00/100 dollars (\$100,000.00) to be added to the Fire and Ambulance Vehicle Capital Reserve Fund the purpose of which was amended by Article 15 of the 2018 Town Meeting. This appropriation is in addition to the operating budget.

Selectman Winslow moved Article 15 to the floor. Seconded by Selectman King.

Selectman King explained that Article 15 puts money back into the fund that will be depleted if Article 12 passes for the purchase of a new ambulance. The capital reserve funds are in essence savings accounts that are funded for purchases without having to take it directly from the operating budget. This method is chosen in order to smooth the tax rate and keep it from spiking. This essentially puts \$100,000 back in the fund that would be zeroed out by Article 12.

Moderator Eaton called for further discussion on Article 15.

Robert Atwater, 805 Ocean Blvd., asked why they are only requesting \$100,000.

Selectman King explained that based on the CIP, the \$100,000 should allow this fund to continue so the money will be there the next time an equipment purchase is necessary. The amount funded in each reserve account varies.

Mr. Atwater asked the balance of the fund.

Selectman King replied this fund has \$381,000 currently. Article 12 will take \$370,000 out bringing the balance down to \$11,000. This article would add \$100,000 back into the fund.

Mr. Atwater asked about the next purchase.

Selectman King noted this fund is building up to the next ladder truck purchase, which will be ten years from now. He asked Chief Cotreau to address the question regarding upcoming purchases.

Fire Chief Cotreau stated that over the last five years, the Department has really taken great pains to have a quality capital improvement plan internally. The intent is to plan so there is very little change when it comes to developing the six-year plan for the Town. The Fire Department has a twenty-year plan with later years being a bit “fuzzy.” However, it funnels into a very smooth six-year plan, which is the goal. A three percent cost increase per year is taken into consideration. Balances are run between this fund and Fund 14, which is the cell tower fund. These funds enable the Fire Department to keep its apparatus and major equipment modernized. Chief Cotreau noted that in 2025, there is a proposal to replace Engine 3. This purchase will need about \$325,000. He further noted that much like DPW, the Fire Department will probably

have to “up their game” in future years. There will probably be an increase to the \$100,000 for funding this account. The goal is to purchase a ladder truck in twenty years that is going to cost a lot more than it did this time. This purchase is included in the CIP and the intent is to have this done without leases.

Mr. Atwater commented that he hopes the amount is enough, as those vehicles are increasing at ten percent per year right now.

Robert Atwater moved to amend Article 15 to add \$10,000 to the appropriation bringing it to a total of \$110,000. Seconded by Steven Borne.

Moderator Eaton called for discussion on the amendment to Article 15.

Selectman Winslow noted that the Select Board meets annually with each department head to go over their budget needs for the next five years. The last CIP was from 2023 to 2028. These are the numbers the department heads present and the Select Board relies upon those figures.

Mr. Borne stated that he is in support because there needs to be better financial planning. There’s a huge gap between what the Town needs to spend and financial planning; such as, the amount of debt the Town is covering every year and whether it’s sufficient to invest in the future. There are things that can be done around financial planning that are more aggressive in using the money. He pointed out there is 5.6 million dollars sitting in reserve funds. The question is whether some of that money could be used more tactically so the money is working for the Town.

Mark Epply, 267 Brackett Road, asked if the citizens have the ability to attend the CIP meetings and have input as to how much should be raised for capital improvements.

Selectman Winslow replied the CIP Committee starts meeting in the June timeframe and runs until the end of November. The process is for each department head to review their previous estimates and make any changes as needed. The meeting agendas are posted and the public is welcome to attend.

Mr. Epply commented it would seem that would be a better time to have input into the CIP, rather than throw a chunk of money at it at the Deliberative Session.

Moderator Eaton called for further discussion on the motion to amend Article 15. Hearing none, he called for a vote on the **motion to amend Article to add \$10,000 to the appropriation bringing it to a total of \$110,000. Motion failed.**

Moderator Eaton called for further discussion on Article 15. Hearing none, **Moderator Eaton ordered Article 15 to appear on the ballot as written.**

Scott Marion moved to restrict all articles not previously restricted. Seconded by Shawn Crapo. Motion carried. Reconsideration of all articles not previously restricted is hereby restricted.

Moderator Eaton read Article 16.

ARTICLE 16. To see if the Town will vote to raise and appropriate the sum of fifty thousand and 00/100 dollars (\$50,000.00) to be placed in the expendable general trust fund known as the Town Employees' Accumulated Leave Fund, established pursuant to RSA 31:19-a by Article 14 of the 1990 Rye Town Meeting for the purpose of funding Town Employees' accumulated leave accounts. This appropriation is in addition to the operating budget.

Selectman King moved Article 16 to the floor. Seconded by Selectman Winslow.

Selectman Epperson explained the Town's liability is about \$650,000 to \$700,000 for the employees' accumulated leave accounts. DRA requires towns to keep at least 50% in that fund. Right now, the balance is \$301,882. With the addition of \$50,000, it will bring the fund to the 50% threshold.

Hearing no further discussion, **Moderator Eaton ordered Article 16 to appear on the ballot as written.**

Moderator Eaton read Article 17.

ARTICLE 17. To see if the Town will raise and appropriate the sum of thirty-five thousand and 00/100 dollars (\$35,000.00) to be added to The Municipal Buildings Maintenance Expendable Trust Fund established by Article 11 at the 2007 Town Meeting under the provisions of RSA 31:19-a, for the purpose of major repairs to municipal buildings. This appropriation is in addition to the operating budget.

Selectman Winslow moved Article 17 to the floor. Seconded by Selectman King.

Selectman Winslow explained this trust fund is set up to allow the Town to put money away for any emergency repairs. The purpose is to not spike the tax rate. The intent is to get this fund up to \$350,000 to be able to cover any future emergency expenses.

Moderator Eaton called for further discussion on Article 17.

Mr. Borne asked if the Select Board plans to give a presentation on how much was spent on the Town Hall Annex, where the money came from, and the plans for the next phases.

Selectman Winslow commented this is something that should be done at the next select board meeting. The total cost of the annex was \$650,000 with \$400,000 coming from ARPA Funds and \$250,000 coming from this particular trust fund.

Hearing no further discussion, **Moderator Eaton ordered Article 17 to appear on the ballot as written.**

Moderator Eaton read Article 18.

ARTICLE 18. To see if the Town will vote to establish an Emergency Management Capital Reserve Fund under the provisions of RSA 35:1 for the purpose of emergency preparation and management, infrastructure repair, pollution mitigation, coastal hazard response, and all other costs and expenditures related to any disaster, critical incident, accident, fire, flood, public health concern, storm, or weather-related event and to raise and appropriate the sum of twenty-five thousand and 00/100 dollars (\$25,000.00) to be placed in this fund. This sum to come from unassigned fund balance. Further, to name the Select Board as agents to expend from said fund.

Selectman Epperson moved Article 18 to the floor. Seconded by Selectman Winslow.

Selectman King explained the article proposes to create a new capital reserve fund for emergency preparation and disaster recovery type events. As just seen from the recent boil water order, these events can occur at any time. There may be a storm that may cause enough damage where it must be repaired right away. That is the intent for this fund.

Hearing no further discussion, **Moderator Eaton ordered Article 18 to appear on the ballot as written.**

Moderator Eaton read Article 19.

ARTICLE 19. To see if the Town will vote to raise and appropriate the sum of fifteen thousand dollars (\$15,000.00) to be added to the Revaluation Capital Reserve Fund established by Article 24 at the 2020 Town meeting pursuant to RSA 35:1 for the revaluation of the Town at least as often as every fifth year as required by RSA 75:8-a. This appropriation is in addition to the operating budget.

Selectman Epperson moved Article 19 to the floor. Seconded by Selectman King.

Selectman Epperson noted that there was a revaluation of the Town this past year. The State requires this to be done every five years and the Town is on that schedule. Right now, the balance in the fund is \$15,344 and the request is for another \$15,000. It's unsure at this time whether the request will be for a bit more money next year, as it's not known if the next revaluation is going to cost more than \$60,000. At this time, the request is for \$15,000 to be sure there are enough funds to cover the next revaluation.

Hearing no further discussion, **Moderator Eaton ordered Article 19 to appear on the ballot as written.**

Moderator Eaton read Article 20.

ARTICLE 20. To see if the Town will vote to raise and appropriate the sum of ten thousand and 00/100 dollars (\$10,000.00) to be added to the Recreation Buildings and Property Maintenance Fund the purpose of which was amended by Article 18 of the 2022 Town Meeting. This appropriation is in addition to the operating budget.

Selectman Winslow moved Article 20 to the floor. Seconded by Selectman King.

Selectman Winslow asked Recreation Director Dyana Martin to speak to the article.

Director Martin explained this fund was established a few years ago by the Recreation Commission to help with the maintenance and upkeep of the three buildings located on Recreation Road, as well as the playing fields and playground. She asked for the voters' support of the article.

Selectman Winslow noted there's \$15,297 in the account. The last expenditure from the account was \$2,624 for roofing.

Hearing no further discussion, **Moderator Eaton ordered Article 20 to appear on the ballot as written.**

Moderator Eaton read Article 21.

ARTICLE 21. To see if the Town will vote to raise and appropriate the sum of ten thousand and 00/100 dollars (\$10,000.00) to be added to the Conservation Maintenance Expendable Trust Fund established by Article 13 at the 2021 Town meeting pursuant to RSA 31:19-a to repair and maintain land and buildings owned by the Town of Rye and managed by the Rye Conservation Commission. This appropriation is in addition to the operating budget.

Selectman Epperson moved Article 21 to the floor. Seconded by Selectman Winslow.

Selectman King stated this article proposes \$10,000 to be added to the Conservation Maintenance Expendable Trust Fund. The current fund balance is approximately \$55,000. He asked Conservation Commission Clerk Susan Shepcaro to speak to the article.

Susan Shepcaro, 45 Recreation Road, explained that the Conservation Commission is asking for \$10,000 to be put into the Conservation Maintenance Expendable Trust Fund. These funds are used to repair and maintain buildings owned by the Town and managed by the Conservation Commission. She continued that structural repair work has recently been completed on the Goss Farm Barn. Funds from the Conservation Maintenance Expendable Trust will be used to pay the \$18,800 cost of these repairs. At present, the fund balance is \$55,770. With the payment of outstanding bills, the balance will be approximately \$36,000. RCC has deferred much needed maintenance due to Covid slowdowns and a shortage of materials. The barn needs additional maintenance in the near term. The estimate to replace the siding is close to \$35,000, which is close to what is in the account now. Ms. Shepcaro pointed out that having funds in place will allow for planned and unforeseen maintenance needs to be taken care of. It's the Conservation Commission's charge to keep the historic barn, which is on the State Register of Historic Buildings, in good condition for future generations in Rye.

Hearing no further discussion, **Moderator Eaton ordered Article 21 to appear on the ballot as written.**

Moderator Eaton read Article 22.

ARTICLE 22. To see if the Town will vote to raise and appropriate the sum of ten thousand and 00/100 dollars (\$10,000.00) to be added to the Rye Public Library HVAC Capital Reserve Fund established by Article 12 at the 2016 Town meeting under the provisions of RSA 35:1, for the purpose of replacing the Rye Public Library's aging and inefficient current heating, ventilation and air conditioning system. This appropriation is in addition to the Library's operating budget.

Selectman Winslow moved Article 22 to the floor. Seconded by Selectman King.

Selectman Epperson explained the Rye Library HVAC system is antiquated and not adequate for the building. Currently, there is \$76,730 in this reserve fund, which is not going to cover the entire cost. The Library Trustees are asking for another \$10,000 to be sure there is enough money in that account to cover any additional overruns on the HVAC Capital Reserve Fund.

Moderator Eaton called for further discussion on Article 22.

Howard Kalet, 90 Colburn Road, stated that he wants to bring to everyone's attention that now is the time to invest in more efficient and latest technology equipment. The Town has done so on the Town Hall Annex. The Town needs to be in support of these programs when equipment is starting to fail and coming up on replacement cycles.

Moderator Eaton called for further discussion on Article 22. Hearing none, **Moderator Eaton ordered Article 22 to appear on the ballot as written.**

Moderator Eaton read Article 23.

ARTICLE 23. To see if the Town will vote to establish a contingency fund pursuant to RSA 31:98-a for the current year for unanticipated expenses that may arise and further to raise and appropriate ten thousand and 00/100 dollars (\$10,000.00) to put in the fund. This sum to come from unassigned fund balance. Any appropriation left in the fund at the end of the year will lapse to the general fund.

Selectman Winslow moved Article 23 to the floor. Seconded by Selectman Epperson.

Selectman Winslow explained that the contingency fund is different from other funds. Money that goes into this fund and is not used, will go right back into the unassigned fund balance. The funds do not carry over from year to year. Many times, there are unexpected expenses that come up; such as, additional costs on salt and fuel. The funds would be used to pay for these expenses.

Hearing no further discussion, **Moderator Eaton ordered Article 23 to appear on the ballot as written.**

Moderator Eaton read Article 24.

ARTICLE 24. To see if the Town will vote to raise and appropriate the sum of three thousand and 00/100 dollars (\$3,000.00) to be added to the Capital Reserve Fund for Records

Restoration established by Article 16 of the 1990 Town Meeting. This appropriation is in addition to the operating budget.

Selectman King moved Article 24 to the floor. Seconded by Selectman Epperson.

Selectman King explained this is the annual \$3,000 to be added to this fund. The balance in this fund is \$8,175. He asked Town Clerk Donna DeCotis to speak to the article.

Ms. DeCotis noted that this fund is used to restore the Town's records. There has been some delay in restoring the records and that is why there is a balance in the fund. She explained that meeting minutes are bound in books. Per State RSA, the Town has to keep records for a lifetime.

Moderator Eaton called for further discussion on Article 24.

Mr. Borne noted that there was a fund to pay for the monitoring of the Grove Road dump. It came up at a select board meeting that this is something being done continuously every year. It was decided to move that amount into the operating budget. Referring to records restoration, he asked if this is something that should be an operational expense in the budget, if it's going to be done on an annual basis or take a number of years to complete.

Selectman King explained the Grove Road Landfill Monitoring Fund was similar to this fund. Money was put into the fund every year and it was being used to do the testing on the closed landfill. It was brought up that this is something that shouldn't be in a savings account, but should be included in the operating budget. The Select Board decided to do that, as it's not inappropriate to include it in the budget. This could be the same issue with record retention and could be looked at for next year. Selectman King pointed out that because of Covid being under control and just the ability to store the records, it will hopefully change now and there will be the ability to store more of those records. The Town intends to do a fairly large chunk of record restoration this year. If they can get caught up, and there can be a line item in the budget that is fairly constant, it would be appropriate to put this expense into the budget in future years.

Moderator Eaton called for further discussion on Article 24.

Mr. Crapo stated this could lapse from year to year. In order to encumber, the Town would need a contract with the binding company. By keeping it in the fund, it can be spent when it's needed, rather than having it lapse. He thinks it should still stay in the reserve fund.

Moderator Eaton called for further discussion on Article 24. Hearing no further discussion, **Moderator Eaton ordered Article 24 to appear on the ballot as written.**

Moderator Eaton read Article 25.

ARTICLE 25. To see if the Town will vote to amend the purpose of the special revenue fund known as the Beach Cleaning Fund, which was amended by Article 14 of the 2015 town warrant, such purpose to be amended as follows: to increase the restricted beach parking permit

revenues which go into the fund from 50% to 75% of total beach permit revenues. Note: expenditures from the fund require town meeting approval.

Moderator Eaton noted that, unlike the other articles on the warrant, this article requires a two-thirds majority to pass.

Selectman Epperson moved Article 25 to the floor. Seconded by Selectman King.

Selectman Epperson explained the beach parking permit revenues are being split 50/50 with 50% to beach cleaning and 50% to the general fund. It's being proposed to give 75% to the Beach Cleaning Fund because at some point in time the Town is going to run out of money for beach cleaning. In 2021, the Town had to take out \$11,420 to cover the deficit. As of last year, there was about \$65,000 accumulated in beach parking permits. This article is asking for the revenue to be split 75/25 with 75% going into the Beach Cleaning Fund.

Moderator Eaton called for further discussion on Article 25.

Mr. Borne stated that in 2015, it was said that some of the money could go into beach monitoring and beach testing. He asked if this is happening.

Selectman Epperson replied to the best of his knowledge, the money was spent appropriately 50/50.

Finance Director Bergeron noted that annually \$7,500 is spent with FB Environmental. Currently, half of the beach parking revenue goes to the general fund which supports that cost.

Mr. Borne asked if the \$7,500 was for the FB Environmental annual report that just came out stating that 88% of the PFOA testing was above limits, which there has been no discussion.

Director Bergeron confirmed.

Shawn Crapo moved to end debate on Article 25. Seconded by Scott Marion. Motion passed by two-thirds majority. Moderator Eaton ordered Article 25 to appear on the ballot as written.

Moderator Eaton read Article 26.

ARTICLE 26. Shall the Town of Rye vote to re-adopt the provisions of RSA 72:28, II, the Optional Veterans' Tax Credit in the amount of five hundred and 00/100 dollars (\$500.00)? If re-adopted, the following individuals will be eligible for the Veteran's Tax Credit: (a) every resident of this state who is a veteran, as defined by RSA 21:50, and who served not less than 90 days on active service in the armed forces of the United States in any qualifying war or armed conflict listed in RSA 72:28, V and continues to serve or was honorably discharged or an officer who continues to serve or was honorably separated from service; or the spouse or surviving spouse of such resident, (b) every resident of this state who was terminated from the armed forces because of a service-connected disability; or the surviving spouse of such resident; and (c) the surviving

spouse of any resident who suffered a service-connected death. This tax credit shall replace and shall not be in addition to the standard veteran's tax credit and shall be subtracted in accordance with RSA 72:28, III.

Note: If this Article does not pass the Optional Tax Credit would revert to the Standard Veteran Tax Credit under RSA 72:28-I, and as of April 1, 2023, the Standard Veteran Tax Credit would be in place and reduce the Veteran Tax Credit from \$500 to \$50 per year.

Selectman Winslow moved Article 26 to the floor. Seconded by Selectman King.

Selectman Winslow noted this is mandated by the State. In essence, the State allows the Town to pass on a standard veterans' tax credit from \$50 to \$750 per veteran. It was decided to cap this credit at \$500 for Rye. He asked Attorney Warren to speak to the article.

Attorney Warren explained that in 2022, the Legislature voted to amend RSA 72:28 and 72:28-b, which covered the Standard Veterans' Tax Credit, the Optional Veterans' Tax Credit, and the All Veterans' Tax Credit. The purpose of the amendments was to expand the definition of a veteran to include individuals who have not yet been discharged from service in the U.S. Armed Forces. When the Legislature amended those statutes in order to expand the definition, it also required municipalities to decide whether they wanted to readopt the Optional Veterans' Tax Credit and/or the All Veterans' Tax Credit under the new expanded definition of a veteran. The purpose of Article 26 is to readopt the provisions of the Optional Veterans' Tax Credit. If this warrant article were to fail, it would automatically default for the 2023 tax year to the Standard Veterans' Tax Credit, which is just \$50, as opposed to the \$500 that is being proposed under the Optional Veterans' Tax Credit.

Moderator Eaton called for further discussion on Article 26.

Mr. Crapo stated that when it was presented to the Budget Committee, he believes the conversation was that both need to pass or one fails. He asked if that language can be added to the note. He's worried that people will think they are choosing between the two and will vote "yes" on one and "no" for the other.

Attorney Warren explained the Standard and Optional Veterans' Tax Credits are covered under RSA 72:28. They apply to veterans who have served during certain armed conflicts over the course of the past century. If a veteran did not serve in one of those conflicts, the Standard or Optional Veterans' Tax Credit would not apply to them. The All Veterans' Tax Credit expands that and makes the tax credit applicable to all veterans, not just veterans who served during specified conflicts. If Article 26 passes, the Town will then adopt the Optional Veterans' Tax Credit and the \$500 will apply to veterans who served during the listed armed conflicts. However, it will not expand to any other veterans. Attorney Warren continued that if Article 27 is adopted it will expand who this tax credit applies to.

Mr. Borne suggested making "RSA 72:28" bold in both Articles 26 and 27 to show people these articles are different.

Steven Borne moved to amend Article 26 to embolden “RSA 72:28, II” in the first sentence of the article. Seconded by Hugh Lee.

Moderator Eaton called for further discussion on the amendment to Article 26.

Jaci Grote, 124 Washington Road, stated it’s going to be difficult for both articles to pass. People are not going to understand the differences between the two RSA sections. Her recommendation is that there needs to be a certain amount of public relations done with regards to these articles, so people will understand these refer to two different sections of law; therefore, both have to be amended. If one passes, it allows a certain group of veterans and if the other passes it expands the pool. Both articles have to pass or the Town will go back to the \$50 in either category of veterans.

Attorney Warren stated this isn’t a both or neither situation. This is a situation where the Town can vote to adopt Article 26 for the Optional Veterans’ Tax Credit and that would go into effect. The All Veterans’ Tax Credit is dependent on Article 26. If Article 26 is not adopted, Article 27 will automatically fail. As long as Article 26 is adopted, Article 27 can then be adopted. He further explained if Article 26 is adopted, the Town will have the Optional Veterans’ Tax Credit of \$500. If Article 27 fails, the Town will still have the Optional Veterans’ Tax Credit. If Article 26 fails, then Article 27 will fail.

Ms. Grote commented if Article 26 passes, the Town will have the optional credit. However, if Article 27 fails, the veterans who fall under that definition do not receive the credit. She would think that everyone would want to support all veterans. This is a complicated subject matter for people who do not understand. She’s concerned about the veterans who fall under Article 27. It’s important that the message gets through to everybody in Rye. These are two distinct class of veterans.

Laura Behenna, 875 Central Road, asked the percentage of veterans in the community.

Director Bergeron noted there were 260 applications for the credit in 2022.

Mr. Crapo pointed out that the 260 veterans would be limited to certain conflicts. He doesn’t think the Town has a way to know how many people would be added under Article 27 until it is passed and people apply.

Selectman Winslow agreed. He continued that 262 people have applied. The select board members sign off on the credits. People can stay on for five years before they have to reapply.

Moderator Eaton called for further discussion on the amendment to Article 26 to **embolden RSA 72:28, II in the first sentence of the article.** Hearing no further discussion, **Moderator Eaton called for a vote on the proposed amendment. Motion carried. Article 26 hereby amended.**

Moderator Eaton called for further discussion on Article 26 as amended.

Selectman Winslow commented that it's also important to embolden and underline the title Optional Veterans' Tax Credit.

Selectman Winslow moved to amend Article 26 to embolden and underline "Optional Veterans' Tax Credit" in the first sentence. Seconded by Scott Marion.

Moderator Eaton called for further discussion on the amendment to further **embolden and underline "Optional Veterans' Tax Credit" in Article 26.**

Sara Quinn, 139 Cable Road, stated that if "Optional" is emboldened in Article 26 and "All" is emboldened in Article 27, it will look like voting for Article 27 is voting for all and Article 26 is optional, which might be confusing.

Selectman Winslow replied the RSAs are confusing; however, they are mandated by the State. He thinks it's important to differentiate the two, so people will understand they are voting for two separate proposals.

Moderator Eaton called for further discussion on Selectman Winslow's motion to amend Article 26. Hearing none, **Moderator Eaton called for a vote on the amendment to underline and embolden "Optional Veterans' Tax Credit." Motion carried. Article 26 hereby further amended.**

Moderator Eaton called for further discussion on Article 26 as amended.

Selectman King clarified that 263 veterans have applied and received the veterans' exemption in 2022 for a total amount of \$146,500 at the \$500 per veteran. In the interest of transparency, both he and Selectman Winslow are in that number. He continued there's no way of knowing how many more this would add. In essence, the majority that would be added are National Guard, reserves, and active duty. There is no way to know the tax impact.

Hugh Lee, 220 Pioneer Road, asked if it's possible to add all the wording of Article 27 to Article 26 to avoid the distinction between those who served in armed conflicts and veterans in general.

Selectman Winslow noted that the Select Board was told by legal counsel that this cannot be done. They have to be two separate articles.

Moderator Eaton called for further discussion on Article 26 as amended. Hearing none, **Moderator Eaton order Article 26 to appear on the ballot as amended.**

Selectman King commented that the Select Board knows this is confusing. This is mandated by the State. He asked that residents pass the word to friends and neighbors that these are linked. Article 27 depends on Article 26.

Moderator Eaton noted that all warrant articles are recommended unanimously by the Select Board. Both Articles 26 and 27 will contain the Select Board's recommendations.

Mr. Crapo noted that on prior articles there is a following article to ask for a special town meeting, if the article should fail. He asked what the remedy would be if Article 27 were to pass and Article 26 were to fail. He asked if there is an option to have a special town meeting.

Moderator Eaton ruled that adding a new warrant article would be out of order because it would be adding a new subject matter that wasn't noticed on the warrant.

Attorney Warren agreed.

Moderator Eaton read Article 27.

Selectman Winslow moved Article 27 to the floor. Seconded by Selectman King.

Attorney Warren spoke to Article 27 regarding the All Veterans' Tax Credit which he said would expand the pool of veterans who are eligible for the credit.

Shawn Crapo asked whether the warrant could be amended to reverse the order in which Articles 26 and 27 appear on the ballot. After some discussion, **Mr. Crapo moved to reconsider Article 26. Seconded by Hugh Lee.**

Moderator Eaton called for discussion on the motion to reconsider Article 26. Hearing none, he called for a vote to reconsider Article 26. **Motion carried.**

Shawn Crapo moved to change Article 26 to Article 27 and change Article 27 to Article 26 and in the current Article 27, change the references to Article 26 in the last two sentences.

Moderator Eaton stated he does not think there's an issue with changing the order of articles on the warrant, but asked for Attorney Warren's opinion.

Attorney Warren stated he does not have a problem with changing the order of articles on the warrant. However, in terms of changing the order of these two articles, he would recommend against it. The language in these two warrant articles is derived from the Department of Revenue Administration's recommended language. The two tax credits being discussed appear in this order in statutes, as well as the DRA's recommended language. Also, because Article 27, the All Veterans' Tax Credit, is entirely dependent on Article 26, the Optional Veterans' Tax Credit, the voters of the Town need to vote first on Article 26 before they can consider whether to expand the definition of veteran or which veteran this applies to in the All Veterans' Tax Credit. Because the Optional Veterans' Tax Credit doesn't depend on the passing of the All Veterans' Tax Credit, it should come first because it's the primary article.

Moderator Eaton noted that the motion to switch Article 26 with Article 27 failed for lack of a second.

Moderator called for further discussion on Article 26.

Karen Oliver, 1159 Washington Road, asked if the note could say “if this article passes, the veterans’ credit would be increased from \$50 to \$500.” Referring to Article 27, she commented the note could say “if this article is passed, the class of veterans to which the credit applies would be expanded.”

Attorney Warren stated he would not recommend amending the note. The note is not what the voters are going to be voting on. They are voting on the warrant article and the body of the text as it appears. He doesn’t think amending the note has the same impact as amending the language of the actual warrant article itself.

Mr. Crapo asked if the note will be on the ballot. Moderator Eaton confirmed.

Ms. Oliver asked if it is correct that the first article increases the amount from \$50 to \$500 and the second expands the class of veterans who are eligible. She asked if this could be put into the description.

Attorney Warren explained the Town previously adopted the Optional Veterans’ Tax Credit, so it would remain at \$500. However, if these articles are not adopted, the credit is going to go down to \$50 for the 2023 tax year.

Ms. Grote agreed that the article needs to pass because the Town is already at a \$500 tax credit. If the article is not passed, it reverts to another piece of law making the tax credit \$50. The Town wants to maintain where they are and Article 26 has to pass. Then Article 27 will expand the pool of people who will receive the \$500 tax credit.

Julie Tucker, 960 Washington Road, commented that the general voter does not read through the whole warrant article. If there’s a concise note at the bottom explaining what it means, it will have much more impact. She agrees that if Article 26 passes, the Town will maintain the \$500 exemption. If Article 27 passes, it will be expanding the veterans’ who can receive this exemption.

Julie Tucker moved to amend the note on Article 26 to substitute the following language: “If this article passes, the Town will maintain the \$500 tax credit for military veterans, as currently defined.” Seconded by Scott Marion.

Attorney Warren pointed out that saying the tax credit remains at \$500 is not entirely accurate. Because of the way the statute works, the Town has reverted to the Standard Veterans’ Tax Credit for the 2023 tax year. Through that amendment to RSA 72:28 and RSA 72:28-b, the Town is currently back to the standard tax credit of \$50. The purpose of readopting this article is to increase it from the Standard Veterans’ Tax Credit to the Optional Veterans’ Tax Credit.

Multiple suggestions were discussed on how to reword Ms. Tucker’s motion.

Ms. Tucker reworded her motion to amend the note on Article 26 to say: “If this article passes, the Town will be readopting the \$500 Optional Veterans’ Tax Credit.” Seconded by Scott Marion.

Moderator Eaton called for further discussion on the motion to amend Article 26.

Phillip McDonough, 5 Random Road, noted that it says if it does not pass it will revert to the \$50. He thinks it's clear on both articles and he commends the Selectmen for being specific. His opinion is to leave the article as it is written.

Mr. Crapo suggested a friendly amendment to retain the existing note and add Ms. Tucker's language.

Ms. Tucker said the reason she struck out the other wording is because it's very confusing. Her suggested wording is simple and to the point for the average person who just wants to know what they're voting on. Her intent is to make the message as simple as possible. Ms. Tucker declined Mr. Crapo's friendly amendment.

Scott Marion, 71 Washington Road, spoke in support of the amendment if the attorney is okay with Ms. Tucker's wording; it's short and sweet, and this is what should be done for the Town's veterans.

Moderator Eaton called for further discussion on the motion to amend Article 26. Hearing none, he called for a vote on the motion to amend Article 26, as previously amended, to **strike the existing note and replace it with the following note: "If this article passes the Town will be readopting the \$500 Optional Veterans' Tax Credit." Motion carried. Article 26 is hereby amended.**

Moderator Eaton called for further discussion on Article 26 as amended.

Steve Carter, 620 Wallis Road, stated that if people vote "no" on Article 26 and get to Article 27, they may want to go back and redo their ballot. He asked if the last two sentences in Article 27 could be moved up to Article 26 with a modification to say; "Article 27 shall be contingent on the passage of Article 26. If the Town Meeting votes no on Article 26 then Article 27 shall be null and void." He pointed out that people will be informed, before they vote on Article 26, that it does have something to do with what happens with Article 27.

At 10:46 a.m., Moderator Eaton called for a recess, as town counsel momentarily stepped out of the meeting.

Moderator Eaton reconvened the meeting at 11:07 p.m.

Moderator Eaton asked Mr. Carter to restate his question for town counsel, which he did.

Attorney Warren stated that the language that appears in the warrant was taken from language that was recommended by the Department of Revenue Administration. The DRA monitors this whole process. As soon as Town Meeting is done, any amendments will be sent to DRA for review. If one of these articles is too dissimilar from the language that DRA recommends and supports, or they see anything they think is incorrect or misleading, the article will be disallowed. In the case of Article 26, if that article was disallowed by DRA, there would be no Optional Veterans' Tax

Credit and there would be no All Veterans' Tax Credit. There would just be the Standard Veterans' Tax Credit of \$50. To the greatest extent possible, he would recommend keeping the language as it appears in this warrant including the notes. This is language that is going to pass muster.

Moderator Eaton clarified that if the articles are amended in the way that Mr. Carter has suggested, there would be a risk of running afoul of DRA which would basically void these two articles and the Town would not have the \$500 tax credit. The only way to get that back would be to call a special town meeting, at considerable expense, later down the road.

Selectman Winslow proposed they keep the original language. It can be fully explained in the town newsletter. The explanation in the newsletter does not have to be restricted by DRA. He doesn't think they want to take a risk of these articles being shot down by DRA's actions.

Selectman Winslow moved to further amend Article 26 to restore the emboldened note that appears in the article as originally proposed to the Town Meeting. Seconded by Selectman Epperson.

Moderator Eaton called for discussion on the motion to amend.

Mr. Crapo suggested it be added after Ms. Tucker's amendment.

Moderator Eaton explained if it's added, the language of the article is being changed which makes it subject to possible overruling by DRA.

Attorney Warren agreed.

Selectman King stated the Select Board appreciates everyone trying to help. As confusing as it is, if the article passes the vote as it is, it will pass DRA. It's not known whether DRA will accept anything else and there is no plan B. If DRA doesn't accept the article, there is no provision to hold another deliberative session. The Select Board is asking for support to revert to the original verbiage in the warrant articles.

Ms. Tucker commented that they don't want the DRA to take this away.

Moderator Eaton called for further discussion on the amendment to Article 26. Hearing none, Moderator Eaton called for a vote on the amendment to Article 26 to **restore the note as it appears originally in Article 26 and to strike Ms. Tucker's note that was previously voted on. Motion carried. Article 26 hereby reads as it originally did, except that "RSA 72:28, II" is in bold and "Optional Veterans' Tax Credit" is bold and underlined as per the earlier amendment.**

Moderator Eaton called for further discussion on Article 26 as amended. Hearing none, **Moderator Eaton ordered Article 26 to appear on the ballot as amended.**

Selectman Epperson moved to restrict reconsideration of Article 26. Seconded by Selectman King. Motion carried. Reconsideration of Article 26 hereby restricted.

Moderator Eaton read Article 27.

ARTICLE 27. Shall the Town of Rye vote to re-adopt the provisions of RSA 72:28-b, the All Veterans' Tax Credit? If re-adopted, the credit will be available to any resident of the state who is a veteran as defined in RSA 21:50, or the spouse or surviving spouse of any such resident, who (1) served not less than 90 days on active service in the armed forces of the United States and (2) continues to serve or was honorably discharged or an officer who continues to serve or was honorably separated from service and (3) is not eligible for or receiving a credit under RSA 72:28 or RSA 72:35. If re-adopted, the credit granted will be five hundred and 00/100 dollars (\$500.00), the same amount as the standard or optional veterans' tax credit voted by the Town under RSA 72:28. This tax credit shall be subtracted in accordance with RSA 72:28-b, III. This article shall be contingent on the passage of Article 26. If the Town Meeting votes "no" on Article 26, this Article shall be null and void.

Note: If this Article does not pass the All Veteran Tax Credit would revert to the Standard Veteran Tax Credit under RSA 72:28-I, and as of April 1, 2023, the Standard Veteran Tax Credit would be in place and reduce the Veteran Tax Credit from \$500 to \$50 per year.

Selectman Winslow moved Article 27 to the floor. Seconded by Selectman King.

Selectman King commented that the Select Board is happy to have the highlighting and the underlining as proposed for Article 26, but they ask that there be no other changes.

Selectman King moved to amend Article 27 to embolden "RSA 72:28-b" and embolden and underline "All Veterans' Tax Credit" in the first sentence. Seconded by Selectman Winslow.

Moderator Eaton called for discussion on the motion to amend Article 27.

Mr. Crapo offered a friendly amendment to embolden the last two sentences.

Selectman Winslow and Selectman King agreed.

Moderator Eaton called for further discussion on the motion to amend Article 27 as further amended by Mr. Crapo. Hearing no further discussion, Moderator Eaton called for a vote on the motion to amend Article 27 to **embolden "RSA 72:28-b", embolden and underline "All Veterans' Tax Credit" in the first sentence, and embolden the last two sentences in the article before the note. Motion carried. Article 27 hereby amended.**

Moderator Eaton called for further discussion on Article 27 as amended. Hearing none, **Moderator Eaton ordered Article 27 to appear on the ballot as amended.**

Shawn Crapo moved to restrict reconsideration on all articles not previously restricted, up to and including Article 27. Seconded by Selectman King. Motion carried. Reconsideration of all articles on the ballot up to Article 27 hereby restricted.

Moderator Eaton read Article 28.

ARTICLE 28. To see if the Town will vote to authorize the Selectmen to sell to the highest bidder at public auction, or sealed bid, such surplus Town equipment as is not traded in on new equipment in 2023.

Selectman Winslow moved Article 28 to the floor. Seconded by Selectman King.

Selectman Epperson explained the Town may have surplus equipment they wish to sell. This article authorizes the Selectmen to sell to the highest bidder the equipment at auction. In 2022, seven items were sold for a total of \$21,256.

Moderator Eaton called for further discussion on Article 28. Hearing none, **Moderator Eaton ordered Article 28 to appear on the ballot as written.**

Moderator Eaton read Article 29.

ARTICLE 29. To transact any other business which may legally come before this meeting.

Selectman Winslow moved Article 29 to the floor. Seconded by Selectman King.

Mr. Lee thanked all the employees of the Town of Rye for their dedicated work over the past year. He also thanked all the volunteers on committees and boards, as that's what keeps the Town vibrant and running with a small town atmosphere like Rye, N.H. He proposed a resolution be adopted by the Town as follows:

Whereas the functioning of government within New Hampshire depends not only on efforts of its dedicated paid employees, but also on the volunteer efforts of its citizens; and

Whereas the Town of Rye is fortunate to have citizens who are willing to contribute substantial time and effort to the functioning and well-being of the Town; and

Whereas the members of the Select Board spend countless hours working on behalf of the Town; and

Whereas, after many years of service to the Town, Philip Winslow, one of the members of the Select Board has chosen not to seek reelection at this time;

Now therefore, be it resolved that the citizens of the Town of Rye, sincerely thank Philip Winslow for his many years of dedicated service to the Town of Rye and bid him a fond farewell.

Seconded by Selectman Epperson. Motion carried.

No further business was brought before the Deliberative Session.

Shawn Crapo moved to adjourn the Deliberative Session at 11:45 a.m. Seconded by Phillip McDonough. Motion carried. Meeting adjourned.

Respectfully submitted, Donna DeCotis Town Clerk