

**Exeter Board of Selectmen Meeting
Monday, August 26th, 2013, 7:00 p.m.
Nowak Room, Town Office Building
10 Front Street, Exeter, NH**

BUSINESS MEETING TO BEGIN AT 7:00 P.M.

1. Call Meeting to Order
2. Public Comment
3. Minutes & Proclamations
 - a. Plaque Presentation: Southeast Land Trust
 - b. Regular Meetings: August 12th, 2013
4. Appointments
5. Discussion/Action Items
 - a. New Business
 - i. Code Enforcement Report: Winter Automotive
 - ii. Sportsmen's Club – RAP Phase 1
 - b. Old Business-
 - i. Discussion: Economic Development Resources
 - ii. Fogge Rollins Property Cemetery Update
 - iii. Amendment to Commerce Ordinance: Alcohol Consumption on Town Property
 - iv. Third Reading Parking Ordinance: Epping Road Extension
 - v. Bid Award: Powder Activated Carbon System: WTP
6. Regular Business
 - a. Bid Openings/Surplus Declarations – Tax Deed Property
 - b. Tax, Water/Sewer Abatements & Exemptions
 - c. Permits & Approvals
 - d. Town Manager's Report
 - e. Legislative Update
 - f. Selectmen's Committee Reports
 - g. Correspondence
7. Review Board Calendar
8. Non Public Session
9. Adjournment

Don Clement, Chairman
Board of Selectmen

Posted: 8/23/13 Town Offices, Town Hall, Website, and Departments

Persons may request an accommodation for a disabling condition in order to attend this meeting. It is asked that such requests be made with 72 hours notice. If you do not make such a request, you may do so with the Town Manager prior to the start of the meeting. No requests will be considered once the meeting has begun.

Draft Minutes

Exeter Board of Selectmen Meeting

August 12, 2013

1. Call Meeting to Order

Chairman Don Clement called the meeting to order at 7:00 pm in the Nowak Room of the Exeter Town Offices building. Other members present were Vice Chairman Dan Chartrand, Selectman Frank Ferraro, Selectwoman Julie Gilman, and Selectman Matt Quandt. Town Manager Russell Dean was also present.

2. Public Comment

Gerry Hamel said he was told there are pools in Stratham testing positive for West Nile Virus and asked if the Board had any information. Chairman Clement said he did not but he would look into it.

3. Minutes & Proclamations

a. Regular Meeting: July 29, 2013

Selectman Quandt said on Page 9 the Motion was left off to go into a non-public session to discuss a fee waiver, which was made by himself and seconded by Vice Chair Chartrand. The role care all voted in favor. Also left off was the Motion to adjourn said hearing which was made by Selectman Quandt and seconded by Selectwoman Gilman. Motion carried. The Board stood adjourned at 10:05 pm.

A Motion was made by Vice Chair Chartrand and seconded by Selectwoman Gilman to approve the minutes of July 29, 2013 as amended by Selectman Quandt. Motion carried – all in favor.

Chairman Clement said there were no proclamations; however there was something he wanted to ask the Board. He went on to talk about the controversy with Victoria Arlen about an eligibility issue, saying Senators Ayotte and Shaheen and Governor Hassan have written letters to the commission about protesting their actions and he would like the Board to weigh in and write a letter as well. He said he thinks the whole Board agrees a potential injustice was done and he asked Mr. Dean to craft a letter. Mr. Dean said he would be happy to.

A Motion was made by Selectman Ferraro and seconded by Selectman Quandt to allow a letter to be written on behalf of the Board of Selectman to the Paralympics Committee. Motion carried – all in favor.

4. Appointments

No appointments.

5. Discussion/Action Items

a. New Business

i. Discussion: Economic Development Resources

Mr. Dean talked about the upcoming Economic Development Director position that was decided should be added to the town staffing. There is a deadline of September 1 to come up with the remaining specifics for the job, i.e. job description, cost of the position, etc. He said this is a position that has been developed over the past two years. There are many communities in NH that have funded for this generalized position. Mr. Dean drafted a memo to this effect which is provided in the packet.

Mr. Dean went on to say this position would be different. It would make things happen as opposed to saying whether or not they can happen. It is suggested that this be a full-time position. He said these are draft ideas for the Board to think about. He thinks they should be more proactive and competitive with other communities and expand their commercial tax base.

Selectman Quandt asked if other community job descriptions are for full-time. Mr. Dean said most of them were. Vice Chair Chartrand thanked Mr. Dean for the thorough presentation. He is in favor of the position and thinks it should be a full-time salary position. Selectman Ferraro agreed with Vice Chair Chartrand. He said Mr. Dean's memo hits the nail on the head. However, he would add that the person hired give some type of periodic report to the Board. Selectwoman Gilman agrees and likes what's in the job descriptions. Selectman Quandt agrees and also thinks it should be a full-time position. Chairman Clement said he is leaning more toward part-time and going to full-time. He said there will be a discussion with the EDC. He thinks it is time for Exeter to hire someone for this position. He thinks the person should work together with other people in that department. He asked if there could be a lay out for both part-time and full-time. Mr. Dean said he is worried that if they go the part-time route, not as many qualified people will apply. Vice Chair Chartrand sees this as an investment in developing an economic commercial tax base.

Chairman Clement asked what should be done next. Selectman Quandt said he wants to see what the EDC has to say before they give Mr. Dean the go ahead. Selectman Ferraro added they are expecting performance and they are not putting this money out there lightly. Selectwoman Gilman asked for examples of other town's success with this position. Mr. Dean said Claremont, Dover, and Rochester are all have active economic development departments and he will research to see how they've been doing.

Vice Chair Chartrand asked to put the report of the EDC's take on the next BOS agenda. Chairman Clement asked if there is enough time to put this together. Mr. Dean said it should be doable.

Mr. Kennedy spoke, asking the Board to consider a higher salary. He thinks the salary should be in the \$80,000 range. He asked what incentives they can give.

Gerry Hamel said he is looking at other towns and also looking at their regulations. He said one of Exeter's biggest downfalls is all the regulations. He said it's been getting harder and harder to develop land. He wants the Board to look at other town's regulations and see what they're doing.

Chairman Clement said they will hear back next meeting. He said they will wait to see what EDC says and get some input from other towns to see what kind of impact this position has had on the town.

II. Quarterly Financial Report

Doreen Ravell, Finance Director, spoke about the towns finances. She said they completed their annual audit. She said they are finalizing drafts and working on budgets for 2014 with department heads. She gave an update on revenues, saying property tax collections remain the same. Revenues are relatively stable. Building permits and fees are down from last year. Income from departments is down \$20,000 from last year. She said total water/sewer revenues are \$1,960,000 or 48%. All other revenues are flat.

In regards to the expense analysis, the BOS numbers pop out the most, at 144% spent. Legal is at 70%. Other categories are looking normal. Snow Removal is at 92% and Special Events is at 86%. Total general funds spent is 47%, water fund is at 35%, and sewer fund is at 36%. Mr. Dean commented, saying the Town does not spend an equal amount each month due to large payments like debt service coming due. He said overall things are looking good.

Revolving funds as of June 30; not a lot of activity yet. Net income is \$109,000. Chairman Clement asked how it compares with last year and Ms. Ravell answered it is comparing well with last year.

Ms. Ravell went on to report about cable tv, saying there is a small net loss, but she does not anticipate a huge loss. Selectman Ferraro asked if there are budgets for different revolving funds. Ms. Ravell said she can get that information to him.

The YTD for the Ambulance Revolving Fund is \$87,571. Mr. Dean said the ambulance lease is \$62,000/year and a payment for half is included in the fund report.

Accounts receivable for property taxes as of June 30: 77% of taxes billed in May are paid. As of July 1, 92% were paid. Typically 95% are paid at this point of the year.

Ms. Ravell gave information involving all numbers which are provided in the packet.

Mr. Dean said they continue to give shut off notices for unpaid water/sewer bills, but he said if the debt is strictly sewer it is hard to shut off. He talked about writing off certain balances as uncollectable due to bankruptcy or other reasons.

Chairman Clement asked Ms. Ravell what her sense was on the audit. She said she had a good sense, that it moved quickly and she should hear back next week.

III. Fund Balance Policy

Mr. Dean said many towns have a fund balance policy. He said the school numbers in the information he provided is a guess. He gave reasons why to have a policy, including payment schedules, large debt payments, tax collection rates and distributions, and to ensure and maintain proper cash flow. Selectman Quandt asked if he had worked with the town treasurer on this. Mr. Dean answered yes, they spoke the week prior. Vice Chair Chartrand asked how far away they are from low end percentage. Mr. Dean said he will know when they get the audit results back. He said schools, by law, cannot have a fund balance, so he's there except for schools.

Mr. Dean said the next step is to review the policy and adopt a policy at a future meeting. Selectwoman Gilman said she likes the policy because of its definitions. She said it is a good teaching tool.

b. Old Business

I. NHDOT Grant Update: Welcome Center

Mr. Dean said he met with NHDOT a few weeks ago to talk about the Welcome Center on Lincoln Street and get a better understanding of the NHDOT regulations. He talked about petitioning the NHDOT to approve the engineering study with THA. He said they asked for a couple things so he won't hear back for a few more weeks.

Selectwoman Gilman said the NHDOT has not been fully clear in their communications. She said there is a lot to digest. There is an idea that there might be additional funds, which she says would be great.

Gerry Hamel spoke, saying he was confused why the project is so expensive. Selectwoman Gilman answered there are a lot of requirements for using grants. They are looking at what to do next and step to go in.

Mr. Dean said the total cost for the project is \$403,000 based on the 2011 warrant article. He said the town raised \$72,000 and the grant from NHDOT is \$282,000. Planned in-kind services make up the difference.

ii. Ports Ave Water/Sewer Project Traffic Control Plan

Paul Vlasich, Town Engineer, presented a map showing the detour route when the Portsmouth Ave work starts. He went over the two options presented: 1) the detour, saying the total mileage is 2.5 miles and the traffic between Green Hill Road and High Street is one-way inbound, and 2) night work, saying Underwood Engineers estimated this option will cost \$130,000-160,000 more because of more lighting, keeping paving plants open at night, and night time project inspectors. He went on to say some work will have to be done at night regardless.

Mr. Vlasich went on to talk about other potential options and gave reasons why they would not work. He said they have come up with no more options. Chairman Clement asked Mr. Vlasich if he has a time estimate for the night work. Mr. Vlasich answered it would take longer for the night work.

Mr. Vlasich thinks extra signage will be appropriate so people won't use shortcuts and also to advertise the detour. Chairman Clement asked if a flagman or police presence was going to be needed and said he would take to Chief Kane about it.

Selectman Ferraro had a question about footnote 2.1. Phil MacDonald, from Underwood Engineers, said it means the detour will only be in effect from 8-5 or whenever work hours are. Mr. Vlasich said High Street will be two-way traffic at all times.

Chairman Clement asked when the work will start. Mr. Vlasich said it will start in October but he is not sure of a completion date. Chairman Clement said they need to start promoting dates and traffic routes as soon as possible to the public. Mr. Vlasich talked about having a neighborhood meeting to inform of phone numbers and such in case they have a problem. Chairman Clement said this will be an inconvenience but the town will get through it. He is hoping for patience. He said he thinks the Board all agrees the best option is the detour/day time work. The Board agreed.

The nighttime work that has to be done will start at 9pm. There is going to be a request for more crew so it gets done faster. Selectman Ferraro asked if traffic will be one-way during this time. Mr. Vlasich answered he would have to see where the hole will be, but it will mostly be two-way. Chairman Clement asked Mr. Vlasich to get a start date the Board and he agreed he would.

iii. Third Reading: Epping Road Extension Parking Ordinance Amendment

Chairman Clement said he drove by the area and notice there are 40+ vehicles on the lot, some needing repair. He said there is no spot on the site for parking. He would like to have the code enforcement officer go there and determine if all codes are being obeyed. He asked if the town/state imposes a maximum vehicles allowed on a lot. He would like to table the third reading until those results are back.

A Motion was made by Vice Chair Chartrand and seconded by Selectwoman Gilman to table the third reading until the code enforcement officer has a chance to look into this. Motion carried – all in favor.

Selectwoman Gilman talked about looking at old minutes to see why the change was made to make the road no parking in the first place. Mr. Dean said he would look into that.

iv. Amendment to Commerce Ordinance: Alcohol Consumption on Town Property

Mr. Dean reminded the Board about a change to 809.4, informing that he made that change. He said Mr. Schidlovsky is comfortable with the non-profit language. Mr. Dean said they will vote on all sections in the final reading. Selectwoman Gilman asked to clear up the application process. Vice Chair Chartrand recommended on 809.3 replacing “create” with “require”.

6. Regular Business

a. Bid Openings /Surplus Declarations

Chairman Clement gave the following bids for a powered activated carbon feed system:

1) Atlantic Pump & Engineering	\$104,300
2) Acrison Inc.	\$40,583
3) Kempco System LP	\$112,135
4) Metcon Sales & Engineering	\$72,450

A Motion was made by Vice Chair Chartrand and seconded by Selectman Quandt to forward the bids to the appropriate authorities at Public Works for recommendation. Motion carried – all in favor.

b. Tax, Water/Sewer Abatements & Exemptions

A Motion was made by Selectman Quandt and seconded by Vice Chair Chartrand to sign a Notice to Quit to evict the last property owner at 2a Gary Lane. Motion carried – all in favor.

Mr. Dean talked about a conservation easement regarding the addition of snowmobiles to the uses. He is looking to have the original signed. Chairman Clement said the Board has already taken action.

c. Permits and Approvals

There is a permit application to use the Town Hall for a Cub Scout event on October 26. A Motion was made by Selectman Ferraro and seconded by Selectman Quandt to approve the application. Motion carried – all in favor.

d. Town Manager's Report

Mr. Dean talked about the following:

- A CIP meeting he attended
- Information about the new water treatment plant
- A request for information on Jady Hill
- He wanted to acknowledge Mr. Vlasich for providing a detailed report

e. Legislative Update

None.

f. Selectmen's Committee Reports

Selectman Ferraro reported the Water and Sewer Committee met. They reviewed financials and talked about the new water treatment plant. He said the Planning Board met and talked about a site walk of a Captains Way proposed house.

Vice Chairman Chartrand had nothing to report.

Selectwoman Gilman had nothing to report, but said the CIP work was one of the BOS goals to accomplish.

Selectman Quandt reported the Swazey Trustees met. They looked at bids for bench parts and ruled the bids were too high.

Chairman Clement reported the Exeter Housing Authority met. He talked about success with weatherization. The Exeter River workgroup gave updates for the dam issue alternatives. He said August 14 is the last day to submit comments. He talked about putting out a call for the first 2014 Budget Recommendation Committee meeting which should be sometime in the end of August.

j. Correspondence

Chairman Clement talked about the following correspondence:

- NH Dept of Safety about a \$27,000 grant.
- A report from Mr. Swanson on EXTV for July.

7. Review Board Calendar

Chairman Clement said the next BOS meeting will be August 26. He would expect some updates at the next meeting.

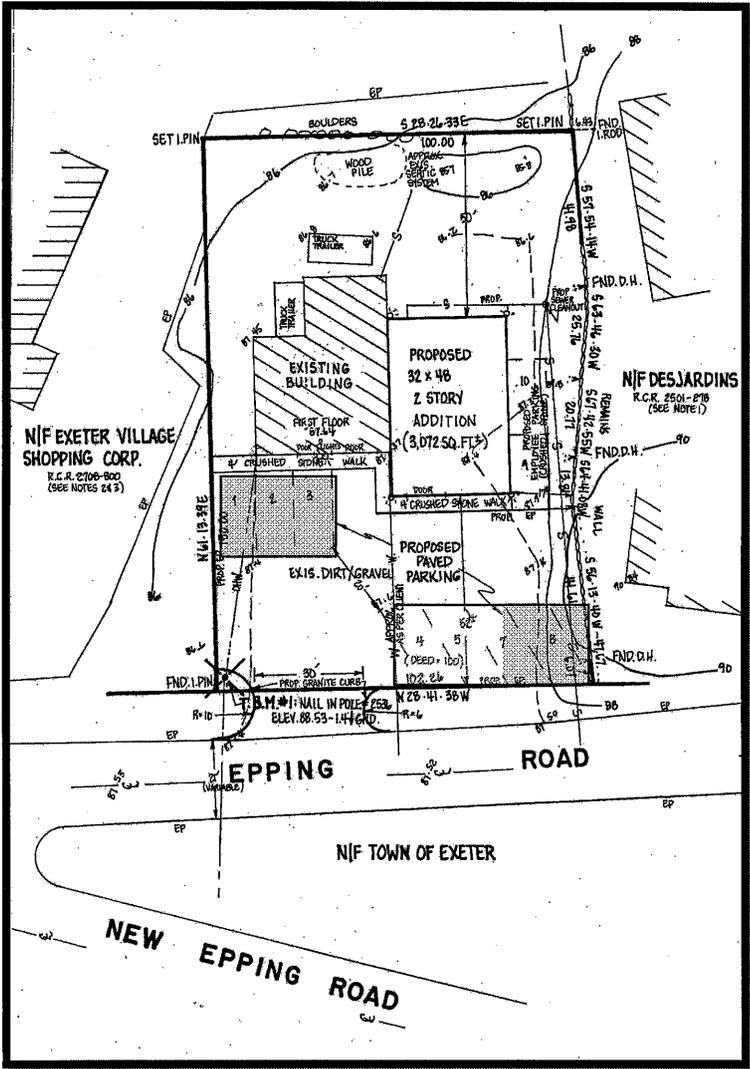
A Motion was made by Selectman Quandt and seconded by Vice Chair Chartrand to go into a non-public session under RSA 91 A exceptions c and e at 9:15 pm. Roll call vote: Clement aye, Chartrand aye, Ferraro aye, Quandt aye, Gilman aye. Motion carried – all in favor.

Selectman Chartrand moved to adjourn, seconded by Selectman Quandt. The Board stood adjourned at 9:30 p.m..

Respectively submitted,

Nicole McCormack
Recording Secretary

135 Epping Road: The following depicts the original site plan, dated Jan. 1989. It shows a total of 8 parking spots on site.





Photos show that cars from Derek's Auto Body not only flow out onto the street and ROW but also onto the neighboring lot. This lot should be empty of all cars as the building is empty and the lot is for sale.





August 12, 2013

Proposal 3123998B

Fire Chief Brian Comeau
Town of Exeter
20 Court Street
Exeter, New Hampshire 03833
via email: bcomeau@exeternh.gov

**Subject: Proposal for On-call Environmental Services
Exeter Sportsmans Club
Exeter, New Hampshire**

Dear Chief Comeau:

URS Corporation (URS) is pleased to provide this change order proposal for environmental services at the Exeter Sportsmans Club (ESC). This proposal has been prepared based on the discussion held during last week's meeting with Mr. John Regan and Mr. John Liptak of the New Hampshire Department of Environmental Services (DES). This proposal contains two work orders: work order SLM- 005 for Area 1 - Trap Range Remediation plan and work order SLM-006 for preparation of the Remedial Action Plan (RAP) for Areas 2 and 3.

SCOPE OF WORK

Work Order: SLM-005

URS reviewed the NHDES letter entitled *Request for Remedial Action Plan (RAP)*, which was sent to the Town of Exeter on March 7, 2013, and developed a series of tasks to be performed under this work order. In March 2013, URS prepared a scope of work to provide on call services in support of the DES requirements. In April and May URS conducted soil sampling and analysis of the results. These services were part of the previous on call environmental services contract. In late May 2013, the NHDES requested URS collect additional soil samples and have them analyzed for polycyclic aromatic hydrocarbons (PAHs) which was not included in the initial request. On June 17, 2013 URS transmitted the results to the DES and requested a meeting to discuss the recommendation that the Exeter Sportsmans Club be granted permission to recycle approximately 400-500 cubic yards of Lead and PAH contaminated soil.

During this time URS was made aware of the ESC plans for conducting a fishing derby which would have participants traversing areas where exposure to lead and PAHs was likely. As such, URS made multiple trips to the site to identify restricted areas where the public would not be permitted.

On August 8, 2013, URS and the Town attended a meeting with the NHDES to discuss the request to have the open trap range eliminated from the requirements of the RAP and have the contaminated soil used in the construction of the small bore berm, thus reducing disposal costs, and opening the trap range for unrestricted use. During this meeting, the NHDES requested URS prepare a scope of work defining how and where the berm would be constructed and how



the clay targets would be managed or disposed of. This meeting has resulted in: 1) eliminating the need to analyze multiple clean up technologies for the trap range; 2) not having to estimate costs for cleanup scenarios relating to the trap range; 3) expediting the schedule for berm construction and unrestricted use of the trap range; and 4) eliminating long term monitoring, all of which result in significant cost savings to the town.

Work Order: SLM-006

URS proposes to prepare the RAP for Areas 2 and 3 only (the forested portion of the shot fall area on the Town owned property and the forested portion of the abutting Blanchard property).

The RAP will provide: 1) a summary of the site investigations conducted in these areas, 2) a remedial alternative evaluation of a minimum of 2 alternatives or combination of alternatives, and 3) will recommend preferred alternatives.

The evaluation of alternatives will include an assessment of:

- a. Effectiveness and reliability comparison, Env-Or 606.12(c)(1).
- b. Feasibility and ease of implementation comparison, Env-Or 606.12(c)(2).
- c. A risk/benefit comparison, Env-Or 606.12(c)(3).
- d. A cost effectiveness comparison using the present worth of all future costs, Env-Or 606.12(c)(4).
- e. A clean-up time comparison, Env-Or 606.12(c)(5).and
- f. A justification for the recommended alternative; Env-Or 606.12(d).

The RAP will provide recommendations to:

- a. Remove or treat the source of contamination, Env Or 606.10(d)(3)a.
- b. Contain the contamination source to limit the impact to groundwater, surface water, and soil to the extent feasible, Env-Or 606.10(d)(3)b.
- c. Protect human health from exposure through the direct contact exposure pathway, Env-Or 606.10(d)(3)d.
- d. Restore groundwater quality to Ambient groundwater Quality Standards (AGQS), Env-Or 606.10(d)(3)f; and
- e. Restore soil quality to the S-1 soil cleanup standards, Env-Or 606.10(d)(3)g.

For the recommended alternative, the RAP will provide the following information:

- a. A site map showing the remedial system lay out including areas of influence, Env-Or 606.12(e)(1).
- b. A preliminary process flow diagram showing major system components and controls, Env-Or 606.12(e)(2).
- c. Final and interim contaminant reduction performance standards including target dates, Env-Or 606.12(e)(3).
- d. Recommendations for conducting any additional investigations, pilot tests, or bench scale studies, Env-Or 606.12(e)(4).
- e. A description of performance monitoring, including monitoring locations and frequency, Env-Or 606.12(e)(5).
- f. A schedule for implementing the recommended alternative, Env-Or 606.12(e)(7).
- g. A list of federal, state, and local permits required, Env-Or 606.12(e)(8), and



- h. A description of any activity and use restrictions being proposed at the site, Env-Or 606.12(e)(9).

PROJECT SCHEDULE

URS has been continually working on the activities identified in work order SLM-005. As we discussed above, we met with the NHDES on August 8, 2013. The scope of work requested by the NHDES will be prepared within 2 weeks of receiving your written authorization to proceed.

The schedule for work order SLM-006 is to complete the RAP and have it submitted to the Town for review by September 30, 2013, and to provide it to the NHDES by October 31, 2013.

COST ESTIMATE

Work Order: SLM-005

The cost to complete the services described above through submitting the work plan to the NHDES, is estimated to be \$5,300 and includes labor and transportation expenses. Approximately \$4,772 of the cost has been incurred when the NHDES required the Town to sample for PAHs, which were not identified in their initial request, when URS responded to exposure concerns on the part of the NHDES in relation to the ESC fishing derby, and to attend the August 8, 2013 meeting with the NHDES.

Work Order: SLM-006

The cost to complete the RAP for Areas 2 and 3 are estimated based on the August 8, 2013 meeting with the NHDES and are estimated to be up to \$8,500. This cost includes URS labor to write the RAP, 2 site meetings with estimators, and transportation costs.

TERMS & CONDITIONS

URS proposes to complete the above referenced work on a time and materials basis in accordance with our existing Agreement for Professional Services between the Town of Exeter and URS, dated June 28, 2006.

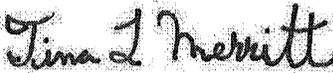
AUTHORIZATION

If the scopes of work described above are acceptable to you, URS requests that you provide authorization by signing each of the attached work orders and fax a copy to us at 603-893-6240.

If you have any questions, please contact either of the undersigned at 603-893-0616.

Sincerely,
URS Corporation


Gary Garfield, PE LSP
Principal Engineer


Tina Merritt
Project Manager



TIME AND MATERIALS WORK ORDER NO. SLM -005

In accordance with the Agreement for Professional Services between **Town of Exeter** ("Client"), and **URS Corporation** ("URS"), a **Nevada** corporation, dated **June 28, 2006**, this Work Order describes the Services, Schedule, and Payment Conditions for URS Services on the Project known as:

Area 1 Trap Range Remediation
Exeter Sportsman's Club, Exeter, NH

Client Authorized Representative:	_____
Address:	Brian Comeau _____
	20 Court Street _____
	Exeter, New Hampshire _____
Telephone No.:	_____
URS Authorized Representative:	_____
Address:	Russell J. Wilder _____
	5 Industrial Way _____
	Salem, NH 03079 _____
Telephone No.:	603-893-0616 _____

SERVICES. The Services shall be described in Proposal 3123998B attached to this Work Order.

SCHEDULE. The Estimated Schedule shall be set forth in Proposal 3123998B attached to this Work Order. Because of the uncertainties inherent in the Services, Schedules are estimated and are subject to revision unless otherwise specifically described herein.

PAYMENT. URS charges of \$5,300 shall be invoiced on a "time and materials" basis and shall be in accordance with the URS Schedule of Fees and Charges currently in effect.

TERMS AND CONDITIONS. The terms and conditions of the Agreement referenced above shall apply to this Work Order, except as expressly modified herein.

ACCEPTANCE of the terms of this Work Order is acknowledged by the following signatures of the Authorized Representatives.

CLIENT

URS

Signature

Signature

Typed Name/Title

Russell J. Wilder, Vice President

Typed Name/Title

Date of Signature

Date of Signature



TIME AND MATERIALS WORK ORDER NO. SLM -006

In accordance with the Agreement for Professional Services between **Town of Exeter** ("Client"), and **URS Corporation** ("URS"), a **Nevada** corporation, dated **June 28, 2006**, this Work Order describes the Services, Schedule, and Payment Conditions for URS Services on the Project known as:

Remedial Action Plan Areas 2 and 3
Exeter Sportsman's Club, Exeter, NH

Client Authorized

Representative: Brian Comeau
Address: 20 Court Street
Exeter, New Hampshire
Telephone No.: _____

URS Authorized

Representative: Russell J. Wilder
Address: 5 Industrial Way
Salem, NH 03079
Telephone No.: 603-893-0616

SERVICES. The Services shall be described in Proposal 3123998B attached to this Work Order.

SCHEDULE. The Estimated Schedule shall be set forth in Proposal 3123998B attached to this Work Order. Because of the uncertainties inherent in the Services, Schedules are estimated and are subject to revision unless otherwise specifically described herein.

PAYMENT. URS charges of \$8,500 shall be invoiced on a "time and materials" basis and shall be in accordance with the URS Schedule of Fees and Charges currently in effect.

TERMS AND CONDITIONS. The terms and conditions of the Agreement referenced above shall apply to this Work Order, except as expressly modified herein.

ACCEPTANCE of the terms of this Work Order is acknowledged by the following signatures of the Authorized Representatives.

CLIENT

URS

Signature

Signature

Typed Name/Title

Russell J. Wilder, Vice President

Typed Name/Title

Date of Signature

Date of Signature

DRAFT

TOWN OF EXETER

JOB TITLE: Economic Development Director

DEPARTMENT: Town Manager, Economic Development

EMPLOYMENT STATUS: Full-Time, Non-Union

EXEMPT STATUS: Administrative Exemption

LABOR GRADE: TBD

JOB SUMMARY: This position is responsible for leading a variety of economic development activities for the Town. Performs work in encouraging and implementing economic development initiatives, goals and objectives, including attracting new businesses and industries and assisting existing business and industries for the purpose of strengthening the Town's overall economic and commercial base.

SUPERVISION RECEIVED: The Economic Development Director receives general supervision and policy direction from the town manager, exercises a considerable degree of independent judgment and is evaluated by the town manager based upon the achievement of assigned goals and objectives. The position works closely with the Town's Economic Development Commission.

SUPERVISION EXERCISED: Provides no formal assigned supervisory responsibility or authority.

ESSENTIAL DUTIES: (The listed examples may not include all duties of the position)

1. Serve as the Town's main point of contact for developers, businesses, and those seeking to locate businesses to the Town of Exeter.
2. Coordinate and facilitate activities between businesses and developers with the Planning, Zoning, and Building Departments.
3. Itemize and evaluate needs of existing and potential businesses, compare with Town guidelines and make recommendations for changes as needed.
4. Serve on the Town's technical review committee as needed.
5. Proactively recruit new businesses, support existing businesses, and encourage strategic development and redevelopment; maintain communications to resolve business issues.

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6. Prioritize key economic development initiatives consistent with Master Plan, Board of Selectmen, Town Manager, and Economic Development Commission goals.
7. Support Town Manager and staff, Board of Selectmen, the Economic Development Commission, and town committees to integrate and align economic development efforts with other town priorities.
8. Assess Exeter's strengths and weaknesses relative to business attraction and retention, make recommendations as required.
9. Develop and maintain professional working relationships with business owners, managers, real estate developers, commercial realtors, and other local and regional entities, and encourages them to locate or expand business in Town.
10. Arrange financial and development packages for economic development projects which benefit Exeter.
11. Develop marketing and promotion materials for the Town; coordinate economic development website information with the Town Manager and Economic Development Commission.
12. Provide information about benefits for incoming businesses and existing business expansion.
13. Develop and maintain a comprehensive inventory of available buildings and land in the community for development purposes.
14. Develop short and long range economic development plans; gather, interpret and prepare data for studies, reports and recommendations.
15. Seek opportunities to increase the Town's commercial tax base.
16. Provide support for achieving town initiatives and programs.
17. Coordinate, plan and educate businesses on the Town's economic development programs and policies such as RSA 79-E and Tax Increment Finance Districts. Identify and recommend changes to improve their use and success.
18. Provide periodic updates on economic development initiatives to the Board of Selectmen, Planning Board, and Economic Development Commission.
19. Provide reports and oral presentations as required. Work with the Town Manager, boards and committees, and other staff to provide technical insight and recommendations related to planning, zoning, public infrastructure including parking, and ordinances impacting economic development.

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20. Attend meetings of the Economic Development Commission, provide expertise and explanations of policy and project options; educate the EDC and public through presentations and discussions.
21. Work with the Rockingham Economic Development Commission (REDC) to represent and assist Exeter businesses looking for a variety of assistance from the Town and other entities.
22. Work with the Chamber of Commerce, various professional economic development organizations, Small Business Association, Community Development Finance Authority, Business Finance Authority to meet the goals of Exeter businesses.
23. Act as the Town's representative as needed to Federal, State, County and local committees/associations impacting Economic Development and business relationships.
24. Update Town's market analysis as new trend, demographic and other data becomes available.
25. Identify appropriate Economic Development grants that are available from private institutions, the State of New Hampshire, the Federal Government and other organizations or governments.
26. Assess impact of Town and zoning ordinances on economic development; identify and recommend ordinance alternatives for converting policy ideas into action plans affecting Town development, expansion, transportation and related programs.
27. Solicit public participation for economic programs, write press releases, etc.
28. Prepare and manage annual Economic Development budget, and monitor expenditures for Economic Development.
29. Performs other related duties as required.

KNOWLEDGE, SKILLS AND ABILITIES REQUIRED BY THE POSITION:

1. Knowledge of town policies and procedures, ordinances and state and federal statutes.
2. Knowledge of zoning ordinances, site plan regulations, land use regulations, subdivision regulations and appropriate state regulations relating to planning and zoning activities.
3. Knowledge of building codes and processes.
4. Knowledge of business and municipal economic development strategies.

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5. Knowledge of small business and micro enterprise lending.
6. Strong project management skills.
7. Good credit analysis experience.
8. Strong business plan and financial analysis skills.
9. Knowledge of government and non-government economic development funding sources and business assistance programs, requirements and regulations including CDBG, SBA, CDFA and BFA.
10. Knowledge of legal processes and legal terminology.
11. Knowledge of town geography, streets and zoned areas.
12. Knowledge of building construction and engineering principles, concepts and methods.
13. Knowledge of the budgetary process.
14. Skill in managing multiple and concurrent projects.
15. Skill in management, leadership and supervision.
16. Skill in planning, organizing, analyzing, decision making and problem solving.
17. Skill in public and interpersonal relations.
18. Skill in reading and understanding development plans, maps, charts and surveys.
19. Skill in the use of office equipment, such as a digital camera, computer, calculator, printer, relevant software, data base programs, spreadsheets and G.I.S. programs.
20. Skill in oral and written communication.
21. Skill in budgetary preparation and administration.
22. Ability to read and understand architectural and construction plans, engineering drawings, tax maps and technical reports.
23. Ability to formulate recommendations and decisions.
24. Ability to maintain accurate records and files.
25. Ability to negotiate and resolve disputes effectively.

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26. Ability to communicate effectively, both verbally and in writing.
27. Ability to delegate responsibility.
28. Ability to prepare and present technical and statistical reports.
29. Ability to exercise sound and mature judgment and discretion.
30. Ability to demonstrate good teamwork, leadership, interpersonal and customer-service skills and attitude.
31. Ability to establish and maintain effective working relationships with employees, town officials, property owners, contractors, realtors, the business community, the general public, regional, state and federal officials.

SUPERVISORY CONTROLS: The supervisor sets the overall objectives and resources available. The Supervisor and employee develop the deadlines, projects and work to be done. At this level, the employee, having developed expertise in the line of work, is responsible for planning and carrying out the assignment; resolving most of the conflicts which arise; coordinating the work with others as necessary and interpreting policy on own initiative in terms of established objectives. In some assignments, the employee also determines the approach to be taken and the methodology to be used. The employee keeps the supervisor informed of progress, potentially controversial matters, or far-reaching implications. Completed work is reviewed only from an overall standpoint in terms of feasibility, compatibility with other work, or effectiveness in meeting requirements or expected results.

GUIDELINES: Procedures for doing the work have been established and a number of specific guidelines are available. The number and similarity of guidelines and work situations requires the employee to use judgment in locating and selecting the most appropriate guidelines, references and procedures for application and in making minor deviations to adapt the guidelines in specific cases. At this level, the employee may also determine which of the several established alternatives to use. Situations to which the existing guidelines cannot be applied, or significant proposed deviations from the guidelines, are referred to the supervisor.

COMPLEXITY: The work includes various duties involving different and unrelated processes and methods. The decision regarding what needs to be done depends upon the analysis of the subject, phase or issues involved in each assignment and the chosen course of action may have to be selected from many alternatives. The work involves conditions and elements that must be identified and analyzed to discern interrelationships.

SCOPE AND EFFECT: The work involves establishing criteria; formulating projects; assessing program effectiveness; or investigating or analyzing a variety of unusual conditions, problems or questions. The work product or service affects a wide range of agency activities, major activities of industrial concerns or the operation of other agencies.

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PERSONAL CONTACTS: The personal contacts are with individuals or groups from outside the employing agency in a moderately unstructured setting (e.g., the contacts are not established on a routine basis; the purpose and extent of each contact is different and the role and authority of each party is identified and developed during the course of the contact).

PURPOSE OF CONTACTS: The purpose is to plan, coordinate or advise on work efforts or to resolve operating problems by influencing or motivating individuals or groups who are working toward mutual goals and who have basically cooperative attitudes.

PHYSICAL DEMANDS: The work requires some physical exertion such as long periods of standing; walking over rough, uneven, or rocky surfaces; recurring bending, crouching, stooping, stretching, reaching or similar activities; recurring lifting of moderately heavy items such as books and record boxes. The work may require specific, but common, physical characteristics and abilities such as above-average agility and dexterity.

WORK ENVIRONMENT: The work environment involves everyday risks or discomforts that require normal safety precautions typical of such places as offices, meeting and training rooms, libraries and residences or commercial vehicles (e.g., use of safe work practices with office equipment, avoidance of trips and falls, observance of fire regulations and traffic signals, etc.). The work area is adequately lighted, heated and ventilated.

SUPERVISORY AND MANAGEMENT RESPONSIBILITY: Department heads at this level have final responsibility and authority for the accomplishment of objectives, utilization of resources and personnel administration decisions within a major jurisdictional subdivision. They are accountable for the effective and efficient management of work to achieve goals and objectives. They usually receive guidance in the form of approval/denial on matters of policy, service levels and goals or objectives from higher authorities.

MINIMUM QUALIFICATIONS:

1. Knowledge and level of competency commonly associated with the completion of a bachelor's degree with course work in community development, business administration, public administration, community planning, or related occupational field.
2. Experience sufficient to understand the diverse objectives and functions of the position, usually interpreted to require five to eight years of progressively responsible administrative and supervisory experience, preferably in a municipal environment; or any equivalent combination of education or experience which demonstrates possession of the required knowledge, skills and abilities.
3. Possession of, or ability to readily obtain, a valid driver's license for the type of vehicle or equipment operated.

1. Call meeting to order

Chairman Barry Sandberg called the meeting to order at 8:10 am in the Nowak Room of the Town Office building. Members present were: Kathy Corson, Madeleine Hamel, Beth MacDonald, Selectman Dan Chartrand, Len Benjamin, Brandon Stauber, David Hampson, Town Planner Sylvia von Aulock, Town Manager Russ Dean and Building Inspector Doug Eastman.

Also in attendance: Selectman Don Clement and intern Mark Manganiello

Mr. Sandberg introduced Mark Manganiello, a MPA candidate from UNH, who is interning in the Town Manager's office. Members introduced themselves and welcomed Mark to the working group.

2. Approval of minutes

Mr. Chartrand moved to approve the July 9, 2013 meeting minutes as presented; seconded by Mr. Benjamin. Motion carried with Mr. Dean abstaining as he was not present for the meeting. (Ms. Hamel was not present for the vote.)

3. Town updates

Mr. Dean stated Ms. von Aulock is working with Zoning Review committee preparing an RFP for a consultant to assist with the draft of a Form-Based Code ordinance. It is relative to economic development as it pertains to re-zoning a portion of Portsmouth Ave. As for a presentation on this topic, Ms. von Aulock felt it might be best to wait until a consultant is on board.

The presentation by the RPC (Rockingham Planning Commission) on the Complete Street policy and its adoption by several NH communities was presented to the BOS at the July 29, 2013 meeting; a transportation policy and design approach requiring streets be planned, designed, operated and maintained to enable safe travel for pedestrians, bicyclists, transient users, motorists and commercial vehicles. Another presentation is to be scheduled and discussion followed on who should be in the audience. No definite decision was made, but consensus was the PB would be favorable venue as the meetings are televised; could invite personnel from other Town Committees. Mr. Dean suggested viewing the Town Hall Streams on Town website of that BOS meeting for more background.

As required by the Warren Act, the Town was informed of the closing of the Stop & Shop store prior to the public announcement. The Warren Act requires the employer to report a closing and the number of personnel affected (if over a certain number); a reported 128 personnel will be affected. The State agency, DRED and its representatives will be doing displacement activities within the store. The Town has reached out to the property owner, Mr. Kevin King, and offered whatever assistance needed to facilitate and help in the process of re-populating the retail space. Discussion on Market Basket re-locating to the space concluded it will ultimately be up to the owner for that outcome.

As for a role the EEDDC can play in this matter, Mr. Eastman felt by supporting future development and keeping lines of communication open. Mr. Hampson reported he spoke to Mr. King recently and he expressed an interest in attending an EEDC meeting; he could contact him and extend an invitation to attend the September meeting and perhaps share his goals. Affirmation determined a space would be reserved for him on the September agenda if he chose to attend.

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Ms. Hamel felt this was an example of a need to be included in the Plan of Action as an area of focus; do have a Retention subcommittee and should have a relationship with the business community. There is an opportunity for outreach and Mr. Dean did say if members do come upon a contact/possible tenant to contact the Town Manager's office. His advice to members; be public, be visible. Ms. Hamel asked if would be possible to meet with a prospective tenant to let them know the EEDC is there to support them.

TIF update: Members of the subcommittee did a walkthrough with the downtown retailers group, HERON. Mr. Dean reported intern Derek Scanlon is working on additional details of a TIF and setting up a calendar of events (for the TIF project) up to February/March; still on track for a fall presentation to BOS.

4. Discussion/Presentation

- **RSA 79-E Community Revitalization Tax Relief Incentive Program**

Along with a PowerPoint presentation and a prepared handout, Mr. Manganiello walked the members through the program, the purpose, qualifying properties and additional details of the RSA 79-E. Two other NH communities adopting this legislation were cited; the impact and amount of impact of the program on those two communities demonstrated the flexibility of the program; be it large or small. A majority vote by the Town on a warrant article is required to adopt the program before any benefits are offered to a property owner. Its adoption seeks to incentivize investment in downtown and village centers and to rehabilitate under-utilized buildings within these areas.

With adoption a town does have an application process for property owners to make the improvements that meet the guidelines as well as a public benefit test to present to the governing body. In return, the governing body may provide tax relief at a pre-rehabilitation value for a finite period. (A flow chart detailing the application process and three questions asked when qualifying the property and how the application proceeds if it meets the qualifications was detailed in the handout) It determined there is flexibility by the BOS on the financial qualifications needed and the area/locale in Town deemed eligible. Public hearings are required to provide transparency in any proceedings. Following Mr. Manganiello's presentation Mr. Sandberg commented it may be better as part of a package rather than a standalone. Mr. Chartrand reflected Mr. Dean's comment it is just another tool in the economic development tool box; not the answer, part of the answer.

Maps were shown of possible areas to be considered; Lincoln St. and Epping Road. Ms. von Aulock reviewed building permits issued in the past few years in these locales and noted a lack of activity in these areas and this might be the incentive needed.

In discussing designating the downtown with the historic buildings in need of rehab as eligible under 79-E, Ms. von Aulock felt might be a conflict when considering that area for a TIF district. Mr. Chartrand responded they are two separate entities and don't work against each other; TIF for new development and 79-E for revitalizing individual properties. Further discussion will be held on the two proposals as to the potential for confusion to voters in distinguishing the two.

Mr. Stauber felt from reading the RSA, there is the flexibility to aid the Town in economic development. His impression from attending BOS meetings, the selectmen are looking to EEDC for a

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recommendation/feedback if this is something the Town should move forward on or not. Mr. Stauber felt the Commission should be looking at action to that end. With that said, he motioned the EEDC endorse the RSA to give the BOS the broadest geographic area option and include the Urban Compact Area of the Town. Clarification of the Urban Compact Area appeared to be quite broad extending from lower portion of Rt. 111A, through the east and west side, portions of High St., north along Portsmouth Ave. out to 101, Epping Road, and up to the river on Court and Linden St.. Mr. Chartrand seconded the motion for discussion.

Mr. Dean agreed with the proposal but would like to see a map of the Urban Compact Area and explore more details; delaying a decision at this meeting still allowed time for the BOS to review and take further action .

After further discussion on discovering more details of the UC Area and other NH communities utilizing the RSA, Mr. Stauber agreed to withdraw his motion and Mr. Chartrand agreed to withdraw his second; motion rescinded. It was determined the vote on a modified motion as stated by the Chair was in error as there was not a second to the modification. With the additional time (between meetings) for research, it was anticipated a vote would be taken at September meeting.

- **Economic Development Resources**

Mr. Dean distributed a prepared handout addressing a goal identified at the BOS goal setting session in June; to draft an economic development position. There was agreement such a position needs to be added to the town staffing. The handout outlined the eight objectives/criteria from the Selectmen and the potential for positive results. The draft was presented at the August 9, 2013 BOS evening meeting. A listed item for exploration states the BOS representative (to EEDC) and Town Manager present the proposal to the EEDC for feedback.

He noted the Commission has had ongoing discussions about more permanent resources to support the Commission's mission of expanding the commercial tax base of the Town and related activities. Mr. Dean walked through the prepared material including what objectives could be fulfilled with a commitment of a full time staff person and supporting facts i.e. salary range, position criteria reporting responsibility. Also included were sample copies of job descriptions from the towns of Somersworth and Claremont with similar positions. Mr. Dean asked members to look through example job descriptions and offer feedback on what major components should be included into the job description for an economic manger; wishes to consolidate/incorporate the responses into a job description to present to the BOS at their August 26, 2013 meeting. It was also noted there is a series of review before it is brought before Budget Recommendation Committee for inclusion in the 2014 budget.

Response from members present was favorable. Mr. Chartrand added the discussion on the position at the BOS meeting was also very positive. The Chair asked for those with thoughts and feedback to reply to Mr. Dean in a timely manner so as to be incorporated into the report for BOS.

Ms. von Aulock asked if any consideration was given to offering a temporary 3-5 year contract and after review at that time determine if the funding was available or the need still in place; if so, a contract would be issued. Mr. Dean did say that was not considered but felt there was a feeling of

Draft Minutes

negativity in offering a position on a temporary basis when all other Town positions are permanent; feels would see positive results in 3-5 years.

5. General Announcements

Mr. Sandberg wanted to go back to EEDC priorities. He credited Ms. Hamel for preparing a draft of the subcommittees work and some thoughts for 2013 plans. A worksheet, EEDC Strategic Planning 2013-2014; subtitled **Strategic Priorities** was distributed and asked that this be “homework” between now and the September meeting. The projects identified for EEDC action were listed by priority as adopted at April 2013 vision session. Space was allowed under the columns *lead/ team* and *schedule* for members to indicate areas they wished to contribute their energies. The Chair referenced this work sheet when completed to be the “blueprint” for action as the group goes into the fall; to be returned at September meeting.

Ms. Hamel prepared a handout outlining the Business Retention and Expansion subcommittee plans for the fall of 2013. Acknowledging it was ambitious; she summarized how the subcommittee might approach the plan and perhaps condense the list through actions. Referring to Mr. Sandberg’s worksheet, Mr. Chartrand summarized by saying the Chair is looking to a commitment to action and where you wish to give your time and efforts.

Mr. Stauber reported the Marketing and Branding subcommittee met and after discussion decided to cancel the proposed EEDC 375th event scheduled for early October. The program entitled an Economic History of Exeter was to be held at the Town Hall, but with the renovations to the building set to be completed only one or two days before the event—if all went on schedule— felt it was taking a chance. Also a contributing factor was the lack of attendance at other 375th events. Hearing Mr. Stauber’s efforts in putting this together, consensus was this could be postponed to another time and not necessarily a 375th event; felt too much groundwork has been done to abandon the program.

Also his work group discussed changes/updates to website, perhaps sponsoring an EEDC table at Chili Fest and sponsoring a startup competition as has been done in other towns (i.e. Rochester and Manchester.) highlighting technologic, incubator-type of projects; inspiring innovation.

6. General Announcements

- Mr. Hampson wished to verify if there was still interest in hosting a Chamber After Hours event. If so funds would need to be allocated and approved. As to a date, the Chamber’s calendar is filling quickly; can check the day before September meeting to determine dates available and then determine how to proceed; September agenda item.
- The proposed replacement sewer pipe lines on Portsmouth Ave. and the detour in traffic and possible economic impact; September agenda
- The opening of Nadeau’s sub shop in a newly renovated space (formerly occupied by Gadolfi’s sandwich shop) next to Walgreen’s. Members were encouraged to stop in and say hello.
- Mr. Stauber had his lap top with Sales Force program displayed for those wanting to see what it could do for maintaining Commission’s data base

7. Adjournment

Mr. Chartrand motioned to adjourn; seconded by Mr. Hampson. Meeting adjourned at 9:44 am.

Respectfully submitted

Ginny Raub, Recording Secretary

**AMEND CHAPTER 8 – COMMERCE REGULATIONS – EXETER TOWN
ORDINANCES**

Add a new section 809:

809 Licensing of Alcohol Use on Town Property

809.1 In accordance with the provisions of sections 809.1 through 809.9, and RSA 178:22(I), any voluntary non profit organization seeking to serve and offer alcohol for consumption on closed Town streets, in Town buildings, and in Town parks shall first apply for the applicable license with the Town Manager's Office.

809.2 To qualify for a license under this Chapter, the voluntary nonprofit organization shall obtain a license from the New Hampshire Liquor Commission under RSA 178:22(I).

809.3 The Town shall **require a license application**, which shall include standards for issuance of the license to serve and offer alcohol for consumption on Town property.

809.4 No license to serve and offer alcohol for consumption on Town property shall be **granted for the hours between 10:00 p.m. and 10:00 a.m..**

809.5 Applications for a license under this section may be made at the Office of the Town Manager.

809.6 The Police Chief, Health Officer, and Parks/Recreation Director (where applicable for Town parks) shall review the application for completion and transfer it to the appropriate authority for review and approval as follows:

- a. License to serve alcohol on closed Town streets, submitted by the Police Chief and Health Officer to the Town Manager for review and approval;
- b. License to serve alcohol in Town buildings submitted by the Police Chief and Health Officer to the Town Manager for review and approval;
- c. License to serve alcohol in Town parks submitted by the Health Officer to the Director of Parks and Recreation and Town Manager for review and approval.

809.7 To the extent the applicant meets all of the standards for issuance of a license, the Town Manager may conditionally issue the license, which shall not become valid until the applicant provides the Town Health Officer with an RSA 178:22(I) license from the New Hampshire Liquor Commission for the applicable license issuance time period.

809.8 The fee for said license shall be two-hundred (\$200.00).

809.9 Appeals of a denial of a license under this section may be made to the Exeter Board of Selectmen at a regular public meeting.

Signed this _____ day of _____, 2013

Exeter Board of Selectmen:

Don Clement, Chairman

Dan Chartrand, Vice Chairman

Julie Gilman, Clerk

Matt Quandt

Frank Ferraro

Effective Date: _____

AMEND CHAPTER 7 – CONDUCT REGULATIONS – EXETER TOWN
ORDINANCES

Amend section 703:

CURRENT

703 Public Drinking

No person shall consume any alcoholic beverage, or have in his/her possession any open container of alcoholic beverage, while upon any public park, playground, sidewalk, commons, town-owned property or any public way within the geographic limits of Exeter.

703.1 No person shall consume any alcoholic beverage, or have in his/her possession any open container of alcoholic beverage while in any vehicle or while upon a public park, playground, sidewalk, common, town-owned property or any public way within the geographical limits of Exeter.

703.2 Exemptions to this section may be granted by the director of Parks and Recreation and/or Chief of Police of the Town of Exeter provided, however, that application for same is made in writing fifteen (15) days prior to the scheduled event.

AMENDMENT

703 Public Drinking

No person shall consume any alcoholic beverage, or have in his/her possession any open container of alcoholic beverage, while upon any public park, playground, sidewalk, commons, town-owned property or any public way within the geographic limits of Exeter. **Exemptions to this section shall only apply to events properly licensed under Chapter 809 of these Town Ordinances.**

703.1 No person shall consume any alcoholic beverage, or have in his/her possession any open container of alcoholic beverage while in any vehicle ~~or while upon a public park, playground, sidewalk, common, town-owned property or any public way~~ within the geographical limits of Exeter.

~~703.2 Exemptions to this section may be granted by the director of Parks and Recreation and/or Chief of Police of the Town of Exeter provided, however, that application for same is made in writing fifteen (15) days prior to the scheduled event.~~

Signed this _____ day of _____, 2013

Exeter Board of Selectmen:

Don Clement, Chairman

Dan Chartrand, Vice Chairman

Julie Gilman, Clerk

Matt Quandt

Frank Ferraro

Effective Date: _____



**TOWN OF EXETER, NEW HAMPSHIRE
FACILITY/PREMISES LICENSE AGREEMENT**

This Agreement, dated _____ by and between the Town of Exeter, and _____, is for a temporary revocable license to use a public facility or premises in the Town of Exeter under Town Ordinance 809.

In consideration of the mutual covenants and conditions stated herein, the parties agree as follows:

1. FACILITY/PREMISES. The Town allows use of _____ for the Event described below, subject to the terms and conditions set forth below.

2. EVENT. Describe the Event for which the Facility/Premises will be used: _____

3. DATE and TERM of LICENSE. The date of the Event will be _____, from _____ (a.m./p.m.) until _____ (a.m./p.m.), as which time the LICENSE expires.

4. NATURE OF LICENSE. License to use the Facility/Premises will be temporary, revocable and conditional. The Town of Exeter reserves the authority to revoke the license in its sole discretion at any time prior to expiration without penalty or liability, and to impose conditions upon the license in the public interest. Specific reference is made to sections 703 and 809 of the Exeter Town Ordinances.

5. SMOKING and ALCOHOL. Smoking is prohibited in the Facility/Premises. Possession, service and consumption of Alcohol is prohibited in the Facility/Premises unless specifically approved.

Alcohol service requested _____ Name of alcohol vendor _____
Vendor's insurance and licensing proven _____

Alcohol service approved _____ Alcohol service denied _____

Reasons for denial _____

Conditions of alcohol service approval:

- Alcohol may only be served by a single licensed, insured and approved vendor, which will be the sole source of alcoholic beverages at the function.
 - The service vendor must include the Town of Exeter as an additional insured on its liability policies in relation to the function.
 - Alcohol service must strictly comply with all applicable laws and regulations.
 - Alcohol service will occur in a single designated and secure area, and shall be distributed to legally appropriate persons only by the vendor.
 - Intoxication is prohibited.
 - Persons who are intoxicated or who appear intoxicated shall not possess or consume alcohol, and must safely leave the event without operating a motor vehicle.
 - Additional conditions: _____
-

6. **INSURANCE.** User will procure and maintain at its sole cost and expense, comprehensive general liability insurance in which the Town of Exeter is an additional insured with coverage of \$1,000,000 per occurrence. User will furnish the Town with a certificate of insurance and endorsement. If you cannot provide proof of insurance, you can purchase a Tenant User Liability Insurance Policy (TULIP) through a special program. For more information about how to purchase your TULIP please contact Primex at 1-800-698-2364.

If the function and vendor are approved for alcohol service, the vendor serving alcohol will be required to submit proof of licensure and insurance, to include general liability, liquor liability, automobile liability, property, and workers compensation. The Town of Exeter shall be included in the vendor's liability policies as an additional insured for the event.

7. **SECURITY DEPOSIT AND RENTAL FEE.** _____
8. **CLEAN-UP.** User will leave the facility/premises in a neat, orderly and clean condition. User will be responsible for, and liable to, the Town for all repairs to the Facility/Premises required as a result of damage caused by User and/or User's guests or vendors.
9. **RETURN OF SECURITY DEPOSIT.** Within three (3) business days following the Event, the Town will inspect the Facility/Premises. If User and/or User's guests or vendors have not caused any damage to the Facility/Premises, the Town will return the security deposit to User by first class mail within five (5) business days. If User and/or User's guests or vendors have caused damage to the Facility/Premises, the Town may retain all or a portion of the security deposit. If the Town retains any of the security deposit, it will give written notice to User specifying the amount retained and the reasons therefore. The Town's remedies for damage shall not be limited

to retention of the security deposit and the Town may pursue any additional remedies authorized by law to recover its damages or losses.

10. **INDEMNIFICATION AND HOLD-HARMLESS.** To the fullest extent permitted by law, User shall protect, indemnify, save, defend and hold harmless the Town of Exeter, including its officials, agents, volunteers and employees (“Indemnified Parties”), from and against any and all liabilities, obligations, claims, damages, penalties, causes of action, costs, interest and expenses, including but not limited to reasonable attorney and paralegal fees, which Indemnified parties may become obligated or suffer by reason of any accident, bodily injury, personal injury, death of person, or loss of or damage to property, arising indirectly or directly under, out of, in connection with, or as a result of this Agreement or the activities of User or its agents, employees, guests, vendors, contractors or subcontractors, and even if allegedly or actually caused in whole or in part by any negligent or intentional act or omission of Indemnified Parties.
11. **ASSIGNMENT.** This Agreement is not assignable to any other person or entity.
12. **RIGHT OF ENTRY AND TERMINATION.** The Town, its officers, agents and employees shall have the right to enter the Facility at all times during the Event to confirm User’s conformance to this Agreement. If the Town determines, in its sole judgment, that it would like to terminate the License for any reason it shall have the right to immediately terminate this Agreement at any time without penalty or liability and User, its guests and vendors shall cease the event and exit in an orderly manner.
13. **CONFORMANCE WITH LAW AND RULES.** User agrees that User will abide by and conduct its affairs in accordance with this Agreement and all policies, laws, rules, regulations, and ordinances. User shall not engage in or allow any disorderly, unruly, loud, unsafe or illegal activity to occur at the Town Facility/Premises.
14. **MODIFICATION/AMENDMENT/MERGER.** This agreement constitutes the entire merged Agreement between the parties. Any modification, amendment or supplementary provisions must be in the form of a writing signed by the parties and which expressly modifies this agreement.
15. **SEVERABILITY.** If a Court determines that any provision of this Agreement is unlawful or unenforceable, such provision shall be stricken and the remainder of the Agreement shall be enforceable. A Court may reasonably reform any stricken provision in order to effectuate the parties’ intent.
16. **CHOICE OF LAW/FORUM.** This Agreement shall be construed under New Hampshire substantive law without regard to any rules governing choice of law. Any court action regarding this Agreement must be filed and litigated in the New Hampshire Superior Court in Rockingham County, New Hampshire.

17. ATTORNEY'S FEES AND COSTS. In regard to any legal proceedings regarding this Agreement, the Town shall be entitled to recover from User the Town's reasonable attorney's fees and costs to the extent the Town is a prevailing party.

The parties have executed this Agreement at _____, New Hampshire this _____ day of _____, 20____.

TOWN OF EXETER

RESPONSIBLE PARTY

Board Designee

(Duly authorized Agent) (Name)

(Organization, if applicable)

(Address)

(City, State, Zip)

Phone

Email

Charter Street	East side of street from Front Street to a point 90 feet south of Vine Street. West side of street between Vine and Myrtle Streets
Chestnut Street	East side of street from Pleasant Street to Jady Hill Avenue and west side of street from 380' north of String Bridge to Jady Hill Avenue.
Clifford Street	East side of Street. Loading zone on west side of street.
Cottage Street	East side of street.
Court Street	East side of street from South Street to Front Street. West side of street from intersection of Front Street to 180' feet south of Maple Street.
Elliot Street	West side from Front Street to Grove Street.
Elm Street	West side of street from 15' north of Gilman House parking lot entrance to 15' south of entrance to Student Center/Library/Dining Hall driveway; 15' north and south of entrance to parking area behind Elm Street dining hall.
Epping Road Extension	Both sides of street the length of Epping Road Extension.
Front Street	South side of street for a distance of 60 feet west of Linden Street and between Elm Street and Post Office driveway. North side from Kossuth Street to B&M Railroad Crossing. From Arbor Street to hydrant across from Inn at Exeter. South side from point approximately 100 feet east of Pine Street for approximately 25 feet in easterly direction. South side from Elliot Street westerly for 50'. South side from Elliot easterly for 220'. South side from Elm Street westerly for 50'. North side from Tan Lane westerly for 50'. North side from Tan Lane intersection easterly for 80'. Northerly side of street from approximately 100 feet west of the PEA arches to Tan Lane.
Garfield Court	Entire side of street.
Gill Street	North side of Gill Street (extension) for a distance of 50 feet from Linden. Entire south side of Gill Street (extension). Entire west side from Front Street.
Gilman Street	Both sides from Court Street to the entrance to the foot-bridge.
Green Street	Southerly side of Green Street, entire length 7:30 a.m. to 3:30 p.m. on school days only. Both sides 100 feet from intersection of Green and Cass Streets.
Hall Court	Both sides of street from High Street to Hall Place.
Hall Place	Both sides of street from Pleasant Street east 340 feet and 100 feet southerly.
Hampton Road	Both sides of street from High Street to Exeter/Hampton town line.
High Street	Both sides of street from Clifford Street to Portsmouth Avenue. North curb line from Portsmouth Avenue to Hampton Road. South curb line from 180' east of Gardner Street to Hampton Road. South curb line from 180' east of Gardner Street to Hampton Road.

**AMEND CHAPTER 1 PARKING REGULATIONS – EXETER TOWN
ORDINANCES**

Add (amendment in boldface type):

101.2 Parking Prohibited on Specific Streets

Epping Road Extension

**Both sides of street the length of Epping Road Extension except
for 50 feet on the west side of the road, off pavement parking
only.**

Signed this _____ day of _____, 2013

Exeter Board of Selectmen:

Don Clement, Chairman

Dan Chartrand, Vice Chairman

Julie Gilman, Clerk

Matt Quandt

Frank Ferraro

Effective Date: _____



EXETER POLICE DEPARTMENT



Memorandum

July 23, 2013

To: Russ Dean Town Manager

From: Chief Kane

Ref: Derek's Auto Request

I met with Mr. Winter at his place of employment Derek's Auto on July 23 2013 and we went over what he was trying to accomplish with a change in the parking ordinance. His business is located on 135 Epping Road Extension which is a small off shoot to Epping road. The street has one residence on it and another business building that currently has no business in it and is for sale. The road is narrow and I agree that there should be parking restrictions in place on the street.

In past conversations Mr. Winter has told me that he has issues trying to park his customers in his lot because both sides of the street are currently no parking. So when his lot is full he has no place for his customers to park. During my visit with him today we looked over a section of the street seen in picture number two that is approximately 50 feet long and across from the entrance to his business. This could hold off the pavement parking for 4-5 vehicles depending on the type of vehicle.

What I would recommend to be changed is the following. In that 50 foot stretch there are 3 no parking signs, remove the middle sign, change the other signs to no parking here to corner with the appropriate arrow. This would allow Mr. Winter to use the space in between for off the pavement parking only.

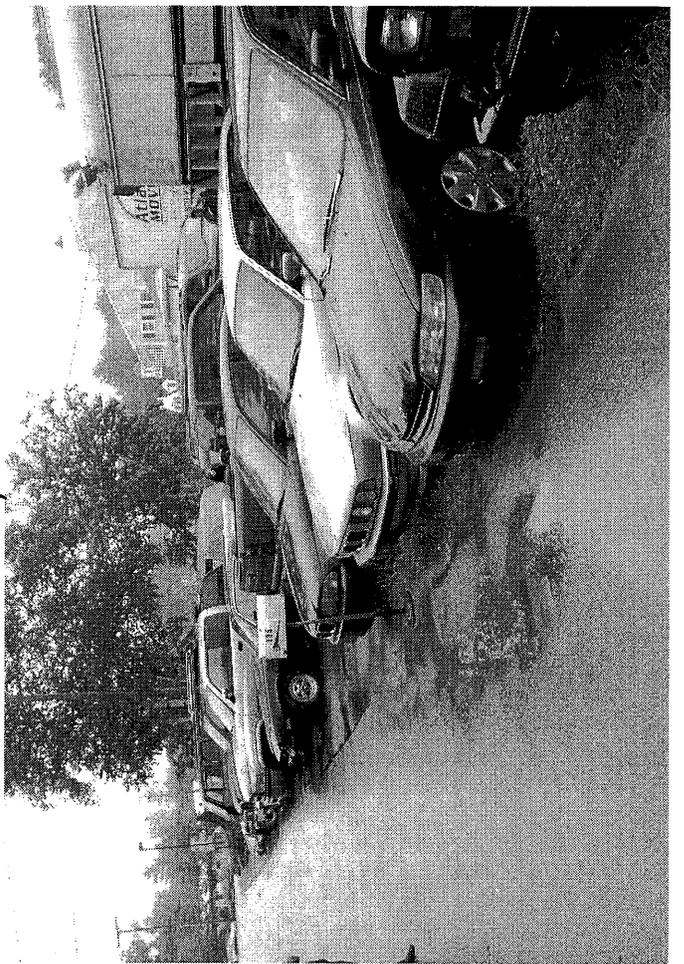
Under the town ordinances section 101.2 Epping Road Extension it would read, No parking on both sides for the length of Epping Road Extension except for 50 feet on the West side of the road, off pavement parking only.

I informed Mr. Winter that no unregistered vehicles can be parked in that section, all vehicles have to be off the pavement and that he would be required to clear the area of snow to make room for the parking. He agreed to all of these requirements.

2
#4



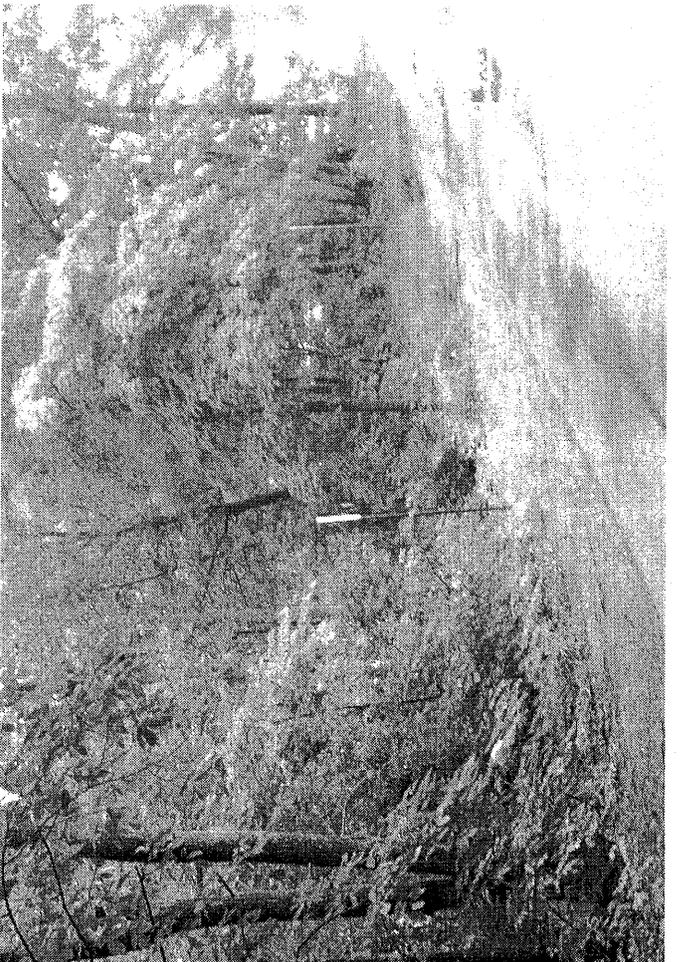
#4



#1



#3



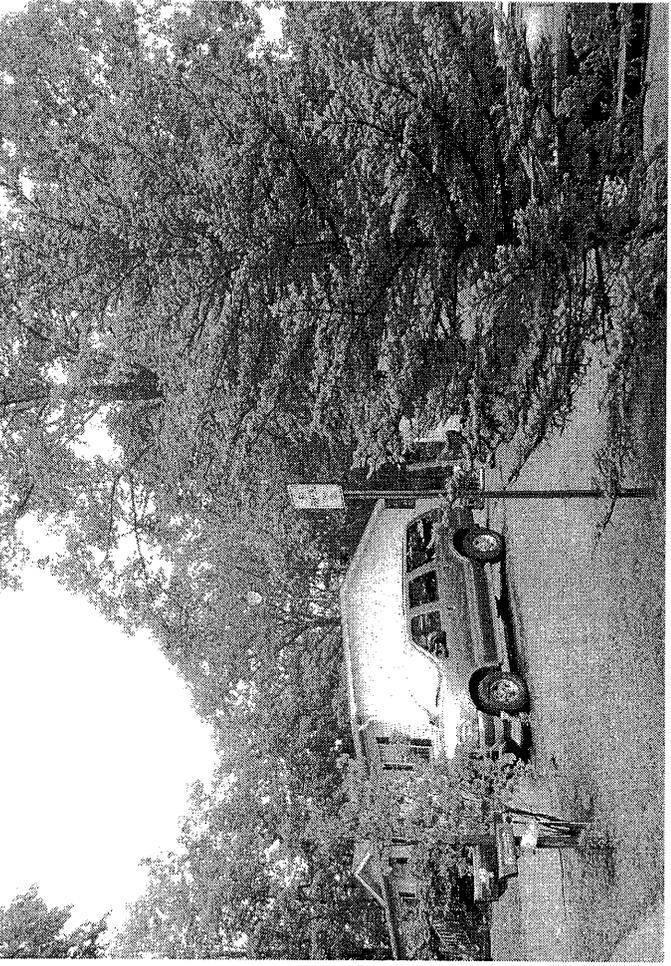
76



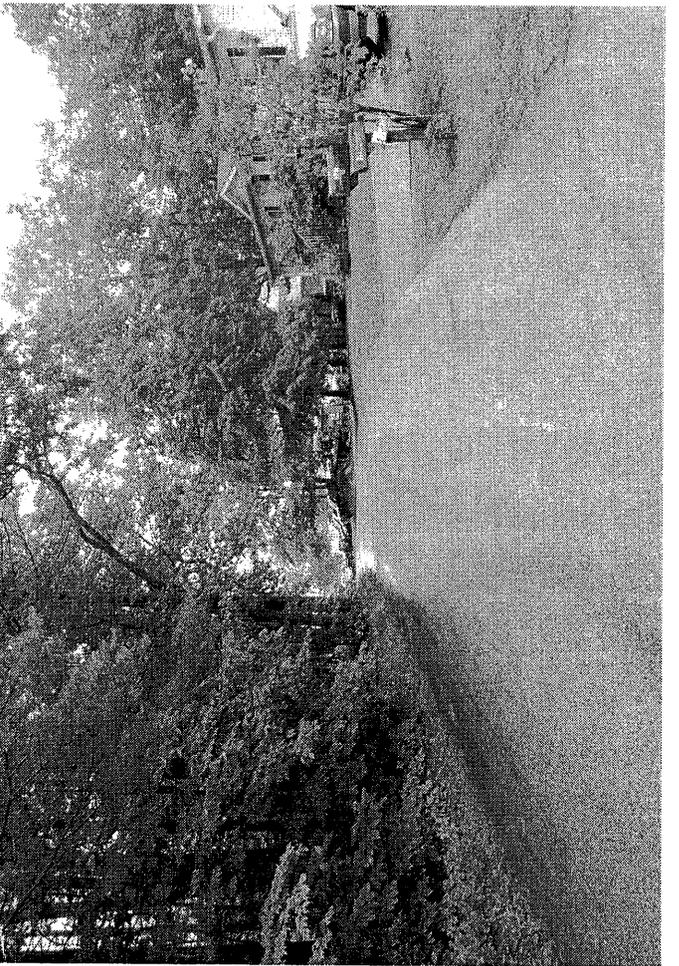
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75



77



come to *our* aid when needed, to show that Exeter also receive help when a problem occurs. Chief explained that this is a valuable tool for the department and has worked well in the past.

Mr. Ingram pointed out one piece of information missing is how many vehicles and how many firefighters respond to these calls. Chief Comeau said we only respond with one engine, one ladder, or one ambulance.

Mr. Binette questioned why Stratham would call for mutual aid when they have 2 full time ambulances. Chief Comeau said that we may be called in for "pain control." He also explained that mutual aid seems to come in cycles. Stratham does not have full-time staff. They *did* have daytime staff at one point, and they were rarely receiving calls to go to Stratham at that time, but they are seeing a trend of receiving calls from Stratham more often these days.

Mr. Eastman expressed concern because last year he had asked for an updated copy of the mutual aid agreement and was told the most recent one was from 1984, but the Board received an updated copy in their packets for the meeting tonight. Mr. Eastman asked that the most recent copy be given to the Town Clerk.

Mr. Eastman also mentioned that the agreement stated towns do not have to respond to this aid, and Chief Comeau stated that they often do that also.

Mr. Ingram also noted that fire management is currently being reviewed so issues will be addressed in more detail down the line.

13. First Reading: Amend Water/Sewer Ordinance: Meter Replacements.

Mr. Dean stated that this ordinance came to us 1-2 weeks ago based on a discussion at a Water/Sewer Meeting. The Water/Sewer Committee is recommending the ordinance be updated to make it a bit more structured so that they can notify homeowners that are not responding to requests.

Mr. Campbell questioned the timeline of when people would receive this notice and when they would actually have their water turned off. Mr. Keith Noyes clarified that this would not be their first notice. By the time residents have received this final warning, they will have already received a number of prior notices asking for their compliance. This final letter would be more to address the 100+ residents that are not responding to previous correspondences so that the Water/Sewer Department can then take action.

The second reading to amend the Water/Sewer ordinance regarding meter replacements will be at the next Board of Selectmen Meeting on May 15th.

14. First Reading: Amend Parking Regulations: Epping Road Extension.

Mr. Dean said that this would simply add the Epping Road Extension to the list of roads that no parking is allowed.

Mr. Binette explained that this is the section of Epping Road that starts after the Comcast office and comes out to the mini-mall on the left-hand side. Mr. Eastman wondered what the purpose of adding the extension to the list was.

Mr. Perkins told the Board that there is an auto-body shop on one end of the road, and they park their cars on both sides of the road, which causes a major problem for vehicles trying to pass through. Mr. Binette added they put "For Sale" sign on these cars, using our town roads as a sales lot.

Mr. Dean also added they are trying to be proactive in order to avoid a zoning complaint down the line.

The second reading to amend the parking regulations will be at the next Board of Selectmen Meeting on May 15th.

15. Review of Water/Sewer.

Mr. Dean acknowledged that they had the initial meeting with St. Michael's Church at a previous meeting, and representatives from St. Michael's will be coming forward again tonight to review their plans. Mr. Dean wanted to give the Board an opportunity to address any general questions regarding Water/Sewer before they get into their presentations.

Mr. Pace suggested they deal with St. Michael's Church as a 'one-off' situation versus dealing with this against standard policy.

Mr. Ingram brought attention to an issue that has arisen in the past, which is how do you address residents of other towns using our pipes?

Mr. Noyes stated that by the time the new Church is built, our new water tower will be built and we will be able to meet the needs without being detrimental to our residents.

Mr. Campbell asked if the Water/Sewer Advisory Committee has seen anything about this request yet, and Mr. Dean said they are aware of this but have not yet discussed the situation.

Mr. Campbell also stated that the previous Water/Sewer Committee, before being disbanded, advised that we should not sell sewer services to other towns. Mr. Noyes pointed out that it also stated that could be reviewed again in the future, which they are currently doing.

Mr. Eastman agreed with Mr. Campbell and thought St. Michael's Church should have this discussion at the Water/Sewer Advisory Committee Meeting on Wednesday night.

Mr. Dean said that Father Mark had written a letter back in December, 2005, which was presented to the Water/Sewer Advisory Committee at that time.

16. Appointments with the Board: St. Michael's Church.

Mr. Dan Blaze, Consultant from TF Moran, felt it would make more sense to wait until after they've had a chance to meet with the Water/Sewer Advisory Committee before proceeding with discussions.

17. Appointments: Boards, Committees, Commissions.



MEMO

To: Board of Selectmen

Cc: Russ Dean, Town Manager; Jennifer Perry, DPW Director

From: Michael Jeffers, W&S Managing Engineer

Date: August 26, 2013

Ref: Water Treatment Powdered Activated Carbon Feed System Bid
Recommendation

Background

On July 23, 2013 a Request for Proposals (RFP) was advertised publically and e-mailed to each of the following five Bidders who had shown interest in providing a PAC Feed System as part of the Project:

1. Acrison – Moonachie, NJ
2. Metcon – Concord, Ontario, Canada
3. Atlantic Pump/Prominent (Prominent)– Pittsburgh, PA
4. Chemco Systems, LP (Chemco) – Monongahela, PA

The RFP required that each Bidder submit a Proposal as delineated in the RFP both to the Town Offices-Attention Town Manager and to Aquagenics Incorporated-Attention Lenny MacKoul by 4:00 PM, Monday August 12, 2013.

The Proposals were opened by the Town Selectman on Monday August 12, 2013.

Method of Bidder Evaluation

Each Bidder's Proposal was thoroughly reviewed and evaluated against the technical specifications contained in the PAC Feed System RFP noting any stated Clarifications and Exceptions by the Town's water treatment consultant, Aquagenics Water & Wastewater Engineering, Leonard MacKoul, PE and the Water Treatment Plant Supervisor, Paul Roy.

Each of the Proposals was also evaluated relative to (1) PAC Feed System Price and Payment Schedule, and (2) Anticipated PAC Feed System Delivery.

Evaluation Results

It is our opinion that each of the Proposals submitted met the technical specifications of the RFP and that any noted Clarifications and Exceptions were technically reasonable and acceptable.

A summary of each Bidder's quoted price for the PAC Feed System is as follows:

Bidder			
Acrison	Metcon	Prominent	Chemco
\$40,583	\$72,450 (Canadian Dollars)	\$104,300	\$112,135

The Payment Schedule for each Bidder is as follows:

Bidder			
Acrison	Metcon	Prominent	Chemco
Net 30 days after Shipment	25% with Shop Drawings: Balance Net 30 Days	Net 30 days (unspecified)	30% with Shop Drawings: Balance Net 30-days after Shipment

The anticipated drawing and delivery of the PAC Feed System for each Bidder is as follows:

Bidder			
Acrison	Metcon	Prominent	Chemco
Drawings: 4 wks. from PO Delivery: 12-14 wks. from receipt of Approved Drawings	Drawings: 6-8 wks. from PO Delivery: 8-10 wks. from receipt of Approved Drawings	Drawings: 6-8 wks. from PO Delivery: 16 wks. from receipt of Approved Drawings	Drawings: 6-8 wks. from PO Delivery: 10-12 wks. from receipt of Approved Drawings

Recommendation

It is our opinion that Acrison of Moonachie, New Jersey be selected to provide the PAC Feed System based on its technical merit, lowest quoted price of the four Bidders, and acceptable anticipated drawing submittal and delivery of the PAC Feed System.

Acrison had provided the existing PAC Feed System at the SWTP that has operated with good success for a number of years.

156 Front Street U111 Calculations:
Calculations as of August 16, 2013

	<u>Breakdown</u>	<u>Totals</u>
Taxes due through August 16, 2013		
Taxes	\$ 20,766.50	
Interest	\$ 9,712.73	
Costs	<u>\$ 121.50</u>	
Total taxes		\$ 30,600.73
Assessed valuation as of 10/31/11 - \$103,200 @ 15%*.975		\$ 15,093.00
Condo fees 11/1/11-8/31/13		
\$285 monthly fee (22 months)	\$ 6,270.00	
Special charge to remove bats & pigeons	\$ 275.00	
Late charges	\$ 180.00	
Legal fees to condo association lawyers	<u>\$ 763.45</u>	
Total condo fees		\$ 7,488.45
Unitil - Electric Service - service through 7/16/13		\$ 50.01
Legal fees - Mitchell Municipal Group		\$ 2,446.00
Tax lien redemptions plus postage		\$ 10.45
Creating deed		\$ 100.00
Recording of deed		\$ 12.00
Mail recorded deed to town		\$ 0.45
Letter sent by Certified mail		\$ 5.75
Letters sent by regular mail		\$ 0.45
Grand Total		<u><u>\$ 55,807.29</u></u>

THIS IS A NON-CONTRACTUAL TRANSFER, IS EXEMPT FROM THE NEW HAMPSHIRE REAL ESTATE TRANSFER TAX.PURSUANT TO NEW HAMPSHIRE RSA 78-B:2 IX

AMENDMENT TO CONSERVATION EASEMENT DEED

This Amendment to Conservation Easement Deed is made as of _____, 2013 by and between the **STATE OF NEW HAMPSHIRE acting by and through its FISH AND GAME DEPARTMENT**, with an address of 11 Hazen Drive, Concord, County of Merrimack, State of New Hampshire 03301, (“Grantor” or “Fish & Game”), the **SOUTHEAST LAND TRUST OF NEW HAMPSHIRE**, a New Hampshire not-for-profit corporation (formerly known as the Rockingham Land Trust), with an address of 12 Center Street, Second Floor, P. O. Box 675, Exeter, County of Rockingham, State of New Hampshire 03833 (“Grantee” or “SELTNH”), and the **TOWN OF EXETER**, a municipal corporation duly organized under law and situated in the County of Rockingham, State of New Hampshire, with a mailing address of 10 Front Street, Exeter, New Hampshire 03833 (“Executory Interest Holder” or “TOWN”).

RECITALS

A. The Nature Conservancy, as the fee owner, granted a Conservation Easement to SELTNH, f/k/a Rockingham Land Trust, with an Executory Interest to the TOWN, by Conservation Easement Deed dated January 22, 2004, recorded in the Rockingham County Registry of Deeds on that date at Book 4224, Page 0236, with respect to approximately 454 acres of land located off Cubie and Beech Hill Roads partially in the Town of Exeter and partially in the Town of Newfields, County of Rockingham, New Hampshire, more particularly described in Exhibit “A” of said deed (“the Conservation Easement Deed”);

B. The Rockingham Land Trust, the Grantee of the conservation easement, is now known as Southeast Land Trust of New Hampshire;

C. The Nature Conservancy subsequently conveyed fee title to the Property to the State of New Hampshire, acting by and through the Fish and Game Department, by Warranty Deed dated January 22, 2004, and recorded in the Rockingham County Registry of Deeds on that

date at Book 4224, Page 0258, and as a result of the conveyance, Fish and Game, by the terms of the Easement thereby became the "Grantor";

D. SELTNH has determined original language allowing the use of snowmobiles on pre-existing trails on the Property was mistakenly removed in **Section 2.L** of the Conservation Easement Deed because of a mutual mistake with respect to the location of the trails, thereby inadvertently preventing the use of snowmobiles on public snowmobile trails on the Property that pre-existed the conveyance of the Conservation Easement;

E. Fish & Game, SELTNH, and the TOWN agree that had the correct location of the pre-existing snowmobile trails been known at the time of the execution and recording of the Conservation Easement Deed, the use of snowmobiles on said trails would have been allowed on the trails; and

F. Fish & Game, SELTNH, and the TOWN wish to amend said Conservation Easement Deed to correct the inadvertent prohibition of snowmobiles on said pre-existing trails;

NOW THEREFORE, each in consideration of the agreements of the other herein contained, Fish & Game, as the Grantor and SELTNH as the Grantee, with the consent of the Town as the Executory Interest Holder, hereby amend said Conservation Easement Deed, by deleting the existing **Section 2.L** in its entirety and replacing it in its entirety as follows:

There shall be no permission granted for 1) riding or use of snowmobiles, except on trails established prior to the execution of this Easement, such trails shown on a map dated June 10, 2013 herewith on file with the Grantor and Grantee; 2) riding or use of horses or bicycles; or 3) operation of motorized all terrain vehicles or other off highway recreational vehicles, as defined in FSA 215-A:1 as of the date of execution of this Easement and attached hereto as Appendix B or such successor definition as may be mutually agreed to by the Grantor and the Grantee, and except as provided in Section 4.E. below.

AS SO AMENDED, the Conservation Easement Deed, is hereby ratified and reconfirmed, and shall in all other respects remain unchanged and in full force and effect.

IN WITNESS WHEREOF, we have hereunto set our hands this ____ day of _____, 2013.

ACCEPTED: STATE OF NEW HAMPSHIRE, acting by and through its FISH AND GAME DEPARTMENT. GRANTOR

By: _____
Glenn Normandeau, Executive Director

Title: Executive Director, Duly Authorized

Date: _____

STATE OF NEW HAMPSHIRE
COUNTY OF _____, ss.

On this _____ day of _____, 2013, before me personally appeared Glenn Normandeau, the Executive Director of the New Hampshire Fish and Game Department, known to me, or satisfactorily proven, to be the person whose name is subscribed to the foregoing instrument, and acknowledged that he executed the same as his free act and deed for the purposes therein contained.

Notary Public/Justice of the Peace

Approved as to form, substance, and execution on this _____ day of _____, 2013

Assistant Attorney General

**ACCEPTED: SOUTHEAST LAND TRUST OF NEW HAMPSHIRE, f/k/a
ROCKINGHAMLAND TRUST. GRANTEE**

By: _____
Roger W. Stephenson

Title: President, Duly Authorized

Date: _____

STATE OF NEW HAMPSHIRE
COUNTY OF ROCKINGHAM, ss.

On this _____ day of _____, 2013, before me personally appeared Roger W. Stephenson, the President of the Southeast Land Trust of New Hampshire, f/k/a Rockingham Land Trust, known to me, or satisfactorily proven, to be the person whose name is subscribed to the foregoing instrument, and acknowledged that he executed the same as his free act and deed for the purposes therein contained.

Notary Public/Justice of the Peace

**ACCEPTED: TOWN OF EXETER BOARD OF SELECTMEN.
EXECUTORY INTEREST HOLDER**

By: _____
Donald Clement

Title: Selectman, Duly Authorized

Date: _____

By: _____
Dan Chartrand

Title: Selectman, Duly Authorized

Date: _____

By: _____
Julie Gilman

Title: Selectman, Duly Authorized

Date: _____

By: _____
Matthew Quandt

Title: Selectman, Duly Authorized

Date: _____

By: _____
Frank Ferraro

Title: Selectman, Duly Authorized

Date: _____

STATE OF NEW HAMPSHIRE
COUNTY OF ROCKINGHAM, ss.

On this _____ day of _____, 2013, before me personally appeared Don Clement of the town of Exeter Board of Selectmen, known to me, or satisfactorily proven, to be the person whose name is subscribed to the foregoing instrument, and acknowledged that he executed the same as his free act and deed for the purposes therein contained.

Notary Public/Justice of the Peace
My commission expires:

STATE OF NEW HAMPSHIRE
COUNTY OF ROCKINGHAM, ss.

On this _____ day of _____, 2013, before me personally appeared Dan Chartrand of the town of Exeter Board of Selectmen, known to me, or satisfactorily proven, to be the person whose name is subscribed to the foregoing instrument, and acknowledged that he executed the same as his free act and deed for the purposes therein contained.

Notary Public/Justice of the Peace
My commission expires:

STATE OF NEW HAMPSHIRE
COUNTY OF ROCKINGHAM, ss.

On this _____ day of _____, 2013, before me personally appeared Julie Gilman of the town of Exeter Board of Selectmen, known to me, or satisfactorily proven, to be the person whose name is subscribed to the foregoing instrument, and acknowledged that he executed the same as her free act and deed for the purposes therein contained.

Notary Public/Justice of the Peace
My commission expires:

STATE OF NEW HAMPSHIRE
COUNTY OF ROCKINGHAM, ss.

On this _____ day of _____, 2013, before me personally appeared Matthew Quandt of the town of Exeter Board of Selectmen, known to me, or satisfactorily proven, to be the person whose name is subscribed to the foregoing instrument, and acknowledged that he executed the same as his free act and deed for the purposes therein contained.

Notary Public/Justice of the Peace
My commission expires:

STATE OF NEW HAMPSHIRE
COUNTY OF ROCKINGHAM, ss.

On this _____ day of _____, 2013, before me personally appeared Frank Ferraro of the town of Exeter Board of Selectmen, known to me, or satisfactorily proven, to be the person whose name is subscribed to the foregoing instrument, and acknowledged that he executed the same as his free act and deed for the purposes therein contained.

Notary Public/Justice of the Peace
My commission expires:

TOWN OF EXETER, NH

NOTICE TO QUIT

To: Eric Labonte
29 Gary Lane
Exeter, NH 03833

You are hereby notified and required to quit and deliver up to the Town of Exeter on the 30th day of September, 2013, the possession of the premises located at 29 Gary Lane, Exeter, New Hampshire, identified in the Town's records as Tax Map 95, Lot 82, now occupied by you and belonging to the Town of Exeter. This notice is issued pursuant to RSA 540 for the following reason:

To terminate your tenancy at will in the premises, as the Town is now the owner of the property and does not give permission for your further occupancy.

Dated: _____

**TOWN OF EXETER
BOARD OF SELECTMEN**

Donald Clement, Chair

Dan Chartrand, Vice-Chair

Julie Gilman

Matthew Quandt

Frank Ferraro

*9/30 allows for
the BOS to sign
on 8/26 and the
police to deliver
by Friday, Aug 30th*

AFFIDAVIT OF SERVICE

I, _____, at said Exeter, New Hampshire on the _____ day of August, 2013 served the above named Eric Labonte by _____ giving in hand to him/her/them _____ leaving at his/her/their usual place of abode the original of this Notice to Quit of which this is a true copy at _____ AM/PM.

(Signature of Officer)

A True and Attested Copy: _____
(Signature of Officer)

THE EXETER SPORTSMAN'S CLUB, Inc.

111 Portsmouth Avenue
P.O. Box 1936
Exeter, New Hampshire 03833
Clubhouse at Waterworks Pond
(603) 772-7468
<http://www.exetersportsmansclub.com>



August 14, 2013

Sylvia von Aulock
Town Planner
10 Front Street
Exeter, NH 03833-3792

CC: Board of Selectmen
Barbra McEvoy
Doug Eastman

Dear Ms. von Aulock,

As required by paragraph 8, sub-paragraph 3 of the existing lease between the Town of Exeter and the Exeter Sportsman's Club, Inc. (ESC) (...additional exterior lighting shall be subject to site plan review of the planning board), ESC hereby requests approval of exterior lighting to illuminate the existing target line. This request is being made to allow ESC full use of the operational times set forth in paragraph 5 of the aforementioned lease (8:30AM to 7:30PM Monday through Saturday and Noon to 7:30PM on Sunday; no shooting on Thanksgiving, Christmas and Easter).

In conformance with Section 9.20 of the Site Plan Review and Subdivision Regulations, as amended, please find attached hereto a site plan and lighting specifications submitted by Visible Light, Inc. This plan contemplates the use of four (4) Lithonia DSXF3 LED 8 A530/50K NSP fixtures, mounted on three 15 foot high telephone poles in front of the 25 yard shoot house, to deliver approximately 50 FC to the target line as recommended by IES guidelines for outdoor shooting ranges.

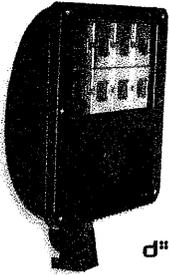
The plan complies with the "dark sky" provision of 9.20 and is as energy efficient as current technology permits. All range lighting at the Club is extinguished by a master timer at 8:30 P.M.

Thank you in advance for your consideration,

A handwritten signature in black ink that reads "B. M. York".

B. M. (Butch) York
President Emeritus
Exeter Sportsman's Club, Inc.

Submitted by: VISIBLE LIGHT, INC. Manufacturers' Representatives	Job Name: EXETER SPORTSMAN CLUB	Catalog Number: DSXF3 LED 8 A530/50K NSP MVOLT IS DDBXD - FSPB DDBXD	Type:
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d³series

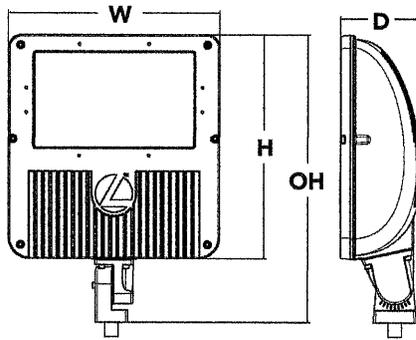
D-Series Size 3 LED Flood Luminaire



Catalog Number
Notes
Type

Specifications

EPA:	1.4 ft ² (0.13 m ²)
Depth:	5" (12.7 cm)
Width:	13" (33.0 cm)
Height:	13-5/8" (34.6 cm)
Overall Height	17-1/2" (44.5 cm)
Weight:	21 lbs (9.5 kg)



Introduction

The D-Series Size 3 Flood features precision optics to beautifully illuminate a variety of applications as its sleek, compact styling blends seamlessly with its environment.

The D-Series Flood reflector systems and cutting-edge chip-on-board LED technology produce low field-to-beam ratios for minimal spill light and incredible photometric performance. It's the ideal long-life replacement for 250 - 400W metal halide floods, with typical energy savings of 67% and expected service life of over 100,000 hours.

Ordering Information

EXAMPLE: DSXF3 LED 8 A530/40K FL MVOLT THK DDBXD

DSXF3 LED

Series	Light Engines	Performance Package	Distribution	Voltage	Mounting	Options	Finish (required)
DSXF3 LED	6 Six COB engines	530 mA options: A530/30K 3000K A530/40K 4000K A530/50K 5000K	NSP Narrow spot	MVOLT ¹	Shipped included THK Knuckle with 3/4" NPT threaded pipe YKC62 Yoke with 16-3 SO cord IS Integral slipfitter (fits 2-3/8" O.D. tenon)	Shipped installed PER NEMA twist-lock receptacle only (no controls) DMG 0-10V dimming driver (no controls) DCR Dimmable and controllable via ROAM [®] (no controls) ³ SF Single fuse (120, 277, 347V) ⁴ DF Double fuse (208, 240, 480V) ⁴ WTB Utility terminal block	DDBXD Dark bronze DBLXD Black DNAXD Natural aluminum DWHXD White
	8 Eight COB engines		MSP Medium spot MFL Medium flood FL Flood WFL Wide flood WFR Wide flood, rectangular HMF Horizontal medium flood	120 ¹ 208 ¹ 240 ¹ 277 ¹ 347 480			

Accessories

Ordered and shipped separately.

FTS CG6 DDBXD U	Slipfitter for 2-3/8" to 2-7/8" O.D. tenons; mates with yoke mount (specify finish)	DSXF3UBV DDBXD U	Upper/bottom visor accessory (specify finish)
FRWB DDBXD U	Radius wall bracket, 2-3/8" O.D. tenon (specify finish)	DSXF3FV DDBXD U	Full visor accessory (specify finish)
FSPB DDBXD U	Steel square pole bracket, 2-3/8" O.D. tenon (specify finish)	DSXF3VG U	Vandal guard accessory
		DSXF3WG U	Wire guard accessory

For more mounting options, visit our Floodlighting Accessories pages.
For more control options, visit D.I.L. and ROAM online.

NOTES

- MVOLT driver operates on any line voltage from 120-277V. Specify 120, 208, 240 or 277 options only when ordering with fusing (SF, DF options).
- Also available as separate accessories; see Accessories information at left.
- Specifies a ROAM[®] enabled luminaire with 0-10V dimming capability; PER option required. Not available with 347 or 480V. Additional hardware and services required for ROAM[®] deployment; must be purchased separately. Call 1-800-442-6745 or email: sales@roomservices.net.
- Single fuse (SF) requires 120, 277 or 347 voltage option. Double fuse (DF) requires 208, 240 or 480 voltage option.
- Requires luminaire to be specified with PER option. Ordered and shipped as a separate line item.



One Lithonia Way • Conyers, Georgia 30012 • Phone: 800.279.8041 • Fax: 770.918.1209 • www.lithonia.com
© 2013 Acuity Brands Lighting, Inc. All rights reserved.

Submitted by: VISIBLE LIGHT, INC. Manufacturers' Representatives	Job Name: EXETER SPORTSMAN CLUB	Catalog Number: DSXF3 LED 8 A530/50K NSP MVOLT IS DDBXD - FSPB DDBXD	Type:
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Performance Data

Lumen Output

Lumen values are from photometric tests performed in accordance with IESNA LM-79-08. Data is considered to be representative of the configurations shown, within the tolerances allowed by Lighting Facts. Actual performance may differ as a result of end-user environment and application. Contact factory for performance data on any configurations not shown here.

Light Engines	Drive Current (mA)	Performance Package	System Watts	Dist. Type	Field Angle		Beam Angle		40K (4000K, 70 CRI)			50K (5000K, 67 CRI)			
					H	V	H	V	Max Cd	Lumens	LPW	Max Cd	Lumens	LPW	
					°	°	°	°							
6	530	A530/-K	115W	NSP	48	49	19	19	39,299	7471	65	39,177	7448	65	
					MSP	50	48	24	23	36,284	8373	73	36,171	8347	73
					MFL	60	60	47	46	15,104	8948	78	15,057	8920	78
					FL	85	84	63	62	9985	9730	85	9954	9700	84
					WFL	106	106	71	72	7488	10,230	89	7465	10,199	89
					WFR	107	88	85	64	7460	10,461	91	7436	10,429	91
					HMF	100	62	80	13	6779	3301	29	6758	3290	29
					NSP	48	49	19	19	51,658	9620	62	51,496	9790	62
8	530	A530/-K	158W	MSP	50	48	24	23	47,694	11,006	70	47,546	10,971	69	
					MFL	60	60	47	46	19,854	11,761	74	19,792	11,725	74
					FL	85	84	63	62	13,125	12,790	81	13,084	12,750	81
					WFL	106	106	71	72	9843	13,448	85	9812	13,406	85
					WFR	107	88	85	64	9805	13,751	87	9775	13,708	87
					HMF	100	62	80	13	8911	4338	27	8883	4325	27
					NSP	48	49	19	19	51,658	9620	62	51,496	9790	62
					MSP	50	48	24	23	47,694	11,006	70	47,546	10,971	69

Lumen Ambient Temperature (LAT) Multipliers

Use these factors to determine relative lumen output for average ambient temperatures from 0-40°C (32-104°F).

Ambient	Lumen Multiplier
0°C	1.05
10°C	1.03
20°C	1.01
25°C	1.00
30°C	0.99
40°C	0.97

Projected LED Lumen Maintenance

Data references the extrapolated performance projections for the DSXF LED 8 A530 platform in a 25°C ambient, based on 8400 hours of LED testing (tested per IESNA LM-80-08 and projected per IESNA TM-21-11).

To calculate LLF, use the lumen maintenance factor that corresponds to the desired number of operating hours below. For other lumen maintenance values, contact factory.

Operating Hours	0	25,000	50,000	100,000
Lumen Maintenance Factor	1.0	0.94	0.90	0.84

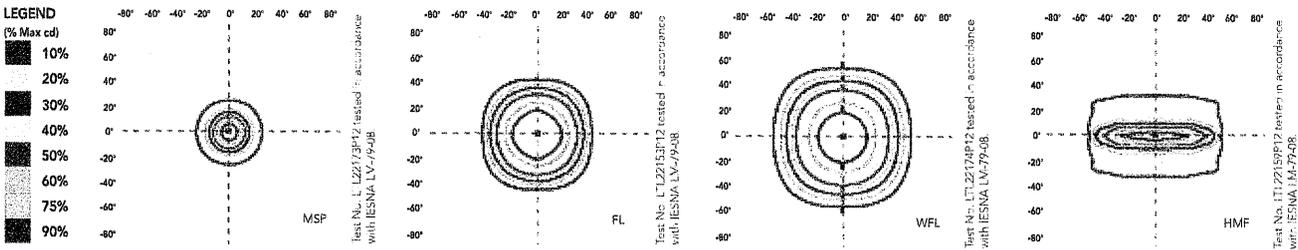
Electrical Load

Light Engines	Drive Current (mA)	System Watts	Current (A)					
			120	208	240	277	347	480
6	530	115W	1.06	0.61	0.53	0.46	0.37	0.27
8	530	158W	1.46	0.84	0.73	0.63	0.51	0.37

Photometric Diagrams

To see complete photometric reports or download .ies files for this product, visit Lithonia Lighting's D-Series Flood Size 3 homepage.

Isocandela plots for the DSXF3 LED 8 A530/40K.



FEATURES & SPECIFICATIONS

INTENDED USE

The sleek design of the D-Series Size 3 Flood reflects the embedded high performance LED technology. It is ideal for wallwash, security and general area lighting in many commercial and institutional applications.

CONSTRUCTION

Die-cast aluminum housing has integral heat sink fins to optimize thermal management through conductive and convective cooling. The LED driver is mounted in direct contact with the casting to promote low operating temperature and long life. Housing is completely sealed against moisture and environmental contaminants (IP65). Low EPA (1.4 ft) for optimized wind loading.

FINISH

Exterior parts are protected by a zinc-infused Super Durable TGIC thermoset powder coat finish that provides superior resistance to corrosion and weathering. A tightly controlled multi-stage process ensures a minimum 3 mils thickness for a finish that can withstand extreme climate changes without cracking or peeling.

OPTICS

A variety of precision-molded vacuum-metallized specular reflectors are engineered for superior field-to-beam ratios, uniformity and spacing. Light engines are available in 3000K (80 CRI min.), 4000K (70 CRI min.) or 5000K (67 CRI min.) configurations. Optional visors offer additional versatility.

ELECTRICAL

Light engines consist of chip-on-board (COB) LEDs directly coupled to the housing to maximize heat dissipation and promote long life (100,000 hrs at 25°C, L84). Class 1 electronic driver has a power factor >90%, THD <20%, and has an expected life of 100,000 hours with <1% failure rate. (Eight-engine unit uses two drivers.) Surge protection meets a minimum Category C Low operation (per ANSI/IEEE C62.41.2).

INSTALLATION

Integral adjustable knuckle with 3/4-14 NPT threaded pipe, or yoke mounting, facilitates quick and easy installation to a variety of mounting accessories. This secure connection enables the D-Series Size 3 to withstand up to a 1.5 G vibration load rating per ANSI C136.31.

LISTINGS

CSA certified to U.S. and Canadian standards. Luminaire is IP65 rated. Rated for -40°C minimum ambient.

WARRANTY

Five year limited warranty. Full warranty terms located at www.acuitybrands.com/CustomerResources/Terms_and_Conditions.aspx.

Note: Specifications subject to change without notice.





TOWN OF DURHAM
15 NEWMARKET ROAD
DURHAM, NH 03824-2898
Tel: 603/868-5571
Fax: 603/868-5572

Town Manager's Office

AUG 2 2013

Received

August 1, 2013

Mr. David Fink
President
Pan Am Railways
1700 Iron Horse Park
North Billerica, MA 01862

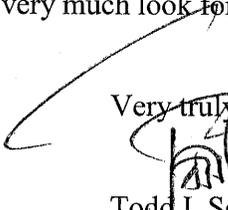
Dear Mr. Fink:

I am writing on behalf of the citizens of the Town of Durham, New Hampshire. It has come to our attention that Pan Am Railways actively transports crude oil over its rail lines that follow the same route used by Amtrak's Downeaster commuter trail which runs through the Durham station located on the University of New Hampshire (UNH) campus and other surrounding communities for delivery to the Irving Oil Refinery in New Brunswick, Canada.

In light of the tragic oil train derailment that recently happened in Lac-Megantic Quebec, our community is understandably concerned about the possibility that a similar incident could also occur in Durham impacting our community and the University of New Hampshire campus. To that end, it would greatly help to ease some of these concerns if we had a better understanding and description of the type of oil that is regularly transported through the Town of Durham and its surrounding communities via Pan Am Railways trains as well as what safety measures Pan Am Railways has implemented to ensure that an accident such as that experienced in Quebec will not occur in any New Hampshire community along the Pan Am Railways lines.

I thank you for your time and very much look forward to hearing from you with regard to this matter.

Very truly yours,


Todd I. Selig
Administrator

C: Ms. Cynthia Scarano, Executive Vice President, Pan Am Railways
Mark Huddleston, President, UNH
Mark Rubinstein, VP for Student & Academic Services, UNH
Paul Chamberlin, Associate VP for Facilities, UNH
Paul H. Dean, Executive Director of Public Safety, UNH Police
Perry Plummer, Director, Homeland Security & Emergency Management, NH Office
Ms. Patricia Quinn, Executive Director, Northern New England Passenger Rail Authority
David Kurz, Chief of Police, Town of Durham, NH
Corey Landry, Fire Chief, Town of Durham, NH
Russell Dean, Town Manager, Town of Exeter, NH
Steven Fournier, Town Manager, Town of Newmarket, NH
Michael Joyal, City Manager, City of Dover, NH
Edmund Jansen, Chair, Board of Selectmen, Rollinsford, NH



TOWN OF EXETER, NEW HAMPSHIRE

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

www.town.exeter.nh.us

August 14, 2013

Mr. Douglas Fenelon
Fenelon Auto Repair
2 Portsmouth Avenue
Exeter, New Hampshire 03833

Re: Temporary Signage Agreement
2 Portsmouth Avenue, Exeter, N.H.
Tax Map Parcel #71-7

Dear Mr. Fenelon:

Pursuant to our conversation on August 8, 2013, please consider this letter as permission to place “temporary banner” signs on the fence area located on the west side of your property at the above-captioned address. These signs shall only be for local non-profit and charity organizations advertising a special event and shall be subject to the following conditions:

- Display of each sign is limited to a maximum of two weeks (per event).
- Signs shall be removed the day after the event.
- Maximum sign area shall not exceed forty (40) square feet in area.
- The terms of this agreement shall become null and void upon transfer of ownership of the property and/or you cease the operation of your business at this location.
- This agreement shall be subject to any future amendments to the Town of Exeter Sign Ordinance.

These conditions, as outlined above, shall be reviewed by the Code Enforcement Officer on an annual basis and may be rescinded at any time, if deemed necessary. If you should have any further questions regarding this matter, please do not hesitate to contact my office. I can be reached at (603) 773-6113, Monday through Friday, from 8:00 A.M – 4:30 P.M.

Thank you for your anticipated cooperation in this matter.

Sincerely,

Douglas Eastman
Building Inspector/Code Enforcement Officer

cc: Russell Dean, Town Manager



Town Manager's Office

AUG 14 2013

Received

FOR YOUTH DEVELOPMENT®
FOR HEALTHY LIVING
FOR SOCIAL RESPONSIBILITY

August 13, 2013

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

Dear Russ,

We are very pleased to report that, on July 11th, with your support and the support of many others in the seacoast of NH, the Southern District YMCA was awarded \$250,000 in tax credits to help bring a YMCA facility to Exeter. Competition was fierce; this was the first year in CDFA's history where they had to turn down more projects than they were able to award. More than \$4.1 million was awarded through the Community Development Finance Authority Tax Credit Program and we were 1 of 10 NH nonprofits to have been awarded.

We are thrilled to have been given this opportunity to engage local businesses in an effort to help bring the YMCA Exeter Project to the community. The letter you provided in support of the project was significant in helping to make our application stronger, and we thank you! We appreciate having you as an advocate of the Y and having your support as the Town Manager will help to make this project a reality.

Only through the active collaboration of the entire Exeter community - as exemplified by the team effort in securing the CDFA funding - can we hope to achieve the goal of building a YMCA. When the doors to this great facility open we want you to be there and to celebrate in full knowledge that you helped to make it happen. We look forward to continuing to work with you.

Kind regards,

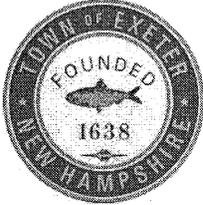
Rob Roy McGregor
Executive Director

Russ -
THANKS FOR YOUR ENCOURAGEMENT & SUPPORT
FROM

SOUTHERN DISTRICT YMCA / CAMP LINCOLN, INC.

P.O. Box 729 / 67 Ball Rd, Kingston, NH 03848
P 603 642 3361 F 603 642 4340

P.O. Box 925 / 56 Linden St, Exeter, NH 03833
www.sdymca.org



Town of Exeter
Boards, Commissions & Committees
Appointment Application

AUG 19 2013

Received

Committee Selection:

1st Choice: The Transportation Committee 2nd Choice: _____

Name: Sherry Mastromarino

Address: 12 Alder St. Exeter, NH 03833

Email: sherrymiracle04@myfairpoint.net

Phone: 603-580-2078 Cell: 603-583-6889

Please describe your interest in serving on this committee.

I would love to serve on this committee, and advocate for all of the residents. I believe my overall experience of being disabled, and not having access to a vehicle, would be very helpful to the committee itself.

Please provide any background information that would be of interest to the Board when considering your application, including previous committee service or other relevant experience. (resume can be attached)

I am currently a volunteer in our mobile home park here at Exeter River MHP Co-op. I chair the Social Committee, and other adhoc committees under it. I am the coordinator of all the volunteers. I also serve on our Grievance committee, and volunteer in our office.

Are you aware of any conflicts that could arise affecting your service on this committee?

NO NONE AT ALL.

Are you aware of the meeting schedule and able to commit to attending regularly? YES NO

After submitting this application for appointment to the Town Manager:

- The application will be reviewed and you will be scheduled for an interview with the Selectmen
- Following the interview the Board will vote on your potential appointment at the next regular meeting
- If appointed, you will receive a letter from the Town Manager and will be required to complete paperwork with the Town Clerk prior to the start of your service on the committee or board.

Signature: Sherry Mastromarino Date: 8/14/13

Please submit to: Town Manager, Town of Exeter 10 Front Street Exeter, NH 03833

7 River Woods Drive D117
Exeter, NH 03833
August 14, 2013

Exeter Board of Selectmen
Exeter Town Office
10 Front St.
Exeter, NH 03833

Town Manager's Office

AUG 15 2013

Received

Dear Sir:

I am enclosing a bill disputed with ComCast over a seven month period. My contract with River Woods at Exeter includes ComCast T.V. services which I pay thru River Woods. I have not contracted with ComCast for any additional services and should not be billed for additional services at a rate of \$2.09 monthly.

I would appreciate any relief that you can give me in this matter.

Thank you,
Shirley Bingham



Account Number 8773 20 137 0191175
 Billing Date 08/03/13
 Total Amount Due \$14.61
 Payment Due By 08/28/13
 Page 1 of 4

Contact us: @ www.comcast.com 1-888-815-0050

Shirley Bingham

For service at:
 7 RIVERWOODS DR UNIT D117
 EXETER NH 03833-4395

News from Comcast

Please ask us about our convenient and easy automated payment methods.

Monthly Statement Summary

Previous Balance	12.52
Payment	0.00
New Charges - see below	2.09
Total Amount Due	\$14.61
Payment Due By	08/28/13

New Charges Summary

<input type="checkbox"/> XFINITY TV	1.99
Taxes, Surcharges & Fees	0.10
Total New Charges	\$2.09

Thank you for being a valued Comcast customer!

I pay River Woods for my Comcast services. I have not ordered any additional services. Please correct this error in my bill which has been charged over a period of 7 months and send me a statement with a zero balance. Thank you, Shirley Bingham

Detach and enclose this coupon with your payment. Please write your account number on your check or money order. Do not send cash.



Account Number 8773 20 137 0191175
 Payment Due By 08/28/13
 Total Amount Due \$14.61
 Amount Enclosed \$

BOX 6505 CHELMSFORD MA 01824-0000
 8773 2000 NO RP 03 08042013 YNNNNYNN 01 005013 0017

SHIRLEY BINGHAM
 7 RIVERWOODS DR APT D117
 EXETER, NH 03833-4395

Make checks payable to Comcast

COMCAST
 PO BOX 1577
 NEWARK NJ 07101-1577

877320137019117500014613



Service Details

Account Number	8773 20 137 0191175
Billing Date	08/03/13
Total Amount Due	\$14.61
Payment Due By	08/28/13
	Page 2 of 4

Contact us: @ www.comcast.com 1-888-815-0050



Tenant Digital Adapter	08/10 - 09/09	1.99
Service A/O 1		
Tenant Digital Video	08/10 - 09/09	0.00
Digital Starter Includes: Digital Starter Programming, Interactive Program Guide, And Music Choice, Expanded Basic, Basic Service, Digital Cable Converter And Remote.		

Total XFINITY TV \$1.99

Taxes, Surcharges & Fees

TV		
Franchise Fee		0.10
Total Taxes, Surcharges & Fees		\$0.10

Important Account Information

Questions about your bill or service? Call Comcast at 1-888-633-4266

Billing disputes must be received within six (6) months of the bill due date. After contacting us, if you are unsatisfied with the resolution of a video service problem, you may file a complaint at Office of the Attorney General, Consumer Protection and Anti-trust Bureau, 25 Capitol St., Concord, NH 03301. Your Local Franchising Authority is Exeter Board of Selectmen, Exeter Town Office 10 Front St., Exeter, NH 03833, (603)778-0591. The FCC ID for your town is: NH0087.

Important Account Information, cont.

Moving? XFINITY makes it easy to stay connected to your TV, Internet and home phone service. Ask how you can simply pack up your equipment and take it with you. Or, schedule a professional installation on the date you choose with the convenience of a 2-hour appointment window - guaranteed. You can even have an easy-to-use self-install kit sent to your new home. For more information about the XFINITY Mover's Edge program, call our dedicated move specialists at 1-855-MOV-EDGE or visit comcast.com/moversedge today!



IMPORTANT INFORMATION: The following name changes will soon be made to your channel lineup. You will still continue to receive the same programming on these channels: Effective 8/1/13, Halogen TV will be renamed pivot. Effective 8/17/13, Speed and Speed HD will be renamed Fox Sports 1 and Fox Sports 1 HD. Additionally, FUEL will become Fox Sports 2. Effective 8/20/13, Current TV will be renamed Al Jazeera America. Effective 9/2/13, Fox Soccer will be renamed FXX. Effective 9/23/13, G4 will be renamed Esquire.



Closed Captioning Customers: For assistance call (800)266-2278 or go online for email or live chat at www.comcast.com/support. For written concerns contact: N. W. Patel, Comcast Closed Captioning Office, 1701 John F. Kennedy Blvd., Phila., PA 19103-2838, email: Closed_Captioning@Comcast.com, fax:(215)286-4700 or leave a message on our closed captioning line: (215)286-8000.



The Comcast Service Centers for your area are listed below: Exeter - 115 Epping Rd, M-F 8:30-5, Sat 9-1, Portsmouth - 180 Greenleaf Ave, M-F 8:30-5, Sat 9-1

Hearing/Speech Impaired Call 711 for Customer Service Moving? Call 1-888-815-0050



Service Details

Account Number	8773 20 137 0191175
Billing Date	08/03/13
Total Amount Due	\$14.61
Payment Due By	08/28/13
Page 2 of 4	

Contact us: @ www.comcast.com 1-888-815-0050



XFINITY TV

Tenant Digital Adapter	08/10 - 09/09	1.99
Service A/O 1		
Tenant Digital Video	08/10 - 09/09	0.00
Digital Starter Includes: Digital Starter Programming, Interactive Program Guide, And Music Choice, Expanded Basic, Basic Service, Digital Cable Converter And Remote.		

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Hearing/Speech Impaired Call 711 for Customer Service
Moving? Call 1-888-815-0050

From: Pat <sparklepjl@aol.com>

To: jperkins <jperkins@exeternh.gov>; homerebuilder <homerebuilder@comcast.net>; ruthanne.rogers <ruthanne.rogers@myfairpoint.net>

Cc: bjarni.brown <bjarni.brown@gmail.com>; mdamsell <mdamsell@comcast.net>; SparklePJL <SparklePJL@aol.com>; 2792877 <2792877@gmail.com>; agallant76 <agallant76@msn.com>

Subject: Swasey Parkway

Date: Wed, Aug 14, 2013 5:56 pm

Dear Trustees,

I have read your July 30, 2013 letter to Mark Damsell. In it you have stated: "all complaints and suggestions to be addressed in writing to all of the Trustees, so that we are all on the same page". Therefore, I am respectfully sending my suggestions in this e-mail to all of you.

I have been a volunteer at the Swasey Parkway since August 27, 2011, under the guidance of Mark Damsell. He is very appreciative of all of the volunteers. I have witnessed time and time again that he volunteers his time and talents to beautify the Parkway. He does not do it for recognition, because I have seen him working in the early morning hours when most of us are asleep. I believe he is very compassionate about the Parkway and has contributed a great deal to it for many years.

My suggestions at this time are:

1. Ask for permission to remove the bittersweet from a few shrubs on the west side of the Parkway where Park Street Hill ends. I removed it two years ago. It is a very intrusive plant and will actually destroy a bush or tree if it is not removed. Some of the bittersweet branches are 5 feet in length.

2. Ask for permission to work on removing bittersweet from a fence. The fence is on the west side of the Parkway (toward the property of 277 Water Street). I have seen bittersweet climb up a tree (one that is two stories in height) on my own property and destroy the tree. We live on three acres on a dead end and I have seen what this invasive plant can do to shrubs and trees.

I walk every day down Park Street to the Swasey Parkway in the early morning. I pick up any trash that has been left at the Pavilion on the previous day, and believe me, there is always something that has to be picked up and disposed of properly. I know that Mark also picks up trash in that area. My third suggestion would be:

3. Put a nice looking trash receptacle nearby the Pavilion so that the trash isn't dropped on the ground.

I would be happy to meet with a Trustee to point out the intrusive bittersweet, if you deem it necessary. My e-mail is: Sparklepjl@aol.com and my phone is 772-3644.

I also hope that we can work together effectively in the future and continue to make the Swasey Parkway a beautiful place for all.

Sincerely,

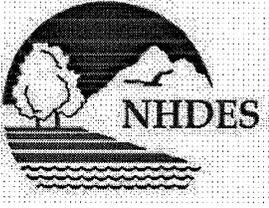
Pat Lowther

cc: Matt Quandt, Selectman Representative
Russell Dean, Town Manager
Via: Post Office

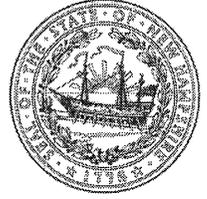
Town Manager's Office

AUG 15 2013

Received



The State of New Hampshire
DEPARTMENT OF ENVIRONMENTAL SERVICES



Thomas S. Burack, Commissioner

August 12, 2013

Scott Allocca, Manager
Environmental Health and Safety
FairPoint Communications, Inc.
1 Davis Farm Road
Portland, ME 04103

**CERTIFIED MAIL (7007 2560 0001 3867 0246)
RETURN RECEIPT REQUESTED**

NOTICE OF PAST VIOLATION

Re: Multiple Locations in New Hampshire

Dear Mr. Allocca:

The New Hampshire Department of Environmental Services, Air Resources Division (“DES”), issued the following General State Permits (“the Permits”) to FairPoint Communications, Inc. (“FairPoint”) authorizing operation of an emergency generator(s) pursuant to the N.H. Admin. Rules Env-A 100 *et seq.*:

1. On August 28, 2008, GSP-EG-025 for 12 South Street in Concord, New Hampshire;
2. On November 19, 2008, GSP-EG-026 for 52 East Broadway Street in Derry, New Hampshire;
3. On August 28, 2008, GSP-EG-027 for 57 Saint Thomas Street in Dover, New Hampshire;
4. On August 28, 2008, GSP-EG-173 for 15 Center Street in Exeter, New Hampshire;
5. On August 28, 2008, GSP-EG-172 for 4 School Street in Hanover, New Hampshire;
6. On August 28, 2008, GSP-EG-028 for 64 Washington Street in Keene, New Hampshire;
7. On August 28, 2008, GSP-EG-029 for 762 North Main Street in Laconia, New Hampshire;
8. On August 28, 2008, GSP-EG-030 for 50 Pleasant Street in Littleton, New Hampshire;

DES Web Site: www.des.nh.gov

P.O. Box 95, 29 Hazen Drive, Concord, New Hampshire 03302-0095

Telephone: (603) 271-3503 Fax: (603) 271-2181 TDD Access: Relay NH 1-800-735-2964

9. On August 28, 2008, GSP-EG-031 for 25 Concord Street in Manchester, New Hampshire;
10. On November 11, 2011, GSP-EG-032 for 770 Elm Street in Manchester, New Hampshire;
11. On August 28, 2008, GSP-EG-133 for 417 Daniel Webster Highway in Merrimack, New Hampshire;
12. On August 28, 2008, GSP-EG-153 for 7 Graham Drive in Nashua, New Hampshire;
13. On August 28, 2008, GSP-EG-033 for 122 West Pearl Street in Nashua, New Hampshire;
14. On August 28, 2008, GSP-EG-174 for 95 Main Street in Plaistow, New Hampshire;
15. On August 28, 2008, GSP-EG-034 for 56 Islington Street in Portsmouth, New Hampshire;
16. On August 28, 2008, GSP-EG-035 for 11 Dreyer Way in Rochester, New Hampshire;
and
17. On August 28, 2008, GSP-EG-036 for 128 North Broadway Street in Salem, New Hampshire.

On June 3, 2013, DES discovered that FairPoint had not submitted the annual emission report and emission-based fees for calendar year 2012 as required by Env-A 907.01, Env-A 705.01, and Condition V, Table 4, Items 1, 2, and 4 of the Permits.

The purpose of this letter is to notify FairPoint of the following violations discovered for each of the locations listed above:

1. Env-A 907.01 and Condition V, Table 4, Items 1 and 2 of the Permits require FairPoint to submit an annual emissions report, including documentation that the fuel used by the emergency generator meets certain sulfur limits. This report is required to be submitted to DES on or before April 15 of the following calendar year. Due to the delay in the actual notice of the per ton fee, DES extended the deadline for receipt of the 2012 annual emissions statements and emission-based fees to May 15, 2013. FairPoint did not submit the annual emission reports for calendar year 2012 until June 5, 2013.
2. Env-A 705.01 and Condition V, Table 4, Item 4 of the Permits require FairPoint to annually pay emission-based fees for all devices required to be permitted. Env-A 705.04(a) requires annual emission-based fees to be submitted by April 15 for emissions from the previous calendar year. Due to the delay in the actual notice of the per ton fee, DES extended the deadline for receipt of the 2012 annual emissions statements and

emission-based fees to May 15, 2013. FairPoint did not submit the annual emission-based fees for calendar year 2012 until June 17, 2013.

DES believes that no further action in response to the listed violations is required. DES requests that FairPoint comply with all obligations contained in the Permits. **Please be advised that the annual emission reports and emission-based fees for calendar year 2013 emissions are due by April 15, 2014.**

If you believe that DES has cited these violations in error, or have questions regarding these matters, please contact Sheri Eldridge, Enforcement Section Supervisor, at (603) 271-1374. A current copy of the Air Resources Division Rules can be obtained from the DES website at <http://des.nh.gov/organization/commissioner/legal/rules/index.htm>, or by contacting the DES Public Information Center at (603) 271-2975.

Sincerely,



Pamela G. Monroe
Compliance Bureau Administrator
Air Resources Division

PGM/sre

ec: DES Legal Unit
E. Kudarauskas, EPA Region 1
T. Aspell, Jr., City Manager, City of Concord
J. Anderson, Town Administrator, Town of Derry
J. Joyal, Jr., City Manager, City of Dover
R. Dean, Town Manager, Town of Exeter
J. Griffin, Town Manager, Town of Hanover
J. MacLean, City Manager, City of Keene
S. Meyers, City Manager, City of Laconia
F. Moody, Town Manager, Town of Littleton
T. Gatsas, Mayor, City of Manchester
E. Cabanel, Town Manager, Town of Merrimack
D. Lozeau, Mayor, City of Nashua
S. Fitzgerald, Town Manager, Town of Plaistow
J. Bohenko, City Manager, City of Portsmouth
D. Fitzpatrick, City Manager, City of Rochester
K. Hickey, Town Manager, Town of Salem

AFS #3301300022, 3301500035, 3301700008, 3301590878, 3300990293, 3300500005, 330100009, 3300990273, 3301100037, 3301191160, 3301191217, 33011911227, 3301191161, 3301590879, 3301500027, 3301790216, 3301500003

(Stationary Source)

Town of Exeter

Ambulance Revolving Fund (Unaudited)

As of June 30, 2013

DRAFT

Account Number	Account Description	Budget	Year-to-Date Actuals	Balance	% Collected/ Expended
30-3401-5077-0450	Ambulance Revenue	444,971	236,113	208,858	53%
30-4215-0520-1110	EMS - Salaries/Wages FT	41,968	20,162	21,806	48%
30-4215-0520-1300	EMS-Salaries/Wages OT	78,489	31,434	47,055	40%
30-4215-0520-1400	EMS- Longevity Pay	350	-	350	0%
	Total Wages	120,807	51,596	69,211	43%
30-4215-0520-2100	EMS-Health Insurance	24,247	12,119	12,128	50%
30-4215-0520-2110	EMS-Dental Insurance	1,634	817	817	50%
30-4215-0520-2120	EMS- Life Insurance	72	30	42	42%
30-4215-0520-2200	EMS- FICA	2,624	1,160	1,464	44%
30-4215-0520-2210	EMS-Medicare	1,752	685	1,067	39%
30-4215-0520-2300	EMS-Retirement Town	4,150	1,774	2,376	43%
30-4215-0520-2320	EMS-Retirement Fire	19,869	7,140	12,729	36%
	Total Benefits	54,348	23,725	30,623	44%
30-4215-0520-4320	EMS-Vehicle Maintenance	5,500	510	4,990	9%
30-4215-0520-5003	EMS-Third Party Collection Fees	19,800	9,414	10,386	48%
30-4215-0520-5010	EMS-Postage	550	46	504	8%
30-4215-0520-5160	EMS-Paramedic Training	10,645	10,310	335	97%
30-4215-0520-5161	EMS- Emergency Medical Supplies	23,500	12,165	11,335	52%
30-4215-0520-5162	EMS-Medical Equipt Maint	14,735	3,735	11,000	25%
30-4215-0520-5163	EMS-Contracted Training	6,670	1,080	5,590	16%
30-4215-0520-5310	EMS- Cell Phones	1,720	-	1,720	0%
30-4215-0520-5915	EMS - Ambulance Refunds	1,300	1,188	112	91%
30-4215-0520-6260	EMS - Fuel	4,186	3,805	381	91%
	Total General Expenses	88,606	42,252	46,354	48%
30-4215-0520-7448	EMS - Ambulance Lease	61,883	30,969	30,914	50%
	Total Leases	61,883	30,969	30,914	50%
	Total Expenses	325,644	148,542	177,102	46%
	Net Income/(Loss)	119,327	87,571	31,756	73%

Town of Exeter

Recreation Revolving Fund (Unaudited)

As of 6/30/13

DRAFT

Account Number	Account Description	Budget	Year-to-Date		% Collected/ Expended
			Actuals	Balance	
08-3401-5079-0450	Rec -Special Events	80,000	5,198	74,802	6%
08-3401-5084-0450	Rec Concession Stand Rev	28,000	5,484	22,516	20%
08-3401-5086-0450	Rec Pool Program	45,000	15,575	29,425	35%
08-3401-5087-0450	Rec Program Revenue	269,000	197,012	71,988	73%
08-3401-5088-0450	Rec Swimming Program	28,500	33,293	(4,793)	117%
08-3401-5089-0450	Rec Trips Program	10,000	6,418	3,582	64%
08-3502-0012-0460	Interest Income-Fund 08		2	(2)	100%
08-4911-6000-0280	Rec Rev Transfers In	20,000	4,340	15,660	22%
Total Revenue		480,500	267,322	213,178	56%
08-4520-0810-1210	RR- Sal/Wages Temp	145,000	20,907	124,093	14%
08-4520-0810-2200	RR- FICA	8,990	1,320	7,670	15%
08-4520-0810-2210	RR- Medicare	2,103	309	1,794	15%
08-4520-0810-2300	RR- Retirement Town		8	(8)	100%
Wages, Benefits and Payroll Taxes		156,093	22,544	133,549	14%
08-4520-0810-4110	RR- Water/Sewer Bills	10,200	3,769	6,431	37%
08-4520-0810-4302	RR - Pool Maintenance	3,000	3,917	(917)	131%
Maintenance		13,200	7,686	5,514	58%
08-4520-0810-5000	RR- Supplies	50	-	50	0%
08-4520-0810-5012	RR - Pool Supplies	6,500	3,625	2,875	56%
08-4520-0810-5015	RR- Pool Food Supplies	14,000	3,720	10,280	27%
08-4520-0810-5090	RR- Equipment & Supplies	50	-	50	0%
08-4520-0810-5151	RR- Bank Card Fees	4,400	3,154	1,246	72%
08-4520-0810-5310	RR- Cell Phones	1,500	499	1,001	33%
08-4520-0810-5400	RR- Advertising	300	-	300	0%
08-4520-0810-5450	RR- Dues	565	455	110	81%
08-4520-0810-5500	RR- Printing	12,000	7,576	4,424	63%
08-4520-0810-5612	RR- Public Safety Detail	1,100	-	1,100	0%
08-4520-0810-5732	RR- Trips	7,000	5,267	1,733	75%
08-4520-0810-5733	RR- Rec Programs	115,000	62,109	52,891	54%
08-4520-0810-5734	RR- Special Events	65,000	14,946	50,054	23%
08-4520-0810-5740	RR- Software Contract	6,000	1,642	4,358	27%
08-4520-0810-5800	RR- Travel Reimbursement	50	2,435	(2,385)	4870%
08-4520-0810-5810	RR- Conf/Room/Meals	2,000	2,791	(791)	140%
Total General Expenses		235,515	108,221	127,294	46%
08-4520-0810-7301	RR- Capital Outlay	20,000	19,564	436	98%
Total Expenses		424,808	158,015	266,793	37%
Net Income/(Loss)		55,692	109,307	(53,615)	196%

Town of Exeter

CATV Revolving Fund (Unaudited)

As of June 30, 2013

DRAFT

Account Number	Account Description	Budget	Year-to-Date Actuals	Balance	% Collected/ Expended
07-3290-5020-0400	CATV Revenue	100,000	28,958	71,042	29%
07-4130-0113-1110	CT Fund-Sal/Wages FT	16,000	7,846	8,166	49%
07-4130-0113-1200	CT Fund - Sal/Wages PT	10,100	4,212	5,888	42%
	Total Wages	26,100	12,058	14,054	46%
07-4130-0113-2100	CT Fund- Health Insurance	3,592	1,795	1,797	50%
07-4130-0113-2110	CT Fund- Dental Insurance	100	50	50	50%
07-4130-0113-2120	CT Fund- Life Insurance	24	12	12	50%
07-4130-0113-2200	CT Fund - FICA	1,618	711	908	44%
07-4130-0113-2210	CT Fund - Medicare	378	166	213	44%
07-4130-0113-2300	CT Fund - Town Retirement	1,570	691	879	44%
	Total Benefits	7,283	3,425	3,859	47%
07-4130-0113-5000	CT Fund - Supplies	6,750	313	6,437	5%
07-4130-0113-5010	CT Fund - Postage	50	-	50	0%
07-4130-0113-5115	CT fund - E Channel Assessment	11,950	11,936	14	100%
07-4130-0113-5200	CT Fund- Consulting Services	20,000	-	20,000	0%
07-4130-0113-5202	CT Fund - Contracted Services	2,000	-	2,000	0%
07-4130-0113-5224	CT Fund- Legal Expense	250	-	250	0%
07-4130-0113-5450	CT Fund - Dues	250	-	250	0%
07-4130-0113-5683	CT Fund - Internet Services	4,200	2,079	2,121	49%
	Total General Expenses	45,450	14,328	31,122	32%
07-4130-0113-7303	CT - Capital Outlay CATV	10,000	418	9,582	4%
	Total Capital Outlay	10,000	418	9,582	4%
	Total Expenses	88,833	30,229	58,617	34%
	Net Income/(Loss)	11,167	(1,271)	12,425	-11%



TOWN OF EXETER, NEW HAMPSHIRE

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www.exeternh.gov

August 16, 2013

Sir Philip Craven, President
Mr. Xavier Gonzalez, Chief Executive Officer
International Paralympic Committee
Adenaureallee 212-214
53113 Bonn
Germany

Dear President Craven & Mr. Gonzalez:

As you have heard recently from other federal and state officials, our local officials in Exeter are greatly dismayed by the recent actions taken that disqualified Exeter resident Victoria Arlen from competing in the Paralympic World Swimming Championships in Montreal, Canada.

In Exeter, we are very proud of Victoria's recent accomplishments at the Paralympics in London last year. She has been an inspiration to our community, and we have placed signs at either end of Exeter recognizing her accomplishments and citing Exeter as "the home of Paralympic Champion Victoria Arlen."

We feel Victoria's disabilities are self-evident. We are disappointed in the IPC process, which seems to review the athlete's qualifications based on a potential future condition instead of what is happening to them today. In Victoria's case, this is a young woman who was paralyzed more than seven years ago from a serious and recognized disease, and she still lives with this disability. While we hope and pray Victoria gets better enough to walk over the long term, in the meantime it seems obvious to us she should have been allowed to compete in Montreal, and should be allowed to compete in the future.

We believe the International Paralympic Committee should investigate this matter, and publicly disclose its intentions to deal positively with this injustice, and any others that have occurred in a similar fashion. In an era where paralympian accomplishments are being recognized and publicized alongside all other athletes, this incident only serves as a setback.

Victoria is, and will remain, a world champion swimmer to every Exeter resident.

Sincerely,

Russell J. Dean
Town Manager, Exeter, NH