

**Exeter Board of Selectmen Meeting
Monday, August 8th, 2016, 6:50 p.m.
Nowak Room, Town Office Building
10 Front Street, Exeter, NH**

1. Call Meeting to Order
2. Board Interviews – Budget Recommendations Committee
3. Public Comment
4. Minutes & Proclamations
 - a. Proclamations/Recognitions – Transgender Resolution
 - b. Minutes: Regular Meetings: July 25th, 2016
5. Appointments
6. Discussion/Action Items
 - a. New Business
 - i. Drought Updates – Water Conservation
 - ii. Stop Sign Request – Epping Road/Warren Avenue
 - iii. TTHM Remediation Proposal – DPW
 - iv. Pickpocket Dam Breach Study VHB Proposal - DPW
 - v. 2016 BOS Goals – Community Relations - Outreach
 - vi. Legislative Update – Chapter Acts of 2016
 - vii. Unanticipated Revenue: \$2,190.39 from Council on Aging
 - b. Old Business
 - i. Stratham Water Request – former Gibbs site
 - ii. Cemetery Trustees Discussion
7. Regular Business
 - a. Tax, Water/Sewer Abatements & Exemptions
 - b. Permits & Approvals
 - c. Town Manager’s Report
 - d. Selectmen’s Committee Reports
 - e. Correspondence
8. Review Board Calendar
9. Non-Public Session
10. Adjournment

Daniel Chartrand, Chairman
Exeter Selectboard

Posted: 8/5/16 Town Office, Town Website

Persons may request an accommodation for a disabling condition in order to attend this meeting. It is asked that such requests be made with 72 hours notice. 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.

AGENDA SUBJECT TO CHANGE



Town of Exeter
Town Manager's Office
10 Front Street, Exeter, NH 03833

Statement of Interest Boards and Committee Membership

Committee Selection: _____

New Re-Appointment Regular Alternate

Name: Kerry (KC) Cargill Email: KC@peaceandloveburgers.com

Address: 101 Main St Exeter Phone: 978-914-0884

Registered Voter: Yes No

Statement of Interest/experience/background/qualification, etc. (resume can be attached).

Restauranteur Owner/chef
Lexies 5 locations
Just moved to Exeter and would like
to immerse our family into the community.

If this is re-appointment to a position, please list all training sessions you have attended relative to your appointed position.

I understand that: 1. this application will be presented to the Exeter Selectboard only for the position specified above and not for subsequent vacancies on the same board; 2. The Town Manager and Selectboard may nominate someone who has not filed a similar application; 3. this application will be available for public inspection.

- 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.

I certify that I am 18 years of age or older:

Signature: [Handwritten Signature]

Date: 8/6/16

SELECTBOARD OF EXETER, NEW HAMPSHIRE

URGING THE STATE OF NEW HAMPSHIRE TO AMEND ITS CURRENT ANTI-DISCRIMINATION STATUTES TO INCLUDE LANGUAGE FOR ANTI-DISCRIMINATION PROTECTIONS AND EQUAL TREATMENT, RESPECT, AND DIGNITY FOR INDIVIDUALS ON THE BASIS OF GENDER EXPRESSION AND GENDER IDENTITY IN THE AREAS OF EMPLOYMENT, HOUSING, AND PUBLIC ACCOMMODATIONS

WHEREAS, transgender individuals are valuable members of the Exeter community; and

WHEREAS, a transgender individual is defined as one who identifies with or expresses a gender identity and or/expression that differs from the one which corresponds to their sex at birth. Gender identity is one's internal, personal sense of their gender; and

WHEREAS, many transgender individuals do not have full and equal opportunities to achieve their potential and contribute to their communities given the discrimination, harassment, and violence that they face in areas such as employment, housing, and public accommodations; and

WHEREAS, 47% of transgender people report having been fired, not hired, or denied a promotion because of being transgender. 90% of transgender people report having experienced harassment, mistreatment, or discrimination in a job. As a result, they are twice more likely than the national rate to be unemployed and four times more like to earn less than \$10,000 a year, and

WHEREAS, New Hampshire has explicit statewide protections against discrimination based upon age, sex, sexual orientation, race, creed, color, marital status, familial status, physical or mental disability or national origin in the areas of employment, housing, and public accommodations, New Hampshire does not have similar prohibitions against discrimination against transgender individuals; and

WHEREAS, New Hampshire's Governor, Maggie Hassan, issued an executive order protecting transgender individuals from discrimination in government employment, this law could be revoked if the next Governor of New Hampshire decides to do so; and

WHEREAS, New Hampshire is the last state in New England not to have adopted explicit, statutory discrimination protections against transgender individuals; and

WHEREAS, Exeter has a long tradition and reputation of being a welcoming and accepting community that supports all of its citizens to live their lives free of discrimination and harassment, including transgender citizens.

NOW, THEREFORE, BE IT RESOLVED:

"THAT the Exeter Selectboard, the governing body of the Town of Exeter, New Hampshire does hereby adopt this resolution urging the State of New Hampshire to amend its current anti-discrimination statutes to include language for anti-discrimination protections and equal treatment, respect, and dignity for individuals on the basis of gender expression and gender identity in the areas of employment, housing, and public accommodations. "

"THAT the Town of Exeter supports enactment of statewide anti-discrimination protections and equal treatment, respect, and dignity for transgender individuals in the areas of employment, housing, and public accommodations."

"FURTHER, THAT the Town of Exeter expresses acceptance of the great diversity of the people of our community, or state, our nation, and our world, realizing that all humans have the right to live with respect, and in dignity and peace."

It also be provided that:

A copy of this Resolution be sent to the Governor of the State of New Hampshire, the Speaker of the New Hampshire House of Representatives, and the President of the New Hampshire State Senate.

PASSED AND ADOPTED this ____ day of _____ by a majority vote of the Town of Exeter Selectboard with _____ affirmative votes, _____ negative votes, and abstentions.

Dan Chartrand, Chair
Exeter Selectboard

ATTEST:

Andrea Kohler, Town Clerk-Tax Collector

Draft Minutes

Exeter Board of Selectmen

July 25, 2016

1. Call Meeting to Order

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

2. Public Comment

Brendan DuBois, Exeter resident, talked about the dam removal and said he voted against the removal of the dam. He said since the start of the dam removal, Gilman Park is a disaster. He passed out pictures he took of Gilman Park and explained what the pictures were. He said the area is not the same since dam removal. He said Gilman Park is a destination site for Exeter and now it is impossible to swim there. He quoted the feasibility study from 2013, saying "whatever indirect impact may occur will be outweighed by the benefits of the dam removal."

Eric Fontaine, Exeter resident, said he is hearing a lot of stories about Gilman Park. He plead to allow for a restoration of historical river levels and even proposed the idea of a new dam.

Selectman Clement said water levels at Gilman Park will never return to their pre-dam levels. He said the river from the dam to Court Street will be narrower and shallower. He said the banks have been reseeded and the people from NOAA have helped to save thousands of mussels in the banks. He said the natural river before the dam was never as wide as it was before the dam was removed.

3. Minutes and Proclamations

a. Proclamations/Recognitions.

None.

b. Minutes: Regular Meeting: June 20, 2016

Vice Chair Gilman has an amendment to page 10, changing a "were" to "where".

Selectman Clement has an amendment to page 6, paragraph 7, beginning it with "Selectman Clement" instead of "Chair Chartrand." He also had an amendment to page 10, changing "The Brass Band is out" to "The Brass Band is outside performing".

Motion: A Motion was made by Vice Chair Gilman and seconded by Selectwoman Surman to approve the minutes of the July 11, 2016 BOS meeting, as amended. Motion carried – all in favor.

c. Minutes: Special Meeting: May 24, 2016

Motion: A Motion was made by Vice Chair Gilman and seconded by Selectwoman Surman to approve the minutes of the May 24, 2016 BOS Special Meeting, as presented. Motion carried – all in favor.

4. Appointments

There were no appointments.

5. Discussion/Action Items

a. New Business

i) 2016 BOS Goals – Economic Development

Chair Chartrand this discussion would focus on the Board's second Goal, which is to continue to improve the Economic Development Program.

Mr. Dean said there are four components to this Goal. He said as the Goal Setting sessions went on, Darren Winham was having Economic Development sessions with the public regarding six specific areas corridors. Data was collected from these corridors. Members of the public gave their feedback at each session.

Mr. Winham, Economic Development Director, said a lot of people showed up to these six sessions. Going forward, he said the Economic Development Strategic Plan is on track. He is working with the Town Planner and the Master Plan Steering Committee on it. He circulated a questionnaire of about six or seven questions on each corridor. He said on the town website you can click on any corridor and answer the questions. Mr. Winham read some of the responses he got.

Mr. Winham went on to say the results from his questionnaire showed that each corridor would be enhanced if it were more pedestrian accessible (except Epping Road).

He said the idea was proposed to use the Town Hall for some arts activities after 6 pm to keep people downtown later. He said that will be on the Economic Development Strategic Plan.

Selectman Clement asked how many responses Mr. Winham got on each questionnaire. Mr. Winham said he got 20-24. He said he got the most for the downtown corridor, and also got a lot for the Holland Way corridor. He said he didn't receive many for Portsmouth Ave. and Kingston Road corridors, but he is hoping to get more as the questions are still on the town website.

Mr. Winham showed a map of the TIF district. He said he had some good news that it is nearly finalized that a Hampton based company called C3I will be going into the TIF district on Mr. Shafmaster's property. He said the company will allow bikers to access the trails at the edge of the property, as it abuts the town forest. Also, he said there will be a 1200 square foot expansion on a building at 11 Commerce Way and a 30,000 square foot expansion on another lot.

Mr. Winham said the TIF Advisory Committee met, and does not have a mechanism to allow for anybody but the town to build infrastructure. He said there will not be enough money in the TIF to bond this infrastructure. There are couple of large projects going in. He said there is no mechanism for some company to pay for the infrastructure, and then be paid back. He said he just wanted to put that bit of information out there. Chair Chartrand asked if Mr. Winham's idea would be to have the developer front the money for the infrastructure then be reimbursed through the TIF revenue. Mr. Winham said yes, except the developer will pay the bond payments. He said they are not expected to pay for it all at once. Chair Chartrand asked if any RSA research has been done on this. Mr. Winham said not yet, but said that other communities do this.

Selectman Clement asked when the draft of the Economic Development Strategic Plan would be out. Mr. Winham said he wants to hear more about the Master Plan first.

Dave Sharples, Town Planner, spoke next, and said he created a flow chart. The flow chart is how he feels the Exeter Planning Review process should go. He said he tried to incorporate all the Land Use Boards. He said the chart looks simple because it should be simple. He went through the chart for the Board. He has been to all the Land Use Boards and everything he has seen with applications has gone very well. He said the processes go well.

Mr. Sharples said he took a look at the Planning Board regulations and found several issues. He said the language needs to be clearer in some areas and the Planning Board is very amendable to this. He said the Planning Board seemed in agreement on his corrections, so he is writing those up.

Selectman Clement said Mr. Sharples has done a great job going through the site plan and zoning regulations and making improvements. He said the Technical Review Committee meetings being further back from the Planning Board meetings makes it easier on the Planning Board.

Mr. Sharples went on to say that the Planning Board formed a Master Plan Steering Committee. They have had a few meetings. He said there is a broad spectrum of membership. All the Land Use Boards representatives are on it. There are also local business folks on it. He said there are about 24 members on it. He requested a representative from Exeter Hospital and one from PEA, and said they have both replied and appointed somebody. They have started gathering data on the town, like staffing levels, and data that may be useful for understanding everything about the town. He issued a short survey and emailed it to a group of people. He encouraged everybody to look at it. He has gotten 125 responses so far. This survey is on the town website, under the Planning Department.

Mr. Sharples said an RFQ has been issued to find a consultant for the Master Plan. They have received four responses and interviewed last Wednesday. He is having a meeting tomorrow to finalize the rankings. He said they are looking to hire a consultant within 3-4 weeks.

ii) Town Clerk Hours Proposal

Andie Kohler, Town Clerk, gave the Board two proposals for new Town Clerk hours. She would like for them to go to the Option 1 hours, which allows the office to be open Fridays from 8am-1pm. She said she had originally wanted to do an early morning, but the DMV is not open that early. They are, however, open later on Tuesday nights, which works well with the Tuesday being the proposed late night for the Town Clerk hours.

Selectman Clement asked if these hours are on a trial basis. Ms. Kohler said she would like to see these hours begin on Monday, September 5. She said that gives the whole month of August to advertise the hours. She said she will do an evaluation in December to see how the hours are working. She would like 3 or 4 months to try it out though.

Selectwoman Surman said she is a huge proponent of longer hours and thinks this is a great idea.

Chair Chartrand asked Ms. Kohler if she needed approval for this. Ms. Kohler said she didn't, and that she just wanted to inform the Board. She said she would like to see a banner outside the Town Office building to inform people. Mr. Dean said they will need to advertise as much as possible.

iii) Quarterly Financial Report – Finance Department

Mr. Dean went over the financial report and that was provided by Doreen Ravell. He said there are no real surprises and they are doing well in the general fund revenues and expenditures. He said motor vehicles revenues have increased \$100,000 over prior year and building permits are a little ahead of budget figure. In all, he said revenues are stable.

In General Fund expenditures, Mr. Dean said everything is on target. In Debt Service and Capital, he said they have made most of their debt service payments. He said they are in decent shape for expenditures.

Mr. Dean went on to report on the Water Fund, saying there has been an uptick in water revenue. He said they have seen an uptick in services charges. Also, water impact fees and water assessment fees have increased by \$20,000. Water Administration has decreased by \$33,000 due to a drop in legal expenses. They have seen another decrease in expenses in Water Treatment, which has decreased by \$79,000. Water Fund Net Income has increased by \$180,000 from prior year.

On the Sewer Fund, Mr. Dean said there has been an increase in assessment fees. Revenues have increased by \$22,000. Sewer Collection expenses have decreased. He reported that they have seen that revenues are steady and expenditures are predictable.

The EMS Revolving Fund revenues have increased by \$126,000 due to the change to Comstar, the new third party ambulance billing company. Overtime in EMS has increased by \$20,000 and general expenses have increased due to the three-year ambulance lease. Overall, Mr. Dean said the Fund is performing well.

The CATV Fund is holding steady. Mr. Dean said Andy Swanson is proposing a replacement server for the CIP. Selectman Clement said there is an increase in E-Channel Assessment, and asked how they are assessed. Mr. Dean said it is based on enrollment percentage.

In the Recreation Revolving Fund, Mr. Dean said they are seeing a slight increase in revenues this year due to greater program revenue. He said sponsorship revenue brought in \$6,000. Expenses have increased slightly due to wage increases.

On the tax side, Mr. Dean said they are seeing big numbers on the receivable outstanding because tax bills just went out.

Vice Chair Gilman asked where the Finance Department is on the new software. Mr. Dean said Finance has developed an RFQ and are on the cusp of sending it out.

iv) Cemetery Trustees Discussion

Mr. Dean said this has come up before with no resolution. He said the town has a Cemetery Association, but they aren't a municipal Board of Cemetery Trustees. They need to go through the process and look into this. He said no record can be found of the town electing Cemetery Trustees. The Town Clerk is looking. He said they are looking at this now which gives them enough time before Town Meeting to get this out. He suggested maybe the public might know something.

Vice Chair Gilman said she could recommend a couple people who might know something. She said it will be good to get this settled. She suggested it would be hard to get three volunteers to sit on as the Cemetery Trustees so perhaps the BOS could take this over.

Selectwoman Surman asked if the concern is maintenance, and, if not, what is driving this. Mr. Dean said it is being driven in part by the fact something needs to be in place here.

Chair Chartrand said he is leaning towards having the BOS take this on. He said they are looking for more information of anyone who may have been involved in the last 20 or 30 years.

Mr. Dean said he wants any records kept in a municipal building. He said the Board will have to make a call on how to proceed with this.

b. Old Business

i) Update – 3 Sanborn Street

Mr. Dean said the town sent out another Notice of Violation to 3 Sanborn Street. He said if there is no response, the next step would be to make a Land Use Complaint in the court. He said they are in the process of making a working list of any other property having similar issues. He said town council agrees that 3 Sanborn Street is classified as a "junkyard".

Selectman Clement asked who makes the call of a property not being in compliance. Mr. Dean said the Code Enforcement Officer does.

6. Regular Business

a. Tax, Water/Sewer Abatements & Exemptions

A Motion was made by Chair Chartrand and seconded by Vice Chair Gilman to approve abatement for map 86, lot 4, unit 3 in the amount of \$3,925.50. Motion carried – 4-1 vote. Clement voted nay.

A Motion was made by Chair Chartrand and seconded by Vice Chair Gilman to approve abatement for map 86, lot 4, unit 2 in the amount of \$569.54. Motion carried – all in favor.

A Motion was made by Chair Chartrand and seconded by Vice Chair Gilman to approve abatement for map 86, lot 4, unit 1 in the amount of \$858.14. Motion carried – all in favor.

A Motion was made by Chair Chartrand and seconded by Vice Chair Gilman to deny abatement for map 86, lot 4, unit 8. Motion carried – all in favor.

A Motion was made by Chair Chartrand and seconded by Vice Chair Gilman to deny abatement for map 86, lot 4, unit 5. Motion carried – all in favor.

Mr. Dean said he has two dooamage letters to Mr. DeMerritt and Mr. Monahan for their failure to file reports after their Intent to Cut was acted upon.

A Motion was made by Chair Chartrand and seconded by Vice Chair Gilman to send out dooamage letters to map 46, lot 1 and map 46, lot 3. Motion carried – all in favor.

Mr. Dean also had some bid openings for the Surplus 2001 Ford F150. Chair Chartrand read the following bids:

- | | |
|------------------|------------|
| 1) Shawn Craft | \$2,501.95 |
| 2) K. Joseph Roy | \$6,256.00 |

A Motion was made by Selectman Clement and seconded by Vice Chair Gilman to submit these bids to the Town Manager and the Fire Department for a recommendation. Motion carried – all in favor.

b. Permits & Approvals

Chair Chartrand said Mr. Dean is looking for approval of the Agreement for Professional Services Rehabilitation of the String Bridges.

Selectman Clement asked why they are getting this now when work has already started. Jennifer Perry said this is a State Aid Bridge Project. She said work did start and this is a contract amount that has been slated since the beginning. Mr. Dean said the amount of the contract is \$99,436 and the State Aid amount is \$79,548.80.

Motion: A Motion was made by Vice Chair Gilman and seconded by Selectman Clement to sign the contract with Hoyle Tanner for the Agreement for Professional Services Rehabilitation of the String Bridges in the amount of \$99,436, and approve the Town Manager

to sign any contracts with Hoyle Tanner for the Agreement for Professional Services Rehabilitation of the String Bridges. Motion carried – all in favor.

Chair Chartrand commended DPW for all their hard work. Ms. Perry thanked the Board and said she will take that back to the Department to share.

c. Town Manager's Report

Mr. Dean talked about the following:

- Downtown paving is complete. There was a question on a loading zone. It turns out it wasn't in the right spot all along. It is now in front of the Green Bean. Signage is being completed this week

- The dam removal project is moving along quickly. Today they did some cutting to allow the river to not go through the penstock. Vice Chair Gilman said at some point Eric Hutchins found evidence from a previous dam. Selectman Clement said Mr. Hutchins notified DHR in Concord, who was supposed to come look at it

- The dam ceremony is being planned from September 9 (with a rain date of September 10). It was an idea to have it at Founder's Park. He has a list of people to invite

- String Bridge is underway

- He met with Peter Olney about his lot. They need to talk about a fill issue

- CIP work continues. There have been a lot of meetings with DPW and Complete Streets

- He met with the Construction Teacher at SST

- He is getting a lot of questions about sewer fees and when they will go up

- Master Plan Steering Committee will meet tomorrow night

- Wednesday night there is a Budget Recommendation Committee meeting at 6:30

- Met with AHA to talk about updating the front page of the town website. He will send it along to the Board

- This Thursday will be the last concert at Swasey Parkway

d. Selectmen's Committee Reports

Selectman Clement reported a River Study Committee meeting. He said dam removal is ahead of schedule. They found no rebar in the dam and the concrete is soft. The next project they will work on the ledge in front of the dam. He said dam removal has generated a lot of discussion. He is hoping people will understand it is a project that will benefit the town. Rockingham Planning Commission met in Portsmouth. He said they had a good presentation from Rick Taintor, Portsmouth Planning Director, who talked about bike paths in Portsmouth. They are doing research on it. He said another thing that came up were changes to the MPO. The RPC voted to send a letter that says they are not in favor of possibly changing to Boston Metro area. Planning Board met and approved an addition for Northeast Distribution. They also approved a lot line adjustment on Holland Way. He attended a meeting with the Planning Department and DPW on C-RiSe with Julie LaBranche. It was recommended to redefine some mapping.

Selectwoman Surman reported that Conservation Commission met and had a work session on Rayne's Farm. They will come to budget with some requests. Also, she reported that the timber harvest is still going on.

Vice Chair Gilman reported a Master Plan Steering Committee will meet tomorrow.

Chair Chartrand reported he attended last week's Water/Sewer Advisory Committee's meeting. He said they got a thorough report from Bob Kelly. There is a meeting on Wednesday morning on the TTHM issue at 10am. There is also a meeting on Wednesday, August 24 with the BOS and the Water/Sewer Advisory Committee to get a report from the rate consultants. EEDC will meet tomorrow night at 7.

e. Correspondence

The following correspondence were included in the packet:

- an email from Jennifer Mates re: surveying starting on Kingston Road
- email from Mike Favreau re: Council on Aging
- letter from United Way of the Greater Seacoast re: letter of support for property tax exemption for Great Bay Kid's Company
- letter from Seacoast Family Promise
- letter from 68 Hours of Hunger re: a donation
- letter from CASA re: a donation
- letter from Richie McFarland re: funding approval

- minutes from the RPC TAC meeting
- letter from Rockingham County Engineering & Maintenance Services re: group purchasing
- letter from PFIC
- memo from Dave Sharples re: accessory dwelling units
- abutter's notice from Brentwood Planning Board
- email from Mr. Dean to Mr. Favreau re: COA
- letter from Rockingham Nutrition & Meals on Wheels Program
- letter from NHDES re: alteration of terrain permit

7. Review Board Calendar

The BOS will next meet on Monday, August 8 at 7pm. Also, BRC meets on Wednesday night.

8. Non-Public Session

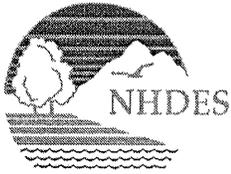
Postponed until August 8.

9. Adjournment

A Motion was made by Selectwoman Surman and seconded by Vice Chair Gilman to adjourn the meeting at 9:44pm. Motion carried- all in favor.

Respectfully submitted,

Nicole Piper, Recording Secretary



The State of New Hampshire
DEPARTMENT OF ENVIRONMENTAL SERVICES



Thomas S. Burack, Commissioner

**IMPLEMENTING WATER USE RESTRICTIONS FOR WATER SYSTEMS
OWNED OR OPERATED BY MUNICIPALITIES OR VILLAGE DISTRICTS**

2016

In the case of drought or other emergency, water use restrictions may provide public water suppliers with useful tools for the management of the public water supply. The New Hampshire Department of Environmental Services (NHDES) has prepared a model water use restriction regulation that a municipality or village district may adopt to restrict water use when there is a declared water supply shortage. The NHDES has also prepared a summary of the required steps that a public water utility regulated by the Public Utilities Commission must take to implement a water use restriction for its public water supply system.

When a municipality or village district implements water use restrictions, customers often do not understand that water use restrictions are necessary to protect, preserve, and maintain the public health. Water suppliers have indicated to NHDES that many customers believe that the water use restrictions are not really necessary or are being put in place only for the benefit of the operators of the system. Although a public water utility does not need NHDES's approval to implement water use restrictions, NHDES may provide a written endorsement of water use restrictions to the water supplier. To obtain NHDES's written endorsement of water use restrictions, the utility should provide NHDES with a description of the nature of the water supply shortage.

The description should include at least the following information:

1. Maximum day yield in million gallons per day of existing sources based on 24 hour pumping.
2. The estimated average day and peak day water demand in gallons per day (GPD) based on a 24 hour pumping.
3. Rationale and water supply/demand analysis that support the water use restrictions over the period of time that the water supply shortage is anticipated to occur.
4. The water supply management measures the water system has already taken or will take to address the water supply shortage (e.g. to restrict demand or increase supply).

In order to obtain the NHDES's endorsement of the implementation of a water use restriction, send the information described above to Stacey Herbold of the Drinking Water and Groundwater Bureau – PO Box 95, Concord, New Hampshire 03302-0095; e-mail stacey.herbold@des.nh.gov; phone (603) 271-6685.

NHDES Web Site: www.des.nh.gov

P.O. Box 95, 29 Hazen Drive, Concord, New Hampshire 03302-0095
Telephone: (603) 271-2513 Fax: (603) 271-5171 TDD Access: Relay NH 1-800-735-2964

Known Water Use Restrictions and Bans

Last Update: August 4, 2016

Legend

- County Boundary
- Town Boundary

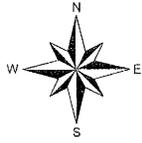
Community Water System Status

- OUTDOOR USE BAN
- RESTRICTION
- VOLUNTARY RESTRICTION OR BAN
- NO KNOWN RESTRICTION

Drought Condition

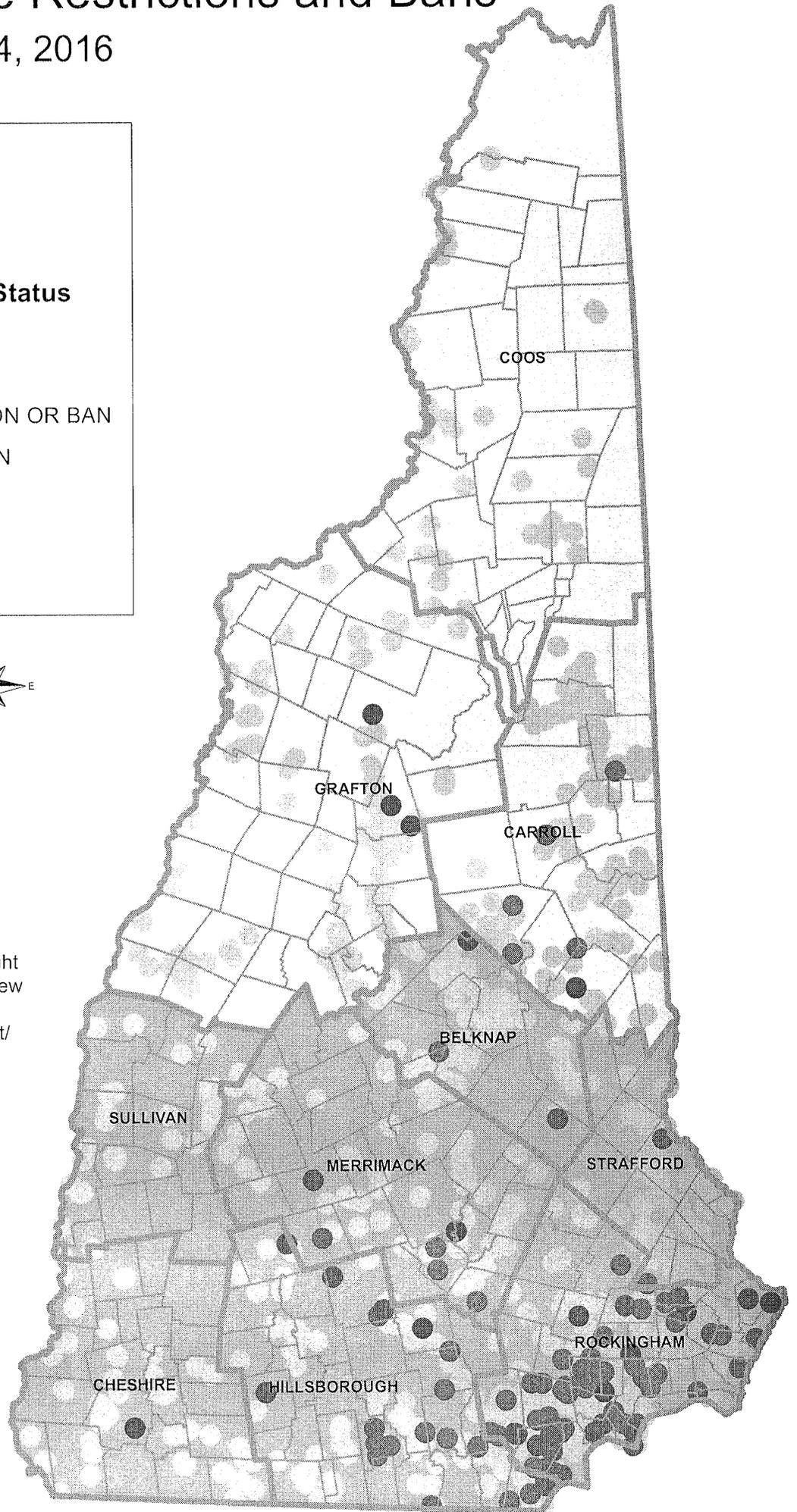
- Abnormally Dry
- Severe

0 5 10 20 Miles



Drought Conditions based on "NH Drought Management Team: Drought Status in New Hampshire 8/4/2016" (<http://des.nh.gov/organization/divisions/water/dam/drought/documents/droughtstatus.pdf>)

Disclaimer: The status of water use restrictions and bans for community water systems is based on information submitted to the New Hampshire Department of Environmental Services and may not be comprehensive.



The below only includes water restrictions and bans reported to NHDES and may not be a complete list. For details regarding a restriction or ban, please contact the entity listed in the table below directly.

For the purposes of the below table, a restriction indicates outdoor water use is permitted, but restricted. For example, lawn watering may be restricted to twice a week. An outdoor use ban indicates outdoor water use is not permitted, although a small exception may apply.

To add your water system to the below list please email Stacey Herbold, NHDES Water Conservation Program, at stacey.herbold@des.nh.gov with the following information:

PWSID (if applicable):

Name of water system (if applicable):

Town:

Is the restriction/ban voluntary or mandatory?:

Details of the restriction ban:

Table Acronyms

HAWC: Hampstead Area Water Company

LRWC: Lakes Region Water Company

PEU: Pennichuck East Utility Company

TOWN	NAME	STATUS
AMHERST	PEU: SOUHEGAN WOODS	RESTRICTION
ATKINSON	HAWC: DEARBORN RIDGE	OUTDOOR USE BAN
ATKINSON	PEU ATKINSON: PIONEER COMMERCE PARK	RESTRICTION
ATKINSON/HAMPSTEAD	HAWC: WALNUT RIDGE/HAMPSTEAD CORE	OUTDOOR USE BAN
BARNSTEAD	PEU LOCKE LAKE: AIRSTRIP & PEACHUM	OUTDOOR USE BAN
BEDFORD	PEU: CABOT PRESERVE	RESTRICTION
BEDFORD	PEU: ENGLISH WOODS	RESTRICTION
BOW	PEU: STONE SLED	RESTRICTION
BOW	PEU: WHITE ROCK SENIOR	RESTRICTION
BRENTWOOD	MILL POND CROSSING	VOLUNTARY RESTRICTION
CENTRAL HOOKSETT	CENTRAL HOOKSETT WATER	RESTRICTION
CHESTER	HAWC: OAK HILL	RESTRICTION
CONWAY	LRWC: WOODLAND GROVE	RESTRICTION
DANVILLE	HAWC: COLBY POND	RESTRICTION
DANVILLE	COTTON FARMS MHP	VOLUNTARY RESTRICTION
DERRY	PEU: GLEN RIDGE	RESTRICTION
DERRY	PEU: MAPLE HAVEN	RESTRICTION
DERRY	PEU: RICHARDSON	RESTRICTION
DERRY	AUTUMN WOODS	RESTRICTION
DERRY	RAND-SHEPARD HILL	RESTRICTION
DERRY	WILLOW BEND	RESTRICTION

DERRY	WOODLANDS	RESTRICTION
E. KINGSTON	HAWC: CRICKET HILL/MAPLEVALE	RESTRICTION
EPPING	PEU: WOODLANDS	RESTRICTION
EPPING	TOWN OF EPPING WATER SYSTEM	OUTDOOR USE BAN
EXETER	PEU: FOREST RIDGE	RESTRICTION
FREMONT	HAWC: BLACKROCKS VILLAGE	RESTRICTION
GOFFSTOWN	GRASMERE WATER PRECINCT	VOLUNTARY RESTRICTION
HAMPTON	AQUARION WATER CO	RESTRICTION
HENNIKER	COGSWELL SPRINGS	RESTRICTION
HILLSBOROUGH	EMERALD LAKE VILLAGE DISTRICT	OUTDOOR USE BAN
HOLLIS	PITARYS MOBILE HOME PARK EAST/WEST	RESTRICTION
HUDSON	HUDSON WATER UTILITY	RESTRICTION
KINGSTON	HAWC: COOPERS GROVE	RESTRICTION
KINGSTON	HAWC: KINGS LANDING	RESTRICTION
KINGSTON	HAWC: LAMPLIGHTER	RESTRICTION
LEE	PEU: THURSTON WOODS	RESTRICTION
LINCOLN	LINCOLN WATER WORKS	VOLUNTARY RESTRICTION
LITCHFIELD	PEU: LITCHFIELD	RESTRICTION
LONDONDERRY	PEU: AVERY	RESTRICTION
LONDONDERRY	PEU: HARVEST VILLAGE	RESTRICTION
LONDONDERRY	PEU: MINISTERIAL HILLS	RESTRICTION
LONDONDERRY	PEU: PINEHAVEN	RESTRICTION
LONDONDERRY	PEU: R AND B	RESTRICTION
LONDONDERRY	PONDEROSA MOBILE HOME PARK	OUTDOOR USE BAN
MEREDITH	PATRICIAN SHORES ASSOC	VOLUNTARY RESTRICTION
MERRIMACK	MERRIMACK VILLAGE DISTRICT	RESTRICTION
MILFORD	PEU: BADGER HILL	RESTRICTION
MILFORD	PEU: ASHLEY COMMONS	RESTRICTION
MILFORD	PEU: FEDERAL RESERVE	RESTRICTION
MILFORD	PEU: GREAT BROOK	RESTRICTION
MILFORD	MILFORD WATER DEPARTMENT	RESTRICTION
MOULTONBOROUGH	LRWC: PARADISE SHORES	RESTRICTION
MOULTONBOROUGH	LRWC: WEST POINT	RESTRICTION
NEW CASTLE	TOWN OF NEW CASTLE	VOLUNTARY OUTDOOR USE BAN
NEWFIELDS	NEWFIELDS VILLAGE WATER DISTRICT	VOLUNTARY RESTRICTION
NEWMARKET	PEU: GREAT BAY	RESTRICTION
NEWMARKET	NEWMARKET WATER WORKS	RESTRICTION
NEWTON	HAWC: SARGENT WOODS	RESTRICTION
NORTH HAMPTON	AQUARION WATER CO	RESTRICTION
NOTTINGHAM	HAWC: CAMELOT COURT	RESTRICTION
PELHAM	PEU: HILL	RESTRICTION

PELHAM	PEU: SKI VIEW	RESTRICTION
PELHAM	PEU: WHISPERING WINDS	RESTRICTION
PELHAM	PARADISE ESTATES	VOLUNTARY RESTRICTION
PEMBROKE	PEMBROKE WATER WORKS	VOLUNTARY RESTRICTION
PETERBOROUGH	PETERBOROUGH WATER WORKS	OUTDOOR USE BAN
PLAISTOW	HAWC: LITTLE RIVER VILLAGE	RESTRICTION
PLAISTOW	HAWC: RAINBOW RIDGE	RESTRICTION
PLAISTOW	HAWC: SNOWS BROOK	RESTRICTION
PLAISTOW	PEU: ROLLING HILLS	RESTRICTION
PLAISTOW	PEU: SWEET HILL	OUTDOOR USE BAN
PLAISTOW	PEU: TWIN RIDGE	RESTRICTION
PORTSMOUTH	PORTSMOUTH WATER DIVISION: PORTSMOUTH CUSTOMERS ONLY	VOLUNTARY RESTRICTION
RAYMOND	RAYMOND WATER SYSTEM	VOLUNTARY OUTDOOR USE BAN
RYE	AQUARION WATER CO	RESTRICTION
SALEM	HAWC: LANCASTER FARMS	RESTRICTION
SALEM	PEU: AUTUMN WOODS	RESTRICTION
SALEM	SALEM WATER DEPARTMENT	RESTRICTION
SANDOWN	HAWC: AUTUMN HILLS	RESTRICTION
SANDOWN	HAWC: CORNERSTONE	RESTRICTION
SANDOWN	HAWC: FAIRFIELD ESTATES	RESTRICTION
SANDOWN	HAWC: LITTLE MILL WOODS	RESTRICTION
SANDOWN	HAWC: STONEFORD ESTATES	RESTRICTION
SANDOWN	HAWC: WATERFORD VILLAGE	RESTRICTION
SANDOWN	PEU: BEAVER HOLLOW	RESTRICTION
SEABROOK	SEABROOK WATER DEPARTMENT	OUTDOOR USE BAN
STRATHAM	WIGGIN FARM	RESTRICTION
SWANZEY	EASTFIELD CROSSING ASSOC	VOLUNTARY RESTRICTION
TAMWORTH	LRWC: TAMWORTH WATER WORKS	OUTDOOR USE BAN
THORNTON	MILL BROOK VILLAGE WATER SYSTEM	VOLUNTARY RESTRICTION
THORNTON	CONE RIDGE APTS	VOLUNTARY OUTDOOR USE BAN
TILTON	PEU: WINNISQUAM	RESTRICTION
TUFTONBORO	LRWC: HIDDEN VALLEY	RESTRICTION
WARNER	WARNER VILLAGE WATER DISTRICT	OUTDOOR USE BAN
WEARE	PEU: DANIELS LAKE	RESTRICTION
WEARE	SOUTH WEARE WATER	OUTDOOR USE BAN
WEARE	COLLINS LANDING	OUTDOOR USE BAN
WINDHAM	PEU: CASTLE REACH	OUTDOOR USE BAN
WINDHAM	PEU: FLETCHERS CORNER	RESTRICTION
WINDHAM	PEU: GOLDEN BROOK	RESTRICTION
WINDHAM	PEU: HARDWOOD	OUTDOOR USE BAN

WINDHAM	PEU: LAMPLIGHTER VILLAGE	RESTRICTION
WINDHAM	PEU: SPRUCE POND	RESTRICTION
WINDHAM	PEU: W & E	RESTRICTION
WOLFEBORO	BIRCHES OF WOLFEBORO	VOLUNTARY RESTRICTION



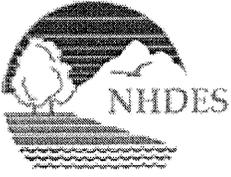
NH Drought Management Team: Drought Status in New Hampshire 8/4/2016

DROUGHT MANAGEMENT AREA		Area 1 Coastal Drainage	Area 2 Southern Interior	Area 3 South Western	Area 4 White Mountain	Area 5 North Country
CRITERIA						
Standardized Precipitation Index ¹	1 Year = -1 to -2 D4	6 Month = 0 to -1.5 D3	90 Day = 0 to -2 D2	90 Day = 0 to -1 D1	90 Day = 0 to -1 D1	90 Day = 0 to -1 D1
Stream Flow	88 Days D1	131 Days D2	125 Days D2	0 Days	0 Days	0 Days
Palmer Drought Severity Index ^{2,3}	-2 to -2.9 D2	-2 to -2.9 D2	-2 to -2.9 D2	-1.9 to 1.9	-1.9 to 1.9	-1.9 to 1.9
Groundwater (measured monthly) ⁴	D3	D3	D3	D3	D3	D3
Recommended Drought Status ⁵	Severe	Severe	Severe	Abnormally Dry	Abnormally Dry	Abnormally Dry

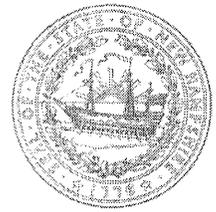
1. Standardized Precipitation Index obtained from <http://www.hprcc.unl.edu/maps.php?map=ACISClimateMaps>
2. Palmer Drought Severity Index obtained from <https://www.drought.gov/drought/data-maps-tools/current-conditions>
3. Palmer Drought Severity Index is based on two climate zones in the state and accordingly may not always be consistent with conditions observed in the more localized Drought Management Area.
4. Groundwater data obtained from <http://groundwaterwatch.usgs.gov/netmapT2L1.asp?ncd=NHV>
5. Snow data, soil moisture data, fire danger classification and reservoir level data are reviewed and incorporated into determining the status of a drought.

The New Hampshire Drought Management Team relies on the drought analysis method proposed in the “Analysis of Drought Conditions in New Hampshire”, developed by the University of New Hampshire in December 2014. Drought analysis is conducted for the five regions broken down in the table above using the criteria in the table below. Recommendations for Standardized Precipitation and Palmer Indices are based on index values computed from meteorological data for each drought management area. These differ significantly from those provided by the National Climate Data Center.

	WATCH D0 Abnormally Dry	ALERT D1 Moderate	WARNING D2 Severe	EMERGENCY D3 Extreme	DISASTER D4 Exceptional
STANDARDIZED PRECIPITATION INDEX (SPI) 1-month SPI 3-month SPI 6-month SPI 12-month SPI	<0.0 Not Applicable Not Applicable Not Applicable	Not Applicable <0.0 Not Applicable Not Applicable	Not Applicable <-1.0 Not Applicable Not Applicable	Not Applicable Not Applicable <-1.0 Not Applicable	Not Applicable Not Applicable Not Applicable <-1.0
STREAMFLOW 28-day streamflow 65% normal	Up to 1 Month	1-3 Months	3-6 Months	6-9 Months	>9Months
PALMER DROUGHT SEVERITY INDEX	Not Applicable	<0.0	<-1.0	<-2.0	<-3.0
GROUNDWATER	Not Applicable	Monthly Levels Drop Below Mean	Monthly Levels Persist Below Monthly Mean	Monthly Mean	Not Quantified



The State of New Hampshire
DEPARTMENT OF ENVIRONMENTAL SERVICES



Thomas S. Burack, Commissioner

2016 Drought Guidance for Municipalities and Public Water Systems

On July 22, 2016, a meeting of the New Hampshire Drought Management Team (DMT) was initiated due to persistent drought conditions. The DMT is comprised of over thirty officials representing specific activities and interested that can be impacted by the drought and is tasked with assessing the severity of the drought and coordinating response activities. At the time of the meeting, all counties south of Grafton and Carroll were considered to be in severe drought and climate experts were predicting the drought conditions to continue into the fall. Drought regions and the updates to drought status may be found at:
<http://des.nh.gov/organization/divisions/water/dam/drought/documents/droughtstatus.pdf>.

In response, NHDES is requesting that outdoor water use be limited. While lack of precipitation is the root cause of a drought, the conditions are greatly exasperated by an increase in outdoor water use to keep lawns green and to stay cool. Please reach out to your customers and/or communities to promote limiting water use based on the recommendations below and local knowledge of water supplies.

Please note that municipalities have a quick and easy way to impose residential lawn watering restrictions for public supplies and private wells. This tool is effective in ensuring residential private well owners and residential public users both limit water use. Municipalities should work with the community and public water suppliers to determine if this tool is needed (See 3(a)(i)).

Below are recommendations and resources available to you:

- 1) Check the Drought Management Program webpage for updates on drought conditions and water utility restrictions reported to NHDES:
<http://des.nh.gov/organization/divisions/water/dam/drought/index.htm>. Also, stay up to date on local conditions through speaking with your local water utilities/systems, residents, and businesses, as well as paying attention to drought-related media.
- 2) Promote limiting water use to essential uses through available communication methods such as websites, social media, local cable channels, and newsletters. NHDES endorses the following recommendations: (Local conditions should be considered when promoting recommendations.)
 - a) In areas of severe drought:
 - i) No outdoor water use except for hand watering of vegetable gardens and newly planted vegetation between 7pm and 8am; or
 - b) In abnormally dry areas:

- i) Even and odd day watering based on street address and limiting watering to between 7pm and 8am. No hosing down, driveways, walkways, patios, decks, cars or outdoor structures.; or
- 3) Implement voluntary or mandatory restrictions.
- a) Municipalities:
 - i) Restrict watering of residential lawns. RSA 41:11-d, "Restricting the Watering of Lawns", establishes a process that the local governing body can take to form regulations to restrict the use of water from private wells or public water systems for residential lawn watering. The local governing body must give notice at least three calendar days by publication in two public places and posting in two public places before the regulations are implemented. A model regulation may be found here:
http://des.nh.gov/organization/divisions/water/dwgb/water_conservation/documents/mo-lawn-watering-rstrctn.pdf.
 - b) Public Water Systems:
 - i) Implement mandatory restrictions on non-essential use if it is determined demand will exceed supply. (See Env-Dw 503.18-503.20 and Env-Dw 503.09):
<http://des.nh.gov/organization/commissioner/legal/rules/index.htm>
 - ii) Implement voluntary restrictions or implement mandatory restrictions through the adoption of ordinances and bylaws using the model regulation and restriction options found here:
http://des.nh.gov/organization/divisions/water/dwgb/water_conservation/documents/water_use_restrictions.pdf.

Additional NHDES Resources

Drought Management Program

<http://des.nh.gov/organization/divisions/water/dam/drought/index.htm>

Emergency Water for Public Water Systems

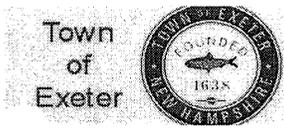
http://des.nh.gov/organization/divisions/water/dwgb/wseps/bulk_water.htm

2016 Drought Guidance for Homeowners on Private Wells

<http://des.nh.gov/organization/divisions/water/dam/drought/documents/droughtguidehome.pdf>

Water efficiency tips and information:

http://des.nh.gov/organization/divisions/water/dwgb/water_conservation/categories/education.htm.



Russ Dean <rdean@exeternh.gov>

Replace Yield Sign at Park/Warren Ave. near 27

Enna Grazier <enna@grazierphotography.com>

Tue, Jun 21, 2016 at 4:07 PM

To: rdean@exeternh.gov

Cc: sriffle@exeternh.gov, wshupe@exeternh.gov, mmunck@exeternh.gov, Helen Fassil <helen.fassil@gmail.com>

June 21, 2016

Dear Mr. Dean,

I am writing to propose that the Yield sign at Park Street and Warren Avenue be replaced with a Stop sign. This busy intersection is made *more* dangerous by the yield sign, and this change should be made as soon as possible.

Drivers heading north on Park behave as if they are on a major highway merge when they prepare to enter 27. As you know, this is *not* a highway on-ramp; it is an in-town 3-way traffic intersection with heavy pedestrian use. The manner in which drivers observe the Yield sign raises numerous opportunities for an accident, in fact the Yield sign fosters behavior which could contribute to an accident. We believe it is only a matter of time before a devastating accident happens at this intersection.

Before describing the exact hazards presented by drivers, I'd like to describe this location. The crosswalk at this intersection is one entrance to the Park Street Commons. Children, often unaccompanied, use this crosswalk *every day* to commute to and from school, and to enter the park. **Within 2 blocks of this intersection, there live no less than 24 children under the age of 13.** This means that 24 young children use this crosswalk at least 2 times a day on their way to and from school, and usually 4 or 6 or 8 times as they go back and forth from the park. That is, 48, 96, 192, and more opportunities for a neighborhood child to be hit on any given day, not including children from other areas who come with their families to enjoy the park, or days that Parks and Rec uses this park to host soccer games, baseball, or other activities involving dozens of families with young children.

Here is a summary of the specific dangers presented by drivers at this intersection:

- **Autos traveling on Park accelerate** as they drive up Park from Oak to 27, frequently reaching speeds over 40 mph.
- **Drivers on Park fail to yield** to drivers who are turning from either direction off of 27 onto Warren Ave or Park. Instead they either continue to accelerate, or they block the intersection.
- **Most critically, almost all drivers fail to look to the right to observe the autos and pedestrians coming from Warren Ave or from the sidewalk** that feeds into the crosswalk. Instead, drivers treat this intersection as a highway on-ramp style merge and often look only over their left shoulder to observe the traffic on 27. A driver doing this will not see a pedestrian in this crosswalk, nor will they see a pedestrian crossing 27 further up the road (where there is no crosswalk but where pedestrians frequently cross).
- **Drivers heading south on 27 and turning left onto Oak are often speeding**, and do not allow themselves time to stop if there is a child in the crosswalk.

In recent months I have observed drivers of tractor-trailers, passenger cars, construction vehicles, and *city of Exeter maintenance vehicles* all a) speeding up Park from Oak towards this intersection, b) accelerating through this intersection, and c) failing to look to the right to check for children, animals, bicyclists, or other vehicles. During many of these instances there have been pedestrians, including children, in or near the crosswalk.

Despite learning safe pedestrian habits, my children have come within inches of being hit several times over the 6 years that we have lived here. I personally have almost been T-boned many times while driving from 27 onto Warren Ave (by a Park Street driver who failed to yield). This intersection is so dangerous that we encourage our own children and other neighborhood children to not even use this crosswalk, and instead to use the crosswalk at Locust and Park. This however, is not an adequate solution, as while it moves children away from the Yield sign, the cars that speed up Park Street between Oak and Warren in excess of 40 mph still present a significant danger to pedestrians in BOTH crosswalks.

A Stop sign on Park at Warren will engage drivers' defensive skill of habitually looking to both right and left when at a Stop sign. It is this skill which is missing from how drivers behave in this intersection and we believe is most likely to cause a terrible accident.

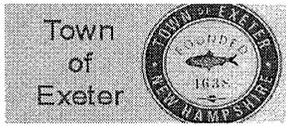
Replacing the Yield Sign with a Stop Sign is a simple solution that should happen immediately, before a close call becomes a major accident. A Stop sign will not change traffic flow in any significant way, and we believe can only make the intersection safer for all.

Please let us know what else we can do to substantiate this request and get this change made before there is an accident involving a child.

We have already brought this matter to the attention of the Exeter Police Dept, and though they have patrolled the intersection, this has little to no effect on how or whether drivers observe the Yield sign. The dangerous driving behavior will not be changed until the Yield sign is replaced with a Stop sign.

Sincerely,

Enna and Matthew Grazier
8 Warren Ave
Exeter NH 03833



Russ Dean <rdean@exeternh.gov>

Stop Sign Request

John Scippa <JScippa@strathampd.org>

Thu, Aug 4, 2016 at 6:21 PM

To: "rdean@exeternh.gov" <rdean@exeternh.gov>

Cc: Enna Grazier <enna@grazierphotography.com>, "jsskip@comcast.net" <jsskip@comcast.net>, William Shupe <wshupe@exeternh.gov>

Mr Dean-

I ask that this email be entered into the record of the August 8th, 2016 Exeter Board of Selectmen's meeting. I am unable to attend your meeting as I have to appear in front of my Board of Selectmen for my monthly report in Stratham on the same night. I am a resident of 5 Warren Ave and have been at this residence for over 15 years.

Please accept this email in support of replacing the existing yield sign located at the end of Park Street at the intersection of Warren Ave with a stop sign to address a number of safety concerns. It is my opinion, based on my personal and professional experience, that the existing yield sign at that location encourages drivers on Park Street who are preparing to merge onto Epping Road, to look over their left shoulder for an extended period of time as they pass through this intersection. In most cases those same drivers actual increase their speed on Park Street to make the merge onto Epping Road as they are looking over their shoulder. This present situation is very dangerous to anyone attempting to use the cross walk located at this same intersection.

It is my opinion that replacing the existing yield sign with a stop sign will compel drivers on Park Street to maintain the posted speed limit on Park Street because they will have to decelerate to a stop at the intersection and cross walk. The stop sign will cause the drivers to maintain focus on the road in front of them as opposed to looking over their shoulder while driving through the intersection. The stop sign will cause the driver to come to a stop and then look over their left shoulder before starting for a stopped position to pull out onto Epping Road.

It is important to note that the marked cross walk located at this location is heavily used throughout any given day. Further, within feet of this intersection is a well-established school bus stop for the SAU 16. Finally, it should be noted that there are two side streets that lead out to Park Street in close proximity to this yield sign controlled intersection and during recreational sporting events at the park, there are parked cars on both sides of Park Street. It's clear that this section of Park Street is heavily used by a number of different stakeholders.

In my professional capacity, I have been asked to review these same types of requests. When forming my conclusions for such requests, I try to foresee what negative impact could occur if such a sign change were to be made. In this particular case, I cannot see any real negative impact that could come from replacing the yield sign with the stop sign as proposed. The greatest negative impact will be on those drivers that use Park Street as a quick cut through and who now see Park Street as an "on ramp" for Epping Road. The stop sign would become an inconvenience to them because they could no longer speed on Park Street and through the area of the cross walk. Absent that, I see replacing the yield sign with a stop sign to be an easy way to address a number of safety concerns and, in doing so, increasing the quality of life for those who live, walk and drive in this area of Park Street.

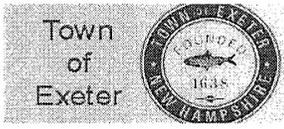
I appreciate your time in this matter and I stand ready to answer any questions the Exeter Select Board, Police Chief Shupe and /or the Exeter Highway Engineer may have in furtherance of this request.

Best regards,

John Scippa

5 Warren Ave

Exeter NH 03833



Russ Dean <rdean@exeternh.gov>

Replace Yield Sign at Park/Warren Ave. near 27

William Shupe <wshupe@exeternh.gov>

Tue, Aug 2, 2016 at 10:57 AM

To: Russ Dean <rdean@exeternh.gov>

Good morning Russ,

My recommendation is to change this to a stop sign, much like the intersection of Winter and Front. I had a speed survey done during the time frame of 6/24 - 6/26 and surveyed 7,332 vehicles only traveling west bound (Oak St towards Warren). The average speed is 27 MPH. I had a handful of vehicles in the 40 MPH range with the highest reaching 49. I do share the opinion of Mrs. Grazier in that due to the current design of the road, a driver's attention is drawn to Epping Road to look for outbound traffic, taking their attention away from the immediate area. Because it is a yield sign, a driver will judge if they should slow or speed up based on the position of the vehicle on Epping Road. There are multiple cross walks in this area as well as the park that draws pedestrians and children from the adjacent neighborhood. Should the sign be replaced with a stop sign, my department would do directed patrols there in the beginning for educational enforcement as the sign would be new to those who travel through it on a regular basis. I do not feel that a stop sign would back up traffic in any way either.

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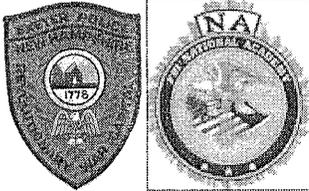
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Chief William D. Shupe
Exeter Police Department

(W) 603 772-1212

(D) 603 773-6138

(F) 603 778-7061





EXETER PUBLIC WORKS DEPARTMENT

13 NEWFIELDS ROAD • EXETER, NH • 03833-4540 • (603) 773-6157 • FAX (603) 772-1355

www.exeternh.gov

MEMO

DATE: August 2, 2016

TO: Russell Dean, Town Manager

FROM: Jennifer R. Perry, P.E., Public Works Director *JRP*

RE: Traffic Control and Regulatory Signage at Park Street and Warren Avenue

The Public Works Department has completed a review of the signage at the intersection of Park Street and Warren Avenue. The existing intersection is controlled by a Yield sign (R1-2) at Park Street (west bound) and there is a marked crosswalk at this location. There is a Stop sign (R1-1) at Warren Avenue (south bound) and a marked crosswalk this location. The intersection is adjacent to Epping Road and the Park Street Common (see attached Google map).

The Manual on Uniform Traffic Control Devices (MUTCD) is the national standard for designing, applying and planning traffic control devices installed on any street open to public travel. Per the MUTCD, the use of stop signs should be considered if engineering judgment indicates that a stop is always required because of one or more the following conditions.

1. Vehicular traffic volumes on the through street exceed 6,000 vehicles per day (vpd). *NHDOT traffic reports indicate Epping Road in this vicinity has approximately 9,000 vpd.*
2. A restricted view exists that requires road users to stop in order to adequately observe conflicting traffic on the through street. *The angle of the merge of Park Street onto Epping Road requires drivers to look back over the shoulder at an extreme and awkward angle.*
3. Crash records indicate that three or more crashes have been reported within a 12 month period. *This intersection has no recent crash history.*

The first two conditions support use of a stop sign at this location. It should also be noted that a very similar intersection geometry and conditions exist at the intersection of Winter Street and Front Street; it is controlled by a stop sign.

The west bound approach of Park Street to Warren Avenue should be retrofitted from a Yield sign to a Stop sign with a painted Stop Line in advance of the crosswalk. It is also recommended that a NEW plaque (W16-15P) be installed above the new Stop sign for several months to enhance the conspicuity and call attention to the new sign. A stop ahead warning sign (W3-1) should be installed 100 feet in advance of the new Stop sign.

Google Maps Park Street, Warren Ave, Epping Road Intersection



Imagery ©2016 Google, Map data ©2016 Google 50 ft



EXETER PUBLIC WORKS DEPARTMENT

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www.exeternh.gov

MEMO

DATE: August 5, 2016
TO: Russell Dean, Town Manager
FROM: Jennifer R. Perry, P.E., Public Works Director *JRP*
RE: Epping Road Tank Ventilation Equipment

The Town of Exeter water system is currently out of compliance for Total Trihalomethanes (TTHMs), and has issued violation notices for the past 6 quarters. A rigorous evaluation of the surface water treatment plant estimates that even with optimization of treatment processes, the most TTHM removal to be expected, approximately 15%, is insufficient to meet water quality standards and return the water system to compliance.

The next most feasible approach is to use aeration technologies to remove volatile TTHMs from the treated drinking water.

The Utility Service Co., Inc. (USC), the Town's water tank maintenance contractor, has provided a price proposal to install a power venting system at the Epping Road Water Tank for \$24,169. On September 12, 2016, USC will be painting the interior of the Epping Road Water Tank and at this time the tank will be empty providing a good opportunity to install this venting system. This device is one of three components that remove Total Trihalomethane disinfection byproducts from drinking water. The first component, a tank mixer, was previously installed last fall. The third component, an aerator, may be added later, if necessary, for a complete "air stripping" removal system. The existing mixer and proposed power venting will remove TTHMs even without the third more costly component, an aerator.

The 2016 Water budget does not have sufficient funds to cover the cost of adding the new venting system to the tank. Therefore, the \$24,169 is requested from the Water Fund balance.



Proposal From
UTILITY SERVICE COMPANY, INC.
 1230 Peachtree St NE · Suite 1100 - Promenade · Atlanta, GA 30309
 Toll-free: 855-526-4413 | Fax: 478-987-2991
 utilityservice.com

Date: 07/29/16 Submitted by: **Scott B. Kelley** Local Phone: **603-724-8226**
 SFID: 45581 CN: 65916 SO: 49,323

Proposal Submitted To: Town of Exeter, NH			Phone Number: 603-773-6165		Fax Number:
Street Address: 13 Newfields Rd			Description of Work to be Performed: Installation of PAX Ventilation Equipment		
City: Exeter	State: NH	Zip Code: 03833	Tank Name: Epping Rd		
Accounts Payable Contact Name: Michael Jeffers		Email: mjeffers@exeternh.gov	Job Site Address: Epping Rd Exeter, NH		
Job Contact (Inspection Reports): Michael Jeffers		Email: mjeffers@exeternh.gov	County / Parish: Rockingham	Tank Size: 1.5MG	Tank Style: Composite Fluted Column

Utility Service Co., Inc. agrees to provide all labor, equipment, and materials needed to complete the following:

1. This work will be performed in conjunction with the tank maintenance coatings scheduled in September 2016.
2. Exeter Public Works will be required to provide GFCI – Protected, power supply at the tank, and will be required to supply a certified electrician to make the final connection between the ventilation equipment and the power supply during the installation.
3. Exeter Public Works will be responsible for all trenching, conduit, and electrical connections outside the tank, unless otherwise specified by this agreement.
4. Utility Service Co., Inc. shall furnish and install one (1) 18" pallet vent with 24 mesh screen and 1 PPV400.
5. Upon completion of installation, USG will power up the equipment and complete electrical system check/IAR to verify proper operation.

Please sign and date this proposal and fax one copy to our office or e-mail Scott at skelley@utilityservice.com

Twenty Four Thousand One Hundred Sixty Nine and -----00/100 Dollars \$ 24,169.00

Payment to be made as follows: **Payment in Full Completion of Work – plus all applicable taxes**

Remittance Address: Utility Service Co., Inc., P O Box 674233, Dallas, TX 75267-4233

All material is guaranteed to be as specified. All work to be completed in a substantial workmanlike manner according to specifications submitted, per standard practices. Any alteration or deviation from above specifications involving extra costs will be executed only upon written orders, and will become an extra charge over and above the estimate. All agreements contingent upon strikes, accidents or delays beyond our control. Owner to carry fire, tornado and other necessary insurance. Our workers are fully covered by Workmen's Compensation Insurance.

Authorized
USG Signature

Note: This proposal may be withdrawn by us if not accepted within Sixty (60) days.

Acceptance of Proposal - The above prices, specifications and conditions are satisfactory and are hereby accepted. You are authorized to do the work as specified. Payment will be made as outlined above.

Fiscal Yr Beginning Month _____

Signature _____

Date of Acceptance _____

Printed Name _____



The State of New Hampshire
DEPARTMENT OF ENVIRONMENTAL SERVICES



Thomas S. Burack, Commissioner

Town of Exeter
Ms. Jennifer Perry, P.E., Director
Public Works Dept.
10 Front Street
Exeter, NH 03833

March 28, 2011
Letter of Deficiency
DSP#11-026

RE: Pickpocket Dam #029.07, Brentwood

**NEW STATUTORY PENALTY PROVISIONS
PLEASE READ CAREFULLY**

Dear Director Perry:

The Department of Environmental Services, Dam Bureau (DES) is responsible for ensuring the safety of dams in New Hampshire through its dam safety program. One of the many tools that helps us to reach this goal is our dam inspection program.

In accordance with RSA 482:12 and Env-Wr 302.02, an inspection of the subject dam was conducted on September 9, 2010. Based upon the results of that inspection, as well as upon additional investigation or analysis that may have been conducted, DES is issuing this Letter of Deficiency (LOD) to advise you that the following items constitute deficiencies that DES believes can be remedied in accordance with the deadlines indicated:

By June 1, 2011:

1. Prepare and return the enclosed Operations, Maintenance, and Response (OMR) form;
2. Remove the minor debris from the spillway (Photos E and K);

By December 31, 2011:

3. Remove the trees and brush from both abutments within 15 feet of the ends of the dam, within 15 feet of the toe of the embankments, and on the dam embankment. Once removed, stabilize any disturbed areas with loam and seed to promote the growth of a hearty, grassed embankment (Photos A-D, F-H, I, and J); and

By December 31, 2012:

4. Report back to the Dam Bureau with the results of a breach analysis in accordance with the criteria in Env-Wr 500. Retain a qualified consultant to perform the breach analysis model, which quantifies the hazard posed by the dam to the downstream reach, specifically the areas around Sir Lancelot Drive and Camelot Drive.

In accordance with Env-Wr 500, the breach analysis should include a "sunny-day" breach, as well as a breach routed with the 100-year flood event. If the dam poses risk to the downstream reach, such that it would inundate the living space of an occupied property by an increment of one or more feet above the sill of that occupied structure, it would meet the criteria of Env-Wr 101.09, and would qualify the dam to be reclassified as a "High-Hazard" structure.

In the event that the dam is reclassified to "High Hazard", additional requirements will likely be requested, including preparation of an Emergency Action Plan (EAP), and Hydraulic & Hydrologic (H&H) analysis of the spillway to pass 2.5 times the 100-year storm event.

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) 271-6120 • TDD Access: Relay NH 1-800-735-2964

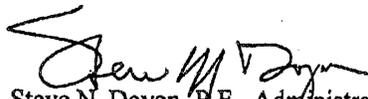
Letter of Deficiency
Dam#029.07/DSP#11-026
March 28, 2011
pg. 2

Our intent in issuing this LOD is to make you aware of items that require your attention to ensure the continued safe operation of your dam. It is our hope that, through the return of the attached form and correction of the identified deficiencies, you will develop and maintain a commitment to keeping a safe and well-maintained dam.

Please note that effective January 1, 2009, significant changes to the penalty provisions of New Hampshire's dam safety statute (RSA 482) became effective. These changes require DES to commence proceedings to levy fines of up to \$2,000 per violation per day against a dam owner who does not respond within 45 days of receipt of a written order, directive, or any notice of needed maintenance, repair, or reconstruction issued by DES. To avoid proceedings under this provision, you **must respond** to this LOD. We believe the easiest way to respond is to sign and return the attached "Intent to Complete Repairs" form, either agreeing to correct the identified deficiencies by the dates indicated OR by proposing amendments to the listed work items or dates, which you may do by writing directly on the form. DES will evaluate and respond to any reasonable requests for proposed amendments in a timely manner. We have enclosed a self addressed stamped envelope for you to return this form. You may also scan and e-mail the completed form to damsafety@des.nh.gov or fax it to (603) 271-6120. **If you fail to return this form within 45 days or fail to otherwise respond in writing within 45 days indicating your intent to remedy the identified deficiencies, you will not have the benefit of the compliance deadlines indicated on the form and DES will commence a proceeding under RSA 482:89 to seek administrative fines for the identified deficiencies.** Please note that responding as required does not preclude DES from pursuing other appropriate action for the identified deficiencies, in accordance with the DES Compliance Assurance Response Policy, available on-line at <http://des.nh.gov/organization/commissioner/legal/carp/index.htm>.

If you have any questions or comments regarding this LOD or would like to be present at future inspections, please contact Brian Desfosses, P.E. at 271-4162 or write to the address for the Water Division listed on the bottom of the previous page.

Sincerely,


Steve N. Doyon, P.E., Administrator
Dam Safety and Inspection

Attachments: Dam Report, Photos, Plan View Drawing, OMR form, DB8, DB13
cc: DES Legal Unit
Town of Brentwood

Certified # 7007 3020 0000 5329 1919

SND/BAD/was/h:/damfiles/02907/LOD/20110328 02907



**AGREEMENT
FOR PROFESSIONAL SERVICES
BETWEEN
VANASSE HANGEN BRUSTLIN, INC.
AND
THE TOWN OF EXETER**

**DAM BREACH ANALYSIS
VHB CONTRACT NO. 52151.0X**

JUNE 30, 2016

This Agreement is composed of Part I and Part II. Part I includes details of the services to be performed, timing of the services, and compensation. Part II (attached) contains the Terms and Conditions of Agreement, which are the general terms of the engagement between the Town of Exeter, hereinafter called the "Client," and Vanasse Hangen Brustlin, Inc. (VHB).

PART I

PROJECT DESCRIPTION

In accordance with RSA 482:12 and Env-Wr 302.02, the New Hampshire Department of Environmental Services, Dam Bureau (NHDES) performed a dam inspection of the Pickpocket Dam, which is currently owned and operated by the Client within the Town of Exeter, NH. Based on the results of the inspections, as well as upon additional investigation and analysis, NHDES issued a Letter of Deficiency (LOD) for the Pickpocket Dam identifying deficiencies and remedial measures that NHDES requires. Additionally, the Client owns and operates the Exeter Reservoir Dam which impounds the Exeter Reservoir. Although the Client has not received a LOD for the Exeter Reservoir Dam, the Client anticipates the need to perform similar analyses for both dams.

The LOD requires that the Client perform a breach analysis for the Pickpocket Dam in accordance with Env-Wr 500 and report the results to the Dam Bureau, and the Town has expressed interest in performing a breach analysis for the Exeter Reservoir Dam as well. The Town intends to perform breach analyses for each dam in accordance with Env-Wr 502 which includes performing both a "sunny day" breach, as well as a breach routed with the 100-year flood event, for each dam. The Town intends to also produce and distribute inundation maps depicting the results of the breach analyses in accordance with Env-Wr 503.

If the analyses determine that either dam pose a risk to the downstream reach, such that it would inundate the living space of an occupied property by an increment of one or more feet above the sill of that occupied structure, it would meet the criteria of Env-Wr 101.0, and would qualify either dam to be reclassified as a "High-Hazard" structure. In the event that either dam is reclassified as a "High Hazard" structure, NHDES has informed the Client that additional requirements will likely be requested. Potential additional requirements that may be imposed by NHDES are not included in this scope of work, but may include preparation of an Emergency Action Plan (EAP), and a Hydraulic & Hydrologic (H&H) analysis of the spillway to pass 2.5 times the 100-year storm event.



SCOPE OF SERVICES

VHB has prepared this document to outline the overall scope of services that VHB will complete as part of the Project. VHB will perform the following scope of services to provide documentation that satisfies the requirements identified in the LOD for each dam. A summary of each component of the scope is presented below.

1.0 DAM BREACH ANALYSES

1.1 Data Collection and Review

VHB will collect and review existing readily available information relevant to hydrologic and hydraulic analyses for each of the dams. VHB will obtain this information through a review of NHDES files, discussion with NHDES and NRCS staff, and other agencies (e.g., NH Department of Transportation, local towns' engineering/public works departments, etc.), and a review of on-line data sources. VHB will seek the following information:

- Construction and as-built plans for the dam and downstream road crossings
- Topographic and bathymetric data of the storage pool, watershed, and downstream floodplain
- Previous hydrologic and hydraulic studies and reports

VHB will coordinate and request the effective National Flood Insurance Program (NFIP) hydraulic model for the Upper Reach of the Exeter River, which extends upstream of the Pickpocket Dam. Wheelwright Creek and the Exeter Reservoir have not been studied with detailed methods as part of the NFIP and FEMA does not have a hydraulic model for the Exeter Reservoir Dam. For the Exeter Reservoir Dam, VHB will use information contained within the Exeter Reservoir Dam Emergency Action Plan developed by the Client as part of a study of the Reservoir to develop the hydraulic model. VHB assumes that the Client will provide this information.

VHB staff will perform a site visit to each dam to review the existing conditions and compare the in-situ observations to the collected information. During the site visit, VHB may independently measure and photo-document dam features and appurtenances.

VHB will review collected data and develop a list of data needs. VHB will meet with NHDES staff to develop a plan for collecting any additional, required information, if necessary. VHB has included one meeting with NHDES staff under this scope of work.

1.2 Existing Conditions Site Survey

For each dam, VHB will verify dimensions and elevations indicated in the collected information. The survey will include top of dam elevations, gate and structure information, and inverts of any low level outlets. VHB will use these survey data to develop the dam breach inputs. VHB will also perform survey of the Portsmouth Ave culvert/bridge opening and include a minimum of five cross sections within Wheelwright Creek. VHB assumes one day of survey will be performed for Pickpocket Dam and one day of survey will be performed for the Exeter Reservoir Dam. Time shall include setup and establishment of benchmarks.



1.3 HEC-HMS Hydrologic Analysis

For each dam, VHB will develop a hydrologic model using HEC-HMS to simulate the design inflow hydrograph for the 100-year flood. For the Exeter Reservoir Dam, VHB will develop watershed parameters for use in developing a HEC-HMS model. This subtask includes:

- Watershed and subwatershed delineation
- Watershed parameter development
- Storm parameter development
- Routing parameter development

The project team will use event-frequency depths, durations, and distributions consistent with the NH Dam Safety Criteria. The project team will work with NHDES to determine the preferred precipitation sources prior to starting work. In addition to the hydrologic models developed for each dam based on hazard classification, the project team will develop HEC-HMS models to simulate runoff hydrographs for non-breach base flow events including the 100-year event and the sunny-day base flow event. The project team will work with NHDES to determine the specifications for the sunny-day base flow event prior to starting work. VHB will develop a HEC-HMS model for each dam using the input parameters described above. The team will use the model to evaluate the performance of the dams in accordance with the NH Dam Safety Criteria. The output hydrographs from the HEC-HMS model will be used as input to subsequent task HEC-RAS dam breach models.

For the Pickpocket Dam, VHB will utilize the existing rainfall runoff model developed by Weston and Sampson as part of the Great Dam Removal Feasibility Study and modify the model as necessary to calibrate the flow to the 100-year peak discharge identified in the Preliminary FIS for Rockingham County, NH, dated February 2016.

1.4 HEC-RAS Hydraulic and Dam Break Analysis

VHB will conduct hydraulic and dam break analyses for each dam using the methods and procedures for dam breach simulations and routing developed by the US Army Corps of Engineers incorporated in the HEC-RAS version 4.1 (2010) model. VHB will use the hydrographs calculated in HEC-HMS as part of Task 1.3 and the best available topographic data to develop a georeferenced, unsteady-flow, HEC-RAS model to simulate the water surface profiles downstream of the dams during non-breach, sunny day breach, and event-based breach conditions. As part of this work, VHB will:

- Develop model geometries for the dams and associated stream channels and floodplains
- Develop breach parameters for sunny day and event-based breach scenarios
- Execute the hydraulic models

VHB will develop georeferenced HEC-RAS model geometry in a GIS environment using the collected data. We will develop HEC-RAS model geometry including stream channel centerline, banks, cross sections, and overbank flow paths using the collected topographic data. VHB will assign Manning's "n" friction coefficients to channel based on photographs of the composition of the stream channel and banks obtained during the field visit and review of land cover mapping and aerial orthophotos. We will develop dam structure



geometry based on the as-built plans and/or field-collected data. We will develop the geometries of downstream bridge openings and/or other in stream structures will be based on collected plans and/or field-measured dimensions.

The VHB team will develop breach parameters including average width of breach, horizontal component of side slope of breach, and time to failure for each dam in accordance with NH Dam Safety Criteria (Env-Wr 502.06). We will review these parameters with NHDES staff prior to model execution.

VHB will conduct HEC-RAS simulations for non-breach base flows, sunny-day breach, and event-based breach scenarios for each dam. HEC-RAS model output will include high-resolution time series of water surface profiles, discharges, and velocities at the dam and at cross sections downstream. We will compare the non-breach and breach water surface profiles to verify that the model domain extends downstream to a location where the two profiles differ by no more than two feet and adjust the extents of the model domain, if warranted.

1.5 Technical Memo and Inundation Mapping

VHB will prepare a memorandum that summarizes the development of the HEC-HMS models and the results. The memorandum will also summarize the development of the HEC-RAS models including the structural and hydraulic breach assumptions and the summary of the breach analyses. The technical memorandum will include the supporting technical documentation as appendices. Following completion of a draft, VHB will meet with NHDES staff to review the findings.

VHB will process the results of the HEC-RAS dam breach model using GIS-based automation tools to develop inundation maps for each dam in accordance with Env-Wr 503.01. Individual maps will contain the data itemized in the NH Dam Safety Criteria including:

- Estimated Inundation area
- Residential, commercial, and industrial structures within the inundation area
- Roads within and in proximity to the inundation area
- Other critical areas
- Estimated time for the flood wave to reach critical areas
- Calculated peak flood wave velocities and depths

VHB will attend one meeting with NHDES staff to present the electronic and hard-copy work products. At this meeting, VHB will demonstrate the use of the models. Project staff will present the electronic files including the GIS, HEC-HMS, and HEC-RAS files. We will also describe the model results and associated implications. The project team will provide the materials to NHDES in electronic format. The team will consult with NHDES to determine the number of hard copies (if any) that should be delivered upon completion of work.

CLIENT-FURNISHED INFORMATION

It is understood that VHB will perform services under the sole direction of the Client. In the performance of these services, VHB, and those it is responsible for, shall exercise the degree of skill and care



customarily accepted as good professional practices and procedures by members of the same profession currently practicing under similar conditions in the same locality. The Client shall provide VHB with project-related technical data including, but not limited to, the following:

- All plans related to infrastructure in the vicinity of the dams, including utilities
- Study of the Exeter Reservoir conducted by the Town of Exeter
- Project-related technical data including any historical environmental reports, and all other relevant data pertaining to the environmental condition of the site

SCHEDULE

VHB is prepared to begin work on this project within one week of receipt of a notice to proceed. VHB understands that due to funding requirements, the project must be completed by December 31, 2016. An estimated schedule for each of the tasks is provided below.

- Task 1.1 – August 2016
- Task 1.2 – August 2016
- Task 1.3 – October 2016
- Task 1.4 – October 2016
- Task 1.5 – December 2016

COMPENSATION

VHB will perform the Scope of Services contained in this Agreement on a Time and Materials or Lump Sum basis by Task as outlined below.

Task	Description	Estimated VHB Labor Fees
1.0	DAM BREACH ANALYSES	
1.1	Data Collection and Review	\$6,500
1.2	Existing Conditions Site Survey	\$7,200
1.3	HEC-HMS Hydrologic Analyses	\$4,200
1.4	HEC-RAS Hydraulic and Dam Break Analyses	\$9,200
1.4	Technical Memorandum and Inundation Mapping	\$7,300
	TOTAL	\$34,400

In addition to the labor compensation, VHB shall be reimbursed for expenditures made specifically for the project such as: printing and reprographics; travel and subsistence; computer charges; telephone charges; shipping, postage, and courier service charges; purchase of maps or similar documents; etc. These direct



expenses will be billed at cost plus 10%. VHB recommends that the Client include with this budget an **allowance of \$600 for general expenses.**

SERVICES NOT INCLUDED

The Scope of Services for this Agreement is inclusive only of those tasks herein specified. Should any other work be required, VHB will prepare an appropriate proposal or amendment, at the Client's request, that contains the scope of services, fee, and schedule required to complete the additional work items.

VANASSE HANGEN BRUSTLIN, INC. AUTHORIZATION

By _____
Print _____
Title _____
Date _____

CLIENT AUTHORIZATION

The Town of Exeter agrees with Part I which includes the Scope of Services, Compensation, Schedule, and Part II, Terms and Conditions of Agreement (attached hereto and acknowledged as being received). Together they constitute the entire Agreement between Vanasse Hangen Brustlin, Inc. and the Town of Exeter.

By _____
Print _____
Title _____
Date _____



PART II STANDARD TERMS AND CONDITIONS. The engagement of VHB by Client is under the following terms and conditions. These terms and conditions are an integral part of the collective Agreement between Client and VHB.

SCOPE OF SERVICES. VHB shall perform the services set forth in the attached Scope of Services. Requests for additional services and any associated fee adjustment must be authorized in writing before additional services can begin.

PERFORMANCE STANDARDS. VHB's services require decisions that are not based upon science, but rather upon judgmental considerations. In the performance or furnishing of professional services hereunder, VHB, and those it is responsible for, shall exercise the degree of skill and care ordinarily exercised by similarly practicing professionals performing similar services under similar conditions in the same locality ("Standard of Care"). VHB shall be entitled to rely on the accuracy and completeness of data, reports, surveys, requirements, and other information provided by Client.

SCHEDULE. VHB shall perform its services as set forth in the Scope of Services as expeditiously as consistent with the Standard of Care and the orderly progress of the Work. VHB shall not be responsible for failure to perform or for delays in the services arising out of factors beyond the reasonable control or without the fault or negligence of VHB.

PAYMENT. The fee estimate for the proposed Scope of Services is valid for 60 days from the date of Proposal. All schedules set forth in the attached Scope of Services commence upon receipt of a signed Agreement and, if requested, a retainer. Retainers will be applied to the last invoice. A RETAINER OF \$[] IS REQUIRED BEFORE SERVICES WILL COMMENCE.

Invoices will be rendered monthly and are due upon receipt. Any invoice unpaid more than 30 days after date of invoice will bear interest at 1-1/2 percent per month.

If Client fails to pay any invoice within 45 days of the date of invoice, VHB may, without waiving any other claim or right against Client or incurring any liability for delay, suspend the services until VHB has been paid in full. Sealed plans, final documents, reports, and attendance at meetings/hearings will not be provided unless payment for services is current.

If VHB is performing services for Client under multiple projects, payments must be current on all projects for services hereunder to continue. Client acknowledges VHB's right to suspend services and withhold plans and documents, as provided above, if any payments are overdue. If services are suspended for 30 days or longer, upon resuming services VHB shall be entitled to expenses incurred in the interruption and resumption of its services. If

services are suspended for 90 days or longer, VHB shall be entitled to expenses incurred in the interruption and resumption of its services and fees for remaining services shall be equitably adjusted.

The parties agree to coordinate invoices to assure timely payment. At minimum, VHB's project manager and Client's representative will confer as often as necessary about any issues involving invoicing and collections. Client's representative will contact VHB's project manager forthwith upon receipt of an invoice about any questions or issues concerning invoiced amounts. If Client's representative and VHB's project manager are unable to resolve any questions or issues, Client's representative will line item any disputed or questionable amount and pay VHB. VHB, at its option, may revise and resubmit disputed amounts at a later date.

Should it become necessary to utilize legal or other resources to collect any or all monies rightfully due for services rendered under this Agreement, VHB shall be entitled to full reimbursement of all such costs, including reasonable attorneys' fees, as part of this Agreement.

OWNERSHIP OF WORK PRODUCT. All work products (whether in hard or electronic form) prepared by VHB pursuant to the Agreement are instruments of service with respect to the Project and are not authorized, intended or represented to be suitable for reuse by Client or others on extensions of the Project or on any other Project. Any reuse by Client or a third person or entity authorized by Client without written verification or adaptation by VHB for the specific application will be at Client's sole risk and without liability or legal exposure to VHB. Client shall release, defend, indemnify and hold harmless VHB from all claims, damages, losses and expenses, including attorneys' fees, arising out of or resulting therefrom. Any such verification or adaptation will entitle VHB to additional compensation at rates to be agreed upon by VHB and Client, third person, or entity seeking to reuse said documents.

Client recognizes that information recorded on or transmitted as electronic media, including CADD documents ("Electronic Documents") is subject to undetectable alteration, either intentional or unintentional, due to, among other causes, transmission, conversion, media degradation, software error, or human alteration. Accordingly, the Electronic Documents are provided to Client for informational purposes only and are not represented as suitable for any use or purpose.

VHB retains the copyright in all work products produced in connection with this Agreement, unless otherwise agreed to in writing by an authorized VHB representative. VHB licenses to Client on a non-exclusive basis the use of work products produced solely in connection with this Agreement. The license

may be revoked for any failure of Client to perform under this Agreement.

CERTIFICATIONS. VHB shall not be required to sign any documents, no matter by whom requested, that would result in VHB having to certify, guarantee or warrant the existence of conditions whose existence VHB cannot wholly ascertain. Any certification provided by VHB shall be so provided based on VHB's knowledge, information, and belief subject to the preceding sentence, and shall reflect no greater certainty than VHB's professional opinion developed through and consistent with the Standard of Care. VHB shall be compensated for any work necessary to assess project compliance with regulatory standards for purposes of such certification.

INSURANCE. VHB agrees to carry the following insurance during the term of this Agreement:

- Workmen's Compensation and Employer's Liability Insurance in compliance with statutory limits
- Comprehensive General Liability Insurance including Products Completed, Contractual, Property, and Personal Injury coverage with combined single limits of \$1,000,000 per occurrence and \$2,000,000 in the aggregate
- Professional Liability Insurance with a limit of \$1,000,000 per claim and in the aggregate
- Automobile Liability Insurance including non-owned and hired automobiles with a combined single limit of \$1,000,000 per occurrence

Certificates of insurance will be furnished upon request. If Client requires additional insurance coverage, and it is available, Client agrees to reimburse VHB for such additional expense.

INDEMNITY. Client and VHB shall at all times indemnify and save harmless each other, their officers, and employees on account of damages, losses, expenses, reasonable counsel fees, and compensation arising out of any claims for damages, personal injuries and/or property losses sustained by any person or entity, to the extent caused by the negligent acts, errors or omissions of the indemnifying party, its employees, or subcontractors in connection with the Project, and/or under this Agreement.

Client agrees to the fullest extent permitted by law, to indemnify and hold harmless VHB, its officers, employees and subconsultants from and against any and all claims, suits, demands, liabilities costs including reasonable attorneys' fees, and defense costs caused by, arising out of, or in any way connected with the detection, presence, handling, removal, abatement, or disposal of any asbestos or hazardous or toxic substances, products, or material that exist on, about, or adjacent to the job site.

LIMITATION ON VHB'S RESPONSIBILITY AND JOBSITE

SAFETY. VHB will not be responsible for the acts or omissions of

contractors or others at the Site, except for its own subcontractors and employees. Neither the professional activities of VHB nor the presence of VHB or its employees or subconsultants at a project site shall relieve the other parties on this project of their obligations, duties, and, including, but not limited to, construction means, methods, sequence, techniques, or procedures necessary for performing, superintending, and coordinating the Work in accordance with the contract documents and any health or safety precautions required by any regulatory agencies. VHB and its personnel have no authority to exercise any control over any construction contractor or its employees in connection with their work or any health or safety programs or procedures. Client agrees that Contractor shall be solely responsible for job site safety and warrants that this intent shall be carried out in Client's contract with Contractor.

ALLOCATION OF RISK. In recognition of the relative risks and benefits of the Project to both Client and VHB, the risks have been allocated such that Client agrees that to the fullest extent permitted by law, VHB's total liability in the aggregate to Client and any persons or entities claiming by, through or under Client, for any and all injuries, claims, losses, expenses, or damages whatsoever arising out of or in any way related to the Project and/or this Agreement from any cause or causes, including, but not limited to, VHB's negligence, errors, omissions, strict liability, statutory liability, indemnity obligation, breach of contract or breach of warranty shall not exceed the higher of \$50,000 (fifty thousand dollars), or ten (10) percent of the compensation actually paid to VHB. Client and VHB may agree to a higher limitation of liability for an increased fee.

DISPUTE RESOLUTION. All questions in dispute under this Agreement shall be submitted to non-binding mediation as a condition precedent to the institution of legal proceedings. On the written notice of either party to the other of the election to submit any dispute under this Agreement to mediation, each party shall designate their representative and shall meet within ten (10) days after the service of the notice. The parties shall then attempt to resolve the dispute within ten (10) days of meeting. Should the parties be unable to agree on a resolution of the dispute, then the parties shall proceed with mediation in accordance with the mediation rules of the American Arbitration Association. The cost of mediation shall be borne equally by both parties. This Agreement shall be governed and construed in accordance with the laws of the Commonwealth of Massachusetts.

LEGAL SUPPORT. To the extent VHB is required to respond to any dispute resolution process, including, but not limited to, requests for document production, discovery or a request to appear in any deposition or legal proceeding, which is related to the Scope of Services but does not arise out of VHB's negligent



acts, errors or omissions, Client shall compensate VHB for all costs incurred by VHB, including reasonable attorneys' fees.

DESCRIPTIVE HEADINGS AND COUNTERPARTS. The headings contained in this Agreement are for convenience of reference only and shall not constitute a part hereof, or define, limit or in any way affect the meaning of any of the terms or provisions hereof. This Agreement may be executed in two or more counterparts, and any party hereto may execute any such counterpart, which, when executed and delivered, shall be deemed to be an original and all of such counterparts taken together shall be deemed to be one and the same instrument.

EXCLUSIVE REMEDIES. In the event that any dispute is not remedied through the alternative dispute resolution procedures set forth herein, all claims, actions, and rights of action arising from or relating in any way to this Agreement or the services performed thereunder, whether in contract, tort, indemnity and all other rights of action whatsoever, shall be filed in a court of competent jurisdiction within three years of the completion of such services, or all such claims, actions and rights of action shall be waived. Recovery under this Agreement shall be limited by the parties' agreement on Allocation of Risk and the remainder of this section.

Notwithstanding any other provision of this Agreement, neither party shall be liable to the other for any liquidated, incidental, special, indirect or other consequential damages incurred, regardless of the nature of the cause or whether caused by Client or VHB, or their employees, subconsultants, or subcontractors. Consequential damages include, without limitation, loss of use, loss of profits, loss of production, or business interruption; however, the same may be caused.

VHB and Client waive all claims against each other arising out of or related to this Agreement or the services to the extent that losses, damages, and liabilities associated with such claims have been compensated by the proceeds of property insurance or any other insurance policy.

VHB makes no warranties or guarantees, express or implied, under this Agreement or any other contract document with respect to its provision of professional services. In entering into this Agreement, Client has relied only upon the representations set forth in this Agreement. No verbal warranties, representations, or statements shall be considered a part of this Agreement or a basis upon which Client relied in entering into this Agreement.

NO THIRD PARTY BENEFICIARIES. Nothing contained in this Agreement shall create a contractual relationship with, or a cause of action in favor of, a third party against either Client or VHB. In addition, nothing herein shall be construed as creating a contractual relationship between Client and any VHB employee,

representative, or consultant. Client agrees that in the event of a dispute regarding this Agreement or the services rendered by VHB hereunder, Client shall only seek recourse against VHB and waives any right to pursue a claim against VHB's individual directors, officers or employees.

VHB's commitments as set forth in this Agreement are based on the expectation that all of the services described in this Agreement will be provided. In the event Client later elects to reduce VHB's Scope of Services, Client hereby agrees to release, hold harmless, defend, and indemnify VHB from any and all claims, damages, losses or costs associated with or arising out of such reduction in services.

SEVERABILITY. The invalidity or unenforceability of any provisions of this Agreement shall not affect the validity or enforceability of any other provision of this Agreement, which shall remain in full force and effect.

TAXES. Any taxes or fees, enacted by local, state, or federal government and based on gross receipts or revenues, will be invoiced to and payable by Client as an additional amount due under this Agreement.

PROJECT SPECIFIC PROVISIONS. To the extent the Scope of Services involves any of the following services/geographies, the following general provisions apply accordingly:

AMERICANS WITH DISABILITIES ACT (ADA). Client understands and agrees that ADA standards are evolving and subject to varying, potentially contradictory interpretations and applications. VHB will use its reasonable professional efforts and judgment to interpret applicable ADA requirements and other federal, state and local laws, rules, codes, ordinances, and regulations as they apply to the project. VHB cannot and does not warrant or guarantee that Client's Project will comply with all ADA requirements or ADA interpretations or other applicable regulatory interpretations.

CLIMATE CHANGE/FLOOD ANALYSIS. Consultant shall not be responsible or liable for any damages, losses, litigation, expenses, counsel fees and compensation arising out of any claims, damages, personal injuries and/or property losses related to flooding conditions whether directly or indirectly due to flood water damage, and Client shall at all times indemnify and hold harmless VHB, its respective officers, agents and employees on account of any related claims, damages, losses, expenses and counsel fees related thereto.

CONSTRUCTION PHASE SERVICES

SITE VISITS. VHB shall make periodic site visits upon the request of Client or as otherwise agreed in writing by Client and VHB for



the limited purpose of determining whether work is in general conformance with VHB's plans and specifications. Such visits are not intended to be an exhaustive check or a detailed inspection of Contractor's work. VHB shall not supervise or have control over Contractor's work nor have any responsibility for construction ways, means, methods, techniques, sequences, or procedures selected by Contractor nor for Contractor's safety precautions or programs in connection with the Work.

SHOP DRAWINGS. VHB's review and approval of submittals such as shop drawings, product data, samples, and other data, shall be for the limited purpose of checking for conformance with the design concept and the information in VHB's documents. This review shall not include review of the accuracy or completeness of details, such as quantities, dimensions, weights or gauges, fabrication processes, construction means or methods, coordination of the work with other trades, or construction safety precautions, all of which are the sole responsibility of Contractor and other unrelated parties. Review of a specific item shall not indicate that VHB has reviewed the entire assembly of which the item is a component. VHB shall not be responsible for any deviations from VHB's documents or other documents that are not brought to the attention of VHB in writing by Contractor. VHB shall not be required to review partial submissions or those for which submission of correlated items have not been received.

GEOTECHNICAL SERVICES. Client understands that VHB does not perform geotechnical services directly and, if requested, will retain a geotechnical subconsultant on behalf of Client, and VHB shall rely on the accuracy and completeness of data furnished as if the geotechnical services were contracted directly through Client.

TANK INSPECTION. Client will provide VHB with available underground storage tank (UST) documentation as necessary. VHB assumes that the documentation and site plans will be in order, be complete and meet regulatory compliance standards. VHB's inspection services are to fulfill regulatory requirements and do not include invasive testing or equipment calibration and testing. Accordingly, Client expressly agrees that VHB shall have no liability for equipment functioning or malfunctioning, product releases or spills.

LSP SERVICES – PROJECTS LOCATED IN MASSACHUSETTS. In accordance with the Massachusetts General Laws Chapter 21E, the performance of the services contained in this Agreement may require the engagement of a Licensed Site Professional (LSP) registered with the Commonwealth of Massachusetts under Massachusetts General Law Chapter 21A and the regulations promulgated by the Massachusetts Department of Environmental Protection (MADEP) thereunder (collectively the LSP Program). These laws and regulations place upon the LSP certain professional obligations owed to the public, including in some

instances a duty to disclose the existence of certain environmental contaminants to the MADEP. In the event that any site for which VHB has provided LSP services is audited by MADEP pursuant to the provisions of the Massachusetts Contingency Plan, VHB shall be entitled to additional compensation to provide such services as may be necessary to assist Client in its response to MADEP.

Client understands and acknowledges that in the event the LSP's obligations under the LSP Program conflict in any way with the terms and conditions of this Agreement or the wishes or intentions of Client, the LSP is bound by law to comply with the requirements of the LSP Program. Accordingly, Client recognizes that the LSP shall be immune for all civil liability resulting from any alleged and/or actual conflict with the LSP Program. Client also agrees to hold VHB and its LSP harmless for any claims, losses, damages, fines, or administrative, civil, or criminal penalties resulting from the LSP's fulfillment of its obligations under the LSP Program.

**PROJECTS LOCATED IN FLORIDA.
FLORIDA STATUTES SECTION
558.0035 (2013), AN INDIVIDUAL
EMPLOYEE OR AGENT MAY NOT BE
HELD INDIVIDUALLY LIABLE FOR
ECONOMIC DAMAGES RESULTING
FROM NEGLIGENCE OCCURRING
WITHIN THE COURSE AND SCOPE
OF THIS AGREEMENT.**

Working together is success.

— Henry Ford



Town of Exeter
New Hampshire

May 19, 2016

Primex³
NH Public Risk Management Exchange

Center for
Public Sector
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Promoting Excellence in the Public Sector

Purpose and Intended Result of the Session

The purpose of the session was for the Board and Town Manager to come together to lay the horizon for the Town and establish goals and strategies that will help guide the Town over the next twelve (12) months.

Participants

Julie Gilman, Vice-Chairman

Donald Clement, Board of Selectmen

Anne Surman, Board of Selectmen

Nancy Belanger, Clerk

Dan Chartrand, Chairman

Russ Dean, Town Manager

The exercise was facilitated by:

Rick Alpers, Risk Management Consultant, Primex³

Shelley Walts, Member Service Consultant, Primex³

2015 Goals Review Discussion

The session began with the Board of Selectmen and Town Manager reviewing the successful goals for 2015 and to identify any goals to continue working on along with the goals identified for 2016.

Grow and Improve Relationship with major Industries in Town – Goal Partially Achieved

- Exeter School Board - not as much engagement as hoped. Full day Kindergarten was passed by the Town.
- Philips Exeter Academy - good collaboration with Academy with ongoing improved communications.
- Exeter Hospital - good working relationship.
- River Woods - Very good relationship. Active with group on events and committees along with a great volunteer base.

*Will continue to work with these organizations to develop relationships and for assistance on committees such as the Steering Committee for the Master Plan.

Regional Waste Water Treatment Solution – Goal Achieved

Town voted to move forward on its own to build a new waste water treatment plant.

Water Purchase with Stratham – Goal Achieved

While Exeter voters agreed the Town of Stratham returned a “no” vote, Exeter moved forward on its own. Continued talks still on going with Stratham on water and sewer joint ventures.

Planning Department Complete Operations Review – Goal Achieved

- MRI completed Report
- New Planner was hired
- Continue to review operations and process issues
- Working with housing Committee to provide data

General Topics for Discussion for 2016

Top 2-3 Priorities for 2016

Each Board member and the Town Manager identified their individual 2-3 priorities for the Town of Exeter to focus on in 2016.

Don Clement

1. Structure and Process of Economic Development
2. Economic Development Strategic Plan to be reviewed by Board of Selectmen and then supported
3. Vision and Mission for town
4. Master Plan Update
5. Improved Communication both internal and external

Dan Chartrand

1. Wetland Zoning concerns on Epping Road to unlock TIF – expand commercial and mixed use base
2. Take advantage of low interest rates to accelerate Capital Improvements
3. Master Plan Update- Consider adding sections on Housing Committee, Economic Development Strategic Plan

Julie Gilman

1. Work with State on legislation that directly affects Exeter
2. Work with Exeter hospital on the ever changing demographics of Exeter
3. Zoning to be fine tuned
4. New Town Manager Contract

Anne Surman

1. Master Plan in relation to Phillips Exeter Academy - working together
2. Modeling of neighborhoods - Zoning
3. Develop a marketing plan for the town that includes a section on community development while working alongside the Chamber of Commerce to produce the plan.

Nancy Belanger

1. Work to identify areas of town that could benefit from an improved traffic flow
2. MRI Report - Roles within Town: Board of Selectmen, Committees, Commissions
Develop Training / handbook to foster volunteerism
3. Continue to review and support Recreation Department Plan and Improvements
4. Board of Selectmen to-do list calendar - dates of upcoming events, meetings, evaluations, contracts, etc.
5. Water/Sewer Rate Study

Russ Dean

1. Continue to Improve Economic Development Plan
2. Participate in Economic Development Strategic Plan as part of Master Plan
3. Maintain Community Relations and Improve on outreach
4. Facilities Plan - Audit completed

Top 2016 Goals

The Board of Selectmen and the Town Manager identified the top goals for the Town of Exeter and to develop a work plan. The goals were formulated from the individual goals listed above. The goals and deadline for an update or completion are listed below.

GOAL #1: *Master Plan Update*

- Board of Selectmen to be active in driving update with Steering Committee

- Review and encourage demographic diversity throughout each chapter of the Master Plan
- Individual Board Members begin to define priorities for upcoming master Plan update - **March 2017**
- Update Master Plan to add Economic Development Chapter - assigned to **Julie Gilman**

GOAL #2: *Continue to Improve Economic Development Program*

- Participate and complete Economic Development Strategic Plan
- Intensive Zoning Review
- End of year MRI report update on Community Development Planning approval process - **December 2016**
- Continue to encourage Commercial Development: Epping Rd., Portsmouth Ave., Lincoln St.

GOAL #3: *Community Relations and Outreach*

- Improve Communications Internally and Externally
 - ✓ **Internal:** Board of Selectmen, other Boards, committees, Staff
 - ✓ Streaming of meetings
 - ✓ Improve Selectmen communications through Department Head reports
 - ✓ Hold Board “meet and greets”
 - ✓ **External:** Businesses, organizations, citizens, volunteers
 - ✓ Utilize social media more often
 - ✓ Contact AHA for website review and possible updates for navigation capabilities and mobile-friendly

Continue working with Exeter School Board, Exeter Hospital, River Woods and Philips Exeter Academy

GOAL #4: *Capital Improvement Strategy*

- | | |
|--|------------------------------------|
| ▪ Take Advantage of low interest rates | ▪ Court Street |
| ▪ Potential Projects | ▪ Westex |
| ▪ Facilities | ▪ Water Facility on Portsmouth Ave |
| ▪ Water/Sewer Extensions | ▪ Sidewalks/Cross Walks |
| ▪ Recreation Proposal | ▪ Roads |

To be discussed and vetted for budget season **September 2016**

Center for
Public Sector
A d v a n c e m e n t



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LEGISLATIVE BULLETIN

Something for Everyone

Final Bulletin, 2016 Session
July 29, 2016

As a non-budget year without many contentious, high-profile issues, the 2016 legislative session may not be one of the most memorable. Still, 330 bills were signed into law—almost exactly equal to the annual average for the last ten years. About a quarter of those bills will directly affect municipalities, and they contain a little bit of everything. Consequently, almost all municipal officials will have new laws to deal with, for better or worse.

Two of the bills that got the most attention this year—extending the expanded Medicaid program for two years and establishing an opioid crisis grant program—will affect local budgets and the services municipalities provide. Other, less publicized, legislation will affect almost every aspect of local government.

A few examples: A new law, effective next June, requires all municipalities to allow the development of accessory dwelling units. Another, already effective, requires that agritourism uses be permitted as accessory to agricultural uses. Municipalities will now have the option to extend the veterans' property tax credit to veterans who never served in a war or qualifying conflict. The valuation of telephone poles for property tax purposes is subject to a new formula. Municipal records that are required to be kept for more than ten years may now be stored electronically. There are numerous changes to the Right-to-Know Law, and a slew of election law changes, albeit mostly minor ones. Funding for the police academy has been completely restructured. And in some good financial news in a non-budget year, the legislature managed to find a little extra money for bridge aid and local wastewater projects.

Among the bills enacted were three NHMA policy bills, all mentioned above—**chapter 226**, regarding long-term storage of records; **chapter 280**, allowing public bodies to discuss legal advice in non-public session; and **chapter 319**, providing funding for certain wastewater projects—as well as many others that NHMA supported. Although there are a few new laws that some municipalities are concerned about—accessory dwelling units, valuation of telephone poles—we were able in all cases to negotiate changes to make them more palatable.

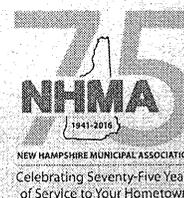
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NHMA Members who would like to be added to the email distribution for weekly *Bulletins* during the 2017 Legislative session — please send us an email to the address above with your contact information.

(Something for Everyone — Continued from Page 1)

This *Final Legislative Bulletin* summarizes all of these new laws and many more. Because these are summaries, please understand that in most cases they do not cover every detail of the new law. Each summary is linked to the full text of the law, so be sure to read the full law carefully and/or contact us, or your municipality's legal counsel, to make sure you understand it.

As always, we thank the many local officials who called or wrote to their legislators, testified at hearings, and offered their expertise to NHMA staff in support of our efforts this year. We also thank those legislators who consistently put the interests of their cities and towns, and their taxpayers, ahead of well funded special interest groups. Finally, we thank the rest of the very small NHMA staff for everything they do to support our legislative activities.

We wish everyone a pleasant summer and fall. Please do not hesitate to contact us if you have questions or suggestions.



Judy A. Silva
Executive Director



Cordell A. Johnston
Government Affairs Counsel

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I. CLERKS; ELECTIONS; TOWN MEETING; OFFICIAL BALLOT; CHARTERS

Selectmen Pro Tem for Election Duties. Chapter 3 (HB 331) allows a selectman to appoint a selectman pro tem to perform the selectman's duties at any state election if he or she is absent or unable to perform those duties. If a selectman is absent and has failed to appoint a selectman pro tem, the moderator is authorized to do so. **Effective date [hereinafter "E.D.,"] March 26, 2016.**

Extended Period to Petition for Checklist Verification. Chapter 5 (HB 502) extends, from the fifth Friday after an election to the eighth Friday after the election, the period during which 50 voters or 5 percent of the registered voters in a town or ward may petition for an investigation of whether there should be a revision and verification of the checklist. **E.D. April 23, 2016.**

No Axle Limit for Antique Trailers. Chapter 16 (HB 1438) eliminates the requirement that a trailer have only one axle to qualify for antique trailer plates. **E.D. June 14, 2016.**

Disqualification of Election Officials. Chapter 62 (HB 1220) repeals the provisions of existing law (RSA 658:24) that state that an election official who is disqualified from performing election duties because his or her name is on the ballot shall be considered to be absent from the office, rather than to have vacated it, and that require the appointment of a temporary replacement for the official. **E.D. July 4, 2016.**

Changing Voter's Address on Election Day. Chapter 82 (HB 1223) makes a minor technical change to the law governing a ballot clerk's correction of a voter's address on the checklist on election day. **E.D. July 18, 2016.**

Disabled Voter May Vote by Absentee Ballot. Chapter 88 (HB 1378) allows a voter to vote by absentee ballot, delivered to the voter outside the guardrail, if the voter appears at the polling place in person on election day and is unable to gain access to the polling place due to physical disability. All procedures for voting by absentee ballot will apply, except that the voter will be treated on the marked checklist as having voted in person. **E.D. July 18, 2016.**

Registration Permit Fees for Agricultural/Industrial Utility Vehicles. Chapter 93 (HB 1655) establishes the municipal registration permit fee for an agricultural/industrial utility vehicle (as defined in RSA 259:2-a) at \$5. **E.D. January 1, 2017.**

Agricultural Plates for Commercial Fishing Vehicles. Chapter 97 (SB 356) allows a truck, truck-tractor, tractor, or cargo van to qualify for agricultural registration rates and number plates if it is used exclusively in support of commercial fishing operations, is driven only within a 10-mile radius of the docking area for the fishing boats it is supporting, and is used only for the transportation of commercial fishing products or in support of the fishing boats and transportation of the crew. **E.D. January 1, 2017.**

Notice of Village District Elections. Chapter 116 (HB 1467) requires village district commissioners to give the supervisors of the checklist 60 days' notice of any village district election. **E.D. July 19, 2016.**

Farm Tractor Plates for Specialized Vehicles. Chapter 129 (HB 466) authorizes the issuance of farm tractor plates for certain specialized vehicles such as a backhoe, bulldozer, excavator, grader, or loader, provided such vehicles are used exclusively for agricultural and farming purposes. **E.D. July 26, 2016.**

Absentee Ballot for Employment Obligation. Chapter 130 (HB 659) modifies what qualifies as an “employment obligation” allowing a voter to vote by absentee ballot. It deletes the condition that the person be required to remain physically at work or in transit to or from work during the entire period the polls are open. The new law allows absentee voting if the voter is simply “unable to appear” at the polling place “because of an employment obligation.” It also defines “employment” to include the care of children and infirm adults, with or without compensation. **E.D. May 27, 2016.**

Supervisors May Designate Day to Correct Checklist for State Elections. Chapter 174 (HB 1468) allows the supervisors of the checklist to designate a day and time, six to thirteen days before a *state* election, for the session to correct the checklist under RSA 654:27 and :28, rather than requiring that the session be held at 11:00 a.m. on the Saturday ten days before the election. It also provides that whenever more than one session would be required within a 21-day period, the first required meeting may serve to fulfill the requirements of the remaining meetings. The new law does not change the requirement under RSA 669:5 that the supervisors hold a session on a Saturday six to 13 days before a *town* meeting or election. **E.D. August 2, 2016.**

Active National Guard Members May Vote by Absentee Ballot. Chapter 183 (SB 418) includes an active member of the National Guard within the definition of “absent uniformed services voter,” thus allowing the member to vote by absentee ballot in the municipality where he or she was domiciled immediately prior to service. **E.D. August 2, 2016.**

Seventeen-Year-Olds’ Right to Register. Chapter 185 (SB 423) clarifies that a person may register to vote if he or she will be at least 18 years old “on the day of the *next* election.” “Election” includes any city or town election, state primary or general election, or presidential primary. **E.D. August 2, 2016.**

Change to Voter Registration Form; Voter Identity Verification. Chapter 190 (SB 509) makes certain additions and deletions to the voter registration form. It also provides that the Secretary of State will prepare a list of voters who have voted by signing a challenged voter affidavit rather than by presenting a photo identification, and who have not subsequently responded to letters of identity verification, and will “revise the list based on input solicited from the supervisors of the checklist” before forwarding the list to the Attorney General for investigation. **E.D. August 2, 2016.**

Changes to Charter Amendment Procedure. Chapter 224 (HB 1293) makes several changes to the procedure for amending a municipal charter. Among other things, it clarifies the processes for amendments submitted by the municipal officers and those submitted by citizen petition; reduces the number of signatures required on a citizen petition to place an amendment on the ballot; prohibits substantive changes to a petitioned amendment after the required public hearing; and eliminates the requirement that a proposed amendment be accompanied by a legal opinion as to its compliance with state law. **E.D. August 8, 2016.**

Notice of Sessions for Checklist Correction/Verification. Chapter 259 (HB 1144) makes three changes regarding notice for sessions of the supervisors of the checklist. First, for sessions to correct the checklist prior to a state election, notice must be posted in two appropriate places *or* published in a newspaper of general circulation. (Prior law required posting at the clerk’s office or town/city hall *and* newspaper publication.) Second, in the event the ballot law

commission orders a revision and verification of the checklist in response to a voter petition, notice of the sessions to revise the checklist must be posted in two appropriate places *and* published at least twice in a newspaper of general circulation. (Prior law required newspaper publication only.) Third, for the required decennial checklist verification sessions (the next one to occur in 2021), notice must be posted in two appropriate places and published at least twice in a newspaper of general circulation. (Prior law required posting at the clerk's office or town hall and newspaper publication.) In each case, one of the "two appropriate places" shall be the municipality's website if there is one. **E.D. June 15, 2016.**

State to Notify Clerk of Death of Voter. **Chapter 270** (SB 458) requires the state registrar to notify the city or town clerk of the death of any voter in the municipality, and requires the clerk to notify the supervisors of the checklist, who will remove the voter's name from the checklist in accordance with existing procedures. **E.D. July 1, 2017.**

Receipt of Absentee Ballots; Processing Absentee Registrations. **Chapter 317** (HB 1377) provides that completed absentee ballots must be delivered to the town, city, or ward clerk no later than 5:00 p.m. on the day of the election. It also clarifies the process when a prospective voter returns the documents required for an absentee registration under RSA 657:16. **E.D. August 23, 2016.**

Prohibition on Clothing Intended to Influence Voters. **Chapter 320** (HB 1503) prohibits the wearing at a polling place of any pin, sticker, or article of clothing that is intended to influence the action of any voter within the building where the election is being held. **E.D. June 24, 2016.**

II. INTERGOVERNMENTAL RELATIONS; RETIREMENT; STATE BUDGET

State GIS Committee. **Chapter 73** (HB 377) establishes a state geographic information system (GIS) committee to "review the use, development, and coordination of geospatial data and resources by state agencies and municipal governments and . . . consider the need for central coordination, storage, and distribution of such data and resources, and suggest an appropriate response." The committee is also directed to "consider GIS activities at public and semi-public agencies and identify avenues where legislation may further efficiencies through enhanced cooperation." The committee includes a municipal GIS manager appointed by NHMA. **E.D. May 19, 2016.**

Municipality May Make Contributions to County or State. **Chapter 79** (HB 1164) authorizes a city, by approval of the city council, or a town by vote of the legislative body, to voluntarily contribute funds, services, property, or other resources toward any county or state project, program or plan. Contributions are subject to annual renewal in a city, and subject to the requirements of RSA 32 in a town. **E.D. July 18, 2016.**

New Hampshire Retirement System Penalty. **Chapter 110** (HB 1352) clarifies that elected officials in either group I or group II within the New Hampshire Retirement System (NHRS) are exempt from the monthly reporting requirements regarding NHRS retirees serving in part-time positions. The new law also requires the NHRS to notify the employer prior to assessing a penalty for non-compliance with data reporting requirements regarding retirees serving in part-time positions. **E.D. July 19, 2016.**

Procurement Card Rebates. Chapter 127 (SB 524) repeals the provision enacted under Chapter 253, Laws of 2015, that authorized a portion of state credit card rebates to be used to reduce the New Hampshire Retirement System unfunded liability. E.D. May 20, 2016.

Road Toll Exemption. Chapter 189 (SB 494) limits the federal government's exemption from the state road toll (gas tax) to sales for the use of the armed forces only, rather than all U.S. government agencies, instrumentalities, diplomatic or consular personnel. E.D. January 1, 2017.

New Hampshire Retirement System Optional Allowance Election. Chapter 292 (SB 129) allows a retired member of the New Hampshire Retirement System to change an optional allowance election to a non-spouse beneficiary or terminate an elected option in accordance with the terms of a final divorce decree or settlement agreement. E.D. August 20, 2016.

III. MUNICIPAL ADMINISTRATION AND FINANCE MANAGEMENT; LEGAL MATTERS; ECONOMIC DEVELOPMENT; MANDATES; RIGHT TO KNOW LAW; LABOR

Mixed-Use Development Qualifies as Business and Industrial Facility. Chapter 25 (HB 1315) adds properties that are suitable for mixed-use development to the definition of "business and industrial facility" under RSA 162-G, governing the municipal acquisition and development of such facilities. E.D. June 24, 2016.

Content of Non-Public Minutes. Chapter 29 (HB 1418) clarifies that minutes of a non-public session of a public body under the Right-to-Know Law must include the same information that would be included in minutes of a public session. E.D. January 1, 2017.

Individual Votes in Non-Public Session Must Be Ascertainable. Chapter 30 (HB 1419) requires the minutes of a non-public session of a public body under the Right-to-Know Law to record all actions taken "in such a manner that the vote of each member is ascertained and recorded." E.D. January 1, 2017.

Sharing of Functions by Municipalities and School Districts. Chapter 46 (SB 328) clarifies that one or more municipalities and one or more school districts or school administrative units may enter into an inter-municipal agreement under RSA 53-A to share financial, human resources, information technology, and other managerial and administrative functions. E.D. July 2, 2016.

Public Employee May Not Use Government Equipment for Electioneering. Chapter 176 (HB 1624) prohibits any public employee from using government "property or equipment" for electioneering. "Electioneering" is defined as acting in any way specifically designed to influence the vote of a voter on any question or office. Previous law applied the prohibition to use of government "property," but did not specifically mention "equipment." E.D. January 1, 2017.

Sampling Beer and Wine at Farmers' Markets. Chapter 179 (SB 306) allows wine manufacturers, beverage manufacturers, nano breweries, and brew pubs to provide samples for tasting at a farmers' market if they have received written authorization from the municipality's governing body. E.D. August 2, 2016.

No Retaliation Against Employee Requesting Flexible Schedule. Chapter 182 (SB 416) prohibits any employer from retaliating against an employee solely because the employee requests a flexible work schedule. The law does not require the employer to accommodate the request; it merely prohibits retaliation for the making of the request. **E.D. September 1, 2016.**

Long-Term Storage of Electronic Records. Chapter 226 (HB 1395) allows a municipality to retain records with a retention requirement of over 10 years in portable document format/archive (PDF/A), as an alternative to storing them on paper or microfilm, provided they are stored on a medium from which they are readily retrievable. **E.D. August 8, 2016. NHMA POLICY.**

Legal Advice May Be Discussed in Non-Public Session. Chapter 280 (HB 285) allows a public body to enter non-public session to consider advice received from legal counsel, either orally in writing, even if legal counsel is not present. **E.D. June 21, 2016. NHMA POLICY.**

No Charge Allowed for Records Not Copied. Chapter 283 (HB 606) clarifies that a public body or agency may not charge a fee under the Right-to-Know Law for the inspection or delivery, without copying, of governmental records, whether in paper, electronic, or other form. **E.D. June 21, 2016.**

Regulation of Transportation Network Companies. Chapter 290 (HB 1697) establishes a state-level process for regulating “transportation network companies” (TNCs), defined as an entity that “uses a digital network to connect transportation network company riders to transportation network company drivers who provide prearranged rides.” A TNC must obtain a permit from the Department of Safety, and TNC drivers are subject to certain requirements, including insurance coverage and criminal background checks. The new law completely preempts municipal regulation of TNCs and their drivers. **E.D. June 21, 2016.**

IV. PLANNING AND ZONING

Municipalities Must Permit Accessory Dwelling Units. Chapter 6 (SB 146) requires any municipality that has a zoning ordinance to allow accessory dwelling units (ADUs), either as a matter of right or by special exception or conditional use permit, in any zoning district where single-family dwellings are allowed. The new law allows municipalities to impose certain conditions on ADUs, but states that if the zoning ordinance does not address ADUs, one ADU will be permitted for any single-family dwelling as a matter of right and without any permits or conditions, other than a building permit if one is required. The law also prohibits municipalities from imposing certain other conditions, such as requiring a familial relationship between the owner of the principal dwelling and the occupants of the ADU, limiting size to under 750 square feet, or limiting ADUs to one bedroom or less. **E.D. June 1, 2017.**

More Time for Planning Board to Process Applications. Chapter 81 (HB 1202) requires that an application submitted to a planning board be filed at least 21 days before the meeting at which the application will be accepted. Prior law required that the application be filed at least 15 days before the meeting. **E.D. July 18, 2016.**

Re-Establishment of Abandoned Agricultural Uses. Chapter 86 (HB 1292) provides that any re-establishment after abandonment of an agricultural operation involving the keeping of livestock, poultry, or other animals, or of a farm stand, retail operation, or other use involving on-site transactions with the public, may be made subject to application local land use board approvals. Previous law used the word “disuse” rather than “abandonment.” E.D. July 18, 2016.

Notice of Traffic and Directional Signs on Scenic Byways. Chapter 120 (SB 362) requires the Department of Transportation to file with a town’s planning board a plan for any new traffic or directional sign to be placed on a scenic or cultural byway within the town. The planning board may hold a public hearing and suggest changes to the plan, but the department has no obligation to comply with the suggestions. E.D. July 19, 2016.

Agritourism Must Be Permitted Where Agriculture Is Permitted. Chapter 267 (SB 345) provides that municipal planning and zoning regulations may not unreasonably limit “agritourism” and may not prohibit agritourism on any property where the primary use is for agriculture. Agritourism is defined as “attracting visitors to a farm to attend events and activities that are accessory uses to the primary farm operation, including, but not limited to, eating a meal, making overnight stays, enjoyment of the farm environment, education about farm operations, or active participation in the activity of the farm.” The establishment or expansion of agritourism activities may be made subject to applicable special exception, building permit, or other local land use board approvals. E.D. June 16, 2016.

Committee to Study Effect of Short-Term Rentals. Chapter 271 (SB 482) establishes a committee to study the effect of short-term rentals on municipalities. The committee is specifically directed to solicit information from appropriate municipal officials regarding effects on their municipalities, solicit input from real estate professionals with regard to possible regulation, review steps taken in other states, and seek advice from “other appropriate entities,” including NHMA. The committee is to report its findings and any recommendations for proposed legislation by November 1, 2016. E.D. June 16, 2016.

Voluntary and Involuntary Lot Mergers. Chapter 327 (SB 411) provides that a voluntary merger of lots under RSA 674:39-a may not be approved without the written consent of each holder of a mortgage on any of the lots, or if it would create a violation of ordinances or regulations. It also extends to December 31, 2021, the deadline for requesting a restoration of involuntarily merged lots under RSA 674:39-aa. Previously the deadline was December 31, 2016. E.D. August 23, 2016.

V. ENVIRONMENTAL REGULATION AND PROTECTION; SOLID/ HAZARDOUS WASTE

Emission Levels for Municipal Waste Combustion Units. Chapter 100 (SB 377) lowers the levels of permissible emissions for several air contaminants from municipal waste combustors with a design capacity of at least 35 tons per day but no more than 250 tons per day of municipal solid waste. E.D. July 18, 2016.

Exemption from C&D Combustion Ban. Chapter 319 (HB 1428), section 18, expands the exemption for municipal waste combustors from the ban on burning the wood component of construction and demolition debris. Previous law allowed only the “incidental” combustion of such materials by a municipal waste combustor. The new law allows the combustion of up to 10,000 tons per year of wood residue at a municipal waste combustor (defined in RSA 125-M:2, XI) from November 15 through April 15, subject to compliance with EPA and state DES regulations. The law continues to allow incidental combustion by a municipal *incinerator* (defined in RSA 149-M:42, IV) and incidental combustion at a municipal transfer station under the supervision of a solid waste facility operator. **E.D. August 23, 2016. See also sections VI, VII.**

VI. PUBLIC SAFETY; POLICE; FIRE; BUILDING/HEALTH INSPECTION

Use of License Plate Scanning Devices Authorized and Regulated. Chapter 78 (HB 1154) authorizes law enforcement officers to use license plate scanning devices for certain limited purposes, such as identifying stolen vehicles and vehicles associated with missing persons or suspected criminal activity. The devices must be registered with the Department of Safety and are subject to other regulations. **E.D. July 18, 2016.**

Law Enforcement Agencies Must File Reports with State. Chapter 103 (SB 475) requires law enforcement agencies to submit crime reports to the Department of Safety, Division of State Police, based on the specifications prescribed by the FBI’s Uniform Crime Reporting Program. Each report is to be a compilation of the number of offenses and arrests on crimes occurring within the jurisdiction, submitted as specified by the FBI’s National Incident Based Reporting System (NIBRS). A law enforcement agency that does not have a records management system with NIBRS reporting capability is to be provided the means to report by the Division of State Police. **E.D. July 18, 2016.**

Regulation of EMS Providers. Chapter 149 (HB 1594) makes various changes in the laws regarding emergency medical services, including requiring criminal history record checks for provider licensure and relicensure and establishing a penalty for false reports concerning investigations. **E.D. January 1, 2017.**

Reorganization of Traffic Safety Commission. Chapter 164 (HB 1161) reorganizes the existing state traffic safety commission. The commission, which acts in an advisory capacity to the Commissioner of Safety, will include a representative from NHMA. **E.D. August 2, 2016.**

Notice of Recording During Traffic Stop Required Only if Practicable. Chapter 169 (HB 1353) requires a police officer making a routine traffic stop to notify a person that his or her communications are being recorded only if it is reasonable and practicable to give such notice under the circumstances. **E.D. June 3, 2016.**

Statewide Drug Offender Grant Program. Chapter 264 (SB 464) establishes a statewide drug offender grant program, which will provide matching funds to support drug courts or alternative drug offender programs in state superior court districts. It appropriates approximately \$2 million for the 2017 fiscal year to fund the program. Beginning in fiscal year 2018, the program will continue only as long as it is funded through appropriations in the state operating budget. **E.D. June 15, 2016.**

Opioid Crisis Grant Program. Chapter 277 (HB 1000) establishes a substance abuse enforcement program to make grants to county and local law enforcement agencies and to provide funding for the state police. The grants will be subject to conditions established by the Commissioner of Safety, which will be “based on the principles of intelligence-driven, problem-oriented policing, using statistics and information to place additional police patrol and investigative presence at the locations, times, and places where there ha[s] been a significant convergence of motor vehicle crashes, crimes, and drug use, or in corridors known to be used by drug dealers for shipments of illegal drugs into the state.” Funds under the program may not be used to supplant locally budgeted and approved funds for routine law enforcement. The sum of \$1.5 million is appropriated to fund the program for the 2017 fiscal year. **E.D. June 17, 2016.**

State Fire Code Updated. Chapter 282 (HB 427) amends the definition of the state fire code to adopt by reference the 2015 edition of the Life Safety Code. The previous definition was based on the 2009 edition. The law also establishes a committee to study the 2015 edition of the Uniform Fire Code NFPA1. **E.D. June 30, 2016.**

Regulation of Transportation Network Companies. Chapter 290 (HB 1697) establishes a state-level process for regulating “transportation network companies” (TNCs), defined as an entity that “uses a digital network to connect transportation network company riders to transportation network company drivers who provide prearranged rides.” A TNC must obtain a permit from the Department of Safety, and TNC drivers are subject to certain requirements, including insurance coverage and criminal background checks. The new law completely preempts municipal regulation of TNCs and their drivers. **E.D. June 21, 2016.**

Survivor Benefits. Chapter 298 (SB 319) adds definitions of “adult child” and “dependent child” for purposes of determining survivor benefits for families of police officers and fire-fighters killed in the line of duty and extends the time period to determine whether a death benefit is awarded. **E.D. June 21, 2016.**

Commission to Study OHRV Use and Allocation of Law Enforcement Resources. Chapter 318 (HB 1396) establishes a commission to study OHRV (off-highway recreational vehicle) usage and the allocation of law enforcement and emergency response resources and responsibilities regarding OHRV usage. The commission, which includes a representative of NHMA, is to report its findings and any recommendations for proposed legislation by December 15, 2016. **E.D. June 24, 2016.**

Police Academy Funding. Chapter 319 (HB 1428), sections 4 through 10, amends the process for funding the Police Standards and Training Council (PSTC), which includes funding for the police academy, by depositing all penalty assessment fees (previously used to fund the PSTC) into the state general fund and separately appropriating \$3,557,141 to the PSTC to cover anticipated expenditures through June 30, 2017. Section 13 appropriates \$400,000 for the purpose of replacing the roof at the tactical center. **E.D. July 1, 2016, for sections 5 through 10 and June 24, 2016, for sections 4 and 13. See also sections V, VII.**

Regulation of Body-Worn Cameras Used by Police Officers. Chapter 322 (HB 1584) establishes regulations for the use of body-worn cameras (BWCs) by police officers. No law enforcement agency is required to use BWCs, but if it chooses to do so, the agency and its officers must comply with the new law. Among other things, the law establishes requirements as to when BWCs may be used and when they should be activated, requires that an individual be informed as soon as practicable that he or she is being recorded, and gives individuals the right not to be recorded in certain circumstances. It establishes requirements for the storage of BWC recordings and exempts the recordings from disclosure under the Right-to-Know Law except in certain circumstances. **E.D. January 1, 2017.**

Changes to Forfeiture Law. Chapter 329 (SB 522) makes several changes to the law regarding forfeiture of property connected to criminal activity. Among other things, the new law requires a criminal conviction before property is subject to forfeiture, provides that property may be forfeited only if the state establishes by clear and convincing evidence that it is forfeitable, and gives a person claiming to be an innocent owner of seized property the right to petition the court for return of the property. **E.D. January 1, 2017.**

VII. PUBLIC WORKS; WATER & SEWER; ROADS AND HIGHWAYS; AIRPORTS; RAILS

Drinking Water and Ground Water Trust Fund. Chapter 11 (SB 380) establishes a trust fund to provide for the protection, preservation, and enhancement of the drinking water and groundwater resources of the state. Authorized expenditures from the fund include, among other purposes, cost-sharing grants to municipalities and municipally owned water utilities. The bill also establishes an advisory commission, which includes a municipal official representing municipalities with public water systems, to consult with and advise the Department of Environmental Services on the administration and management of the trust fund. **E.D. March 31, 2016.**

Housing Authority Agreements for Parking Facilities. Chapter 21 (HB 295) corrects cross-references in the statute that authorizes municipalities and municipal housing authorities to enter into agreements for the construction of parking facilities. **E.D. April 25, 2016.**

Funding Electric Vehicle Charging Stations. Chapter 99 (SB 359) authorizes the use of municipal transportation improvement funds to install electric vehicle charging stations. **E.D. July 18, 2016.**

Changes to Winnepesaukee River Basin Control Program. Chapter 125 (SB 461) authorizes the Department of Environmental Services, with the approval of the Governor and Council, to evaluate the most cost-effective operation of facilities within the Winnepesaukee River Basin Control Program, including evaluating the cost-effectiveness of alternative governance structures for the program. The department is not authorized to make any changes to the governance structure, but it may present recommendations to the legislature for consideration. **E.D. July 19, 2016.**

Complete Streets Study Committee. Chapter 242 (SB 364) establishes a committee to study the feasibility of a complete streets program. The study is to be performed “in conjunction with municipalities and the Department of Transportation,” and the committee is to report its findings and any recommendations for proposed legislation by November 1, 2016. **E.D. June 10, 2016.**

Operation of Compact Utility Tractors. Chapter 260 (HB 1430) defines “compact utility tractors” and establishes requirements for their operation on public ways. **E.D. July 1, 2017.**

Municipality to Receive Share of Fines for Disability Parking Violations. Chapter 304 (SB 471) modifies the requirements for walking disability placards and for parking for persons with disabilities. It also provides that 20 percent of any fine for violating the law relative to parking in spaces designated for persons with disabilities shall be payable to the municipality where the violation occurs. **E.D. January 1, 2017.**

State Aid Grants for Wastewater Facilities. Chapter 319 (HB 1428), sections 1 through 3, initiates funding of \$825,933 for eight wastewater treatment projects on the Department of Environmental Services’ (DES) delayed and deferred list from surplus funds available in the state revolving loan fund management account. Grant payments are to commence within 45 days after the Environmental Protection Agency’s approval of an updated intended use plan submitted by DES. **E.D. July 1, 2016. NHMA POLICY. See also sections V, VI.**

State Bridge Aid. Chapter 324 (HB 2016), which authorizes the state’s 10-year transportation improvement plan for 2017-2026, also appropriates to the state bridge aid program \$2,500,000 from unexpended fiscal year 2016 winter maintenance funds at the Department of Transportation. **E.D. July 1, 2016.**

VIII. TAXES; ASSESSING AND COLLECTIONS; EXEMPTIONS; CURRENT USE

Penalty for Repurchase of Tax-Deeded Property. Chapter 37 (HB 1219) lowers the penalty for the repurchase of tax-deeded property from 15 percent to 10 percent of the assessed value of the property as of the date of the tax deed. The bill also eliminates the penalty in cases where the former owner is repurchasing his or her principal residence. **E.D. July 2, 2016.**

Repeal of Commissioner’s Report. Chapter 85 (HB 1289) repeals RSA 76:9, which required the commissioner of the Department of Revenue Administration to report to the Governor, House Speaker, and Senate President by October 1 each year the amount of the education tax warrants to be issued for the succeeding year. **E.D. July 18, 2016.**

Commission to Study Taxability of Lease Interests in Public Property. Chapter 157 (SB 442) establishes a commission to study the taxability of lease interests in public property, and specifically to determine whether the language in RSA 72:23 is sufficient to define property subject to taxation. The commission, which includes a representative of NHMA, is to report its findings and any recommendations for proposed legislation by December 1, 2016. **E.D. May 27, 2016.**

Statutory Formula for Valuation of Telephone Poles and Conduits. Chapter 208 (HB 1198) provides that the value, for property tax purposes, of wooden poles and conduits owned by telephone companies shall be the replacement cost new (RCN) of the pole or conduit, less depreciation calculated on a straight-line basis for a period of 40 years with a residual value of 20 percent. The Department of Revenue Administration (DRA) is required to provide to every municipality, on or before July 1 each year, a schedule of telecommunications pole and conduit RCN, using national published telecommunications standard cost data guides calculated annually using a 5-year rolling average. Telephone companies must file annually with DRA and with municipalities an inventory of poles and conduits owned in each municipality. **E.D. September 1, 2016.**

All Veterans' Tax Credit. Chapter 217 (HB 430) amends RSA 72 by establishing a local option "all veterans" tax credit that, if adopted by a municipality, would apply to all honorably discharged veterans who served not less than 90 days in active service. Under previous law, the veterans' tax credit was available only to those veterans who served during the qualifying wars or armed conflict periods listed in RSA 72:28, V. A municipality may adopt the all veterans' tax credit by following the procedures for adoption of other local option credits and exemptions outlined in RSA 72:27-a. The amount of the all veterans' credit will be the same as the standard or optional veterans' tax credit in effect in the municipality under RSA 72:28. **E.D. August 8, 2016.**

IX. WELFARE; EDUCATION; LIBRARIES; HUMAN SERVICES; HOUSING; CEMETERIES

Medicaid Expansion. Chapter 13 (HB 1696) reauthorizes New Hampshire's expanded Medicaid program, known as the New Hampshire Health Protection Plan, for an additional two years, through December 2018. **E.D. April 5, 2016.**

Housing Authority Agreements for Parking Facilities. Chapter 21 (HB 295) corrects cross-references in the statute that authorizes municipalities and municipal housing authorities to enter into agreements for the construction of parking facilities. **E.D. April 25, 2016.**

Alternate Cemetery Trustees. Chapter 60 (HB 1181) allows a municipal governing body to appoint up to two alternate members of a cemetery board of trustees upon recommendation of the board. The alternate members will be appointed for one-year terms. **E.D. July 4, 2016.**

Municipalities May Contract for Cemetery Space. Chapter 64 (HB 1244) authorizes a municipality to enter into agreements with adjacent municipalities or nonprofit entities to provide cemetery space for the interment of deceased persons. **E.D. July 4, 2016.**

X. UTILITIES

Increased Cap for Net Metering. Chapter 31 (HB 1116) increases to 100 megawatts (from 50 megawatts) the cap on the total rated generating capacity owned or operated by eligible customer-generators that is eligible for net energy metering under RSA 362-A:9. The 100-megawatt allowance is allocated among the state's electric distribution utilities in proportion to

their shares of the state's total energy demand. The new law also requires the Public Utilities Commission to initiate a proceeding to develop alternative net energy metering tariffs. **E.D. May 2, 2016.**

Other Net Metering Changes. **Chapter 33** (SB 378) requires the Public Utilities Commission to review group net metering agreements and provides that a net metering tariff will not be made available to a group host until it has been registered by the commission. It also provides that no person or entity may reserve capacity space in the net metering interconnection queue of more than 20 percent of the total net metering capacity assigned to a distribution utility, and requires each utility to publish on its website a weekly update of its total net metering allocation, its reserved net metering capacity, and its installed and operating net metering capacity. **E.D. May 2, 2016.**

XI. EDUCATION FUNDING

Calculation of Adequate Education Cost. **Chapter 8** (SB 227) revises the amount of differentiated aid distributed to a pupil, makes various changes to the deadlines and types of data to be used by the department of education in the calculation of adequate education grants, revises the stabilization grant amounts distributed to certain municipalities, and repeals the provision relating to the use of differentiated aid. **E.D. March 16, 2016.**

2016 Cross Reference Table for Bills and Chapter Laws
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- A Special Note - 7/27/2016

To Russ Tean + Selectmen

As the COA have
disbanded, we as former
members would like to
turn over the remaining
funds to be used for the
Senior Center for items
they would need, possibly
cater tables etc. \$2190.39

Yours truly

Margaret D. DePaulis

Pt. Please send me
confirmation of your
decision. Thank you





The State of New Hampshire
Department of Environmental Services



Thomas S. Burack, Commissioner

March 3, 2016

Paul Deschaine
Stratham Town Administrator
10 Bunker Hill Avenue
Stratham, NH 03885

Subject: Stratham Gateway Water Line Extension Project
MtBE Fund Assistance

Dear Mr. Deschaine:

The New Hampshire Department of Environmental Services (NHDES) has reviewed the request for MtBE funding assistance dated March 3, 2016 for the proposed project to extend municipal drinking water service from Exeter to Route 108 in Stratham. Although NHDES cannot fund the entire project being considered by Stratham voters this March, the proposed Gibbs project discussed in the application is eligible for funding. NHDES's funding decision is based on the following analysis of the proposed project:

- NHDES MtBE Remediation Bureau assistance is provided from settlement money obtained from the MtBE litigation. The settlements require that all funds be used for MtBE cleanups. There are multiple MtBE contaminated sites along Route 108 in the area of water line project. The MtBE impacts from these sites meet the funding threshold criterion of MtBE related cleanup activities for the water line project since MtBE contaminated water supplies would be addressed by the water line.
- Drinking water well contamination is present in Gibbs and Stratham Village Market gas stations. MtBE point of entry water treatment systems (POEs) are in operation at three water supplies impacted by these sites. Elimination of the POE's via extension of public water services will provide a permanent and more dependable method for addressing the drinking water contamination that is not subject to ongoing maintenance and analytical costs.
- Only partial funding is appropriate because the settlement funds are restricted to MtBE cleanup activities only. The project proposed to Stratham voters is broader in scope than MtBE cleanup. A project to address MtBE contamination at the Gibbs site would, for example, require a substantially smaller pipe size than the 16 inch pipe required for the larger water project that was also used to estimate project costs in the assistance application.

www.des.nh.gov

29 Hazen Drive • PO Box 95 • Concord, NH 03302-0095
(603) 271-7174 • TDD Access: Relay NH 1-800-735-2964

Mr. Paul Deschaine

DES# 199203018

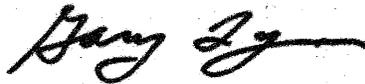
March 3, 2016

Page 2 of 2

NHDES developed an estimate of the partial project funding in response to the assistance request. NHDES's estimate is based on costing estimates prepared by NHDES's engineering consultant, Weston and Sampson, Inc. for the cost of providing water to the MtBE impacted properties. Based on this estimate, NHDES anticipates \$468,000 in funding would become available should the Gateway water project proceed and the impacted properties are connected to the resultant water line. Additional funding is available for the proposed second phase of work, if one or more of the properties impacted by the Stratham Village Market gasoline release continue to exceed the MtBE ambient groundwater quality standard and are connected to the proposed water line. NHDES will provide an estimate of available assistance for the proposed second phase of the water line extension at a later date.

If you have any questions, please do not hesitate to contact me at (603) 271-8873.

Sincerely,



Gary S. Lynn, P.E.

MtBE Remediation Bureau

Tel: (603) 271-8873

Fax: (603) 271-7053

Email: Gary.Lynn@des.nh.gov

cc: Michael Wimsatt, Director, Waste Management Division
Keith DuBois, Assistant Director, Waste Management Division
Talcott Hubbard, NHDES
Sarah Pillsbury, NHDES
Richard Skarinka, NHDES
Allen Brooks, NHDOJ

MEMORANDUM

TO: Gary Lynn, P.E., Talcott Hubbard, P.E.
FROM: Jeff McClure, P.E., Sam Kenney, E.I.T.
DATE: February 26, 2016 - *Revised*
SUBJECT: Town of Stratham, NH – Gibbs Station Water Main Extension
Gibbs Oil Site – DES No. 199203018

The purpose of this study was to determine the cost of extending the Town of Exeter's water system to serve the MTBE-affected Gibbs station located in the adjacent town of Stratham (the town). The project area incorporates a portion of the Portsmouth Street (NH Route 108) corridor that intersects NH Route 101. The MTBE Remediation Bureau (the Bureau) has committed to the extension of the Exeter water system to the Gibbs station property and will provide funding for an 8-inch domestic water service. Two options exist for the installation of the extension and are described below.

Option 1: Installation through Existing Pipe Sleeves

Option 1 incorporates the existing 24-inch steel pipe sleeves located on the east side of Route 108, passing under Route 101 and its on/off ramps (see Figure 1). An 8-inch main would be installed via open cut from the end of the Exeter water system and along the east side of Route 108, utilizing the existing pipe sleeves under Route 101. The water main would continue to be installed via open cut along Route 108 until a point south of West Road. At this location the main would be installed via horizontal direction drill (HDD) methods under Route 108 to the western side of the road. The crossing of Route 108 using HDD will greatly reduce the disruption of traffic flow by keeping all equipment off of the travel way. The main would then be installed via open cut to the Gibbs station, including the crossing of West Road. A breakdown of the linear footage for each water main installation method for this option is shown in Table 1:

TABLE 1
OPTION 1 – WATER MAIN INSTALLATION METHOD

Water Main Installation Method	Linear Footage of Installation (feet)
Open Cut	1,040
Through Existing 24-inch Sleeve	460
Horizontal Directional Drill	200
Total	1,700

Table 2 shows the estimated construction cost for Option 1, including, but not limited to, items such as an above-ground hot-box metering connection, valving, a flushing hydrant for the 8-inch extension and pavement replacement on West Road. The cost also includes the excavation bond required by the Department of Transportation (DOT) for any project within the right-of-way of a state road.

TABLE 2
OPTION 1 – INSTALLATION COST

Project Item	Cost
Construction Cost	\$231,000
Contingency (15%)	\$35,000
Engineering	\$110,000
Total	\$376,000

Option 2: Installation via Horizontal Directional Drill

Option 2 incorporates installation of the water main using HDD methods in lieu of using the existing 24-inch pipe sleeves passing under Route 101 and its on/off ramps. Similar to Option 1, the 8-inch main would be installed via open cut from the end of the Exeter water system and along the east side of Route 108. Instead of utilizing the existing pipe sleeves to cross Route 101 and the on/off ramps, the water main would be installed via HDD at these locations. The remainder of the water main route would be installed in the same manner as Option 1. A breakdown of the linear footage for each water main installation method for this option is shown in Table 3:

**TABLE 3
 OPTION 2 – WATER MAIN INSTALLATION METHOD**

Water Main Installation Method	Linear Footage of Installation (feet)
Open Cut	950
Horizontal Directional Drill	750
Total	1,700

Table 4 shows the estimated construction cost for Option 2, including, but not limited to, items such as an above-ground hot-box metering connection, valving, flushing hydrant for the 8-inch extension, and pavement replacement on West Road.

**TABLE 4
 OPTION 2 – INSTALLATION COST**

Project Item	Cost
Construction Cost	\$311,000
Contingency (15%)	\$47,000
Engineering	\$110,000
Total	\$468,000

Summary

Option 1 presents the Bureau the most cost effective solution to extending the Exeter water system to the MTBE-affected Gibbs station property by utilizing the existing 24-inch pipe sleeves along Route 108. Discussion with DOT has indicated that sleeves are available for use during construction of the water main. Additional coordination with the towns of Exeter and Stratham will confirm that the sleeves are available for use. The project presents the Bureau with the opportunity to connect the Gibbs station to the Exeter water system, and facilitate the expansion of public water supply into Stratham.

TOWN OF STRATHAM, NH

WESTON & SAMPSON ENGINEERS, INC.

STRATHAM, NH

GIBBS STATION WATER MAIN EXTENSION - USE EXISTING SLEEVES

PROJECT NO. 2160118

ENGINEER'S OPINION OF PROBABLE CONSTRUCTION COSTS

2/29/2016

Study Estimate

ITEM NO.	DESCRIPTION	TOTAL QUANTITY	UNIT	UNIT PRICE	TOTAL AMOUNT
WATER MAINS AND FITTINGS					
1a	8-inch pipe and fittings, per l.f. (HDD)	200	LF	\$200.00	\$40,000.00
1b	8-inch pipe and fittings, per l.f. (open cut)	1,040	LF	\$76.00	\$79,040.00
1c	8-inch pipe and fittings, per l.f. (install in sleeve)	460	LF	\$51.00	\$23,460.00
1d	Additional Fittings, per lb.	1,000	LB	\$3.25	\$3,250.00
VALVES & APPURTENANCES					
2a	Hot Box & Aluminum Enclosure, each	1	EA	\$22,230.00	\$22,230.00
2b	Electrical conduit, wiring, and unit heater, lump sum	1	LS	\$15,000.00	\$15,000.00
2c	8-inch meter, each	1	EA	\$5,500.00	\$5,500.00
2d	8-inch Gate Valve, per valve	2	EA	\$2,100.00	\$4,200.00
2e	8-inch Check Valve, per valve	2	EA	\$3,700.00	\$7,400.00
2f	Hydrant, per hydrant	1	EA	\$3,500.00	\$3,500.00
SERVICE CONNECTIONS					
3a	1.25-inch Curb Stop	1	EA	\$500.00	\$500.00
3b	1.25-inch Corporation Stop	1	EA	\$600.00	\$600.00
3c	2-inch or 1.25-inch Service Pipe	45	LF	\$20.00	\$900.00
SEWER AND DRAIN RECONSTRUCTION					
4a	Sewer and Drain Reconstruction, per construction	2	EA.	\$1,000.00	\$2,000.00
EARTHWORK					
5a	Unsuitable Material, per cu. yd.	50	CY	\$20.00	\$1,000.00
5b	Additional Earthwork, per cu. yd.	25	CY	\$15.00	\$375.00
5c	Test Pits, per cu. yd.	15	CY	\$64.00	\$960.00
PAVEMENT REPLACEMENT					
6a	Top Course, per ton	10	Ton	\$150.00	\$1,500.00
6b	Binder Course, per ton	20	Ton	\$130.00	\$2,600.00
DUST CONTROL					
7a	Calcium Chloride, per lb	500	LB	\$0.70	\$350.00
ENVIRONMENTAL PROTECTION					
8a	Mulch Filter Sock, per l.f.	400	LF	\$4.50	\$1,800.00
TRAFFIC CONTROL					
9a	Flaggers, per hour worked	40	HR	\$22.00	\$880.00
PERMITTING AND BONDS					
10a	NHDOT Excavation Bond, lump sum	1	LS	\$14,500.00	\$14,500.00
SUBTOTAL					\$231,545
15% Contingency					\$34,732
Engineering					\$110,000
CONSTRUCTION TOTAL					\$376,277

TOWN OF STRATHAM, NH

WESTON & SAMPSON ENGINEERS, INC.
 STRATHAM, NH
 PROJECT NO. 2160118
 2/29/2016

GIBBS STATION WATER MAIN EXTENSION - HDD Under Rt. 101
 ENGINEER'S OPINION OF PROBABLE CONSTRUCTION COSTS
 Study Estimate

ITEM NO.	DESCRIPTION	TOTAL QUANTITY	UNIT	UNIT PRICE	TOTAL AMOUNT
WATER MAINS AND FITTINGS					
1a	8-inch pipe and fittings, per l.f. (HDD)	750	LF	\$200.00	\$150,000.00
1b	8-inch pipe and fittings, per l.f. (open cut)	950	LF	\$76.00	\$72,200.00
1c	8-inch pipe and fittings, per l.f. (install in sleeve)	0	LF	\$51.00	\$0.00
1d	Additional Fittings, per lb.	1,000	LB	\$3.25	\$3,250.00
VALVES & APPURTENANCES					
2a	Hot Box & Aluminum Enclosure, each	1	EA	\$22,230.00	\$22,230.00
2b	Electrical conduit, wiring, and unit heater, lump sum	1	LS	\$15,000.00	\$15,000.00
2c	8-inch meter, each	1	EA	\$5,500.00	\$5,500.00
2d	8-inch Gate Valve, per valve	2	EA	\$2,100.00	\$4,200.00
2e	8-inch Check Valve, per valve	2	EA	\$3,700.00	\$7,400.00
2f	Hydrant, per hydrant	1	EA	\$3,500.00	\$3,500.00
SERVICE CONNECTIONS					
3a	1.25-inch Curb Stop	1	EA	\$500.00	\$500.00
3b	1.25-inch Corporation Stop	1	EA	\$600.00	\$600.00
3c	2-inch or 1.25-inch Service Pipe	45	LF	\$20.00	\$900.00
SEWER AND DRAIN RECONSTRUCTION					
4a	Sewer and Drain Reconstruction, per construction	2	EA	\$1,000.00	\$2,000.00
EARTHWORK					
5a	Unsuitable Material, per cu. yd.	50	CY	\$20.00	\$1,000.00
5b	Additional Earthwork, per cu. yd.	25	CY	\$15.00	\$375.00
5c	Test Pits, per cu. yd.	15	CY	\$64.00	\$960.00
PAVEMENT REPLACEMENT					
6a	Top Course, per ton	10	Ton	\$150.00	\$1,500.00
6b	Binder Course, per ton	20	Ton	\$130.00	\$2,600.00
DUST CONTROL					
7a	Calcium Chloride, per lb	500	LB	\$0.70	\$350.00
ENVIRONMENTAL PROTECTION					
8a	Mulch Filter Sock, per l.f.	400	LF	\$4.50	\$1,800.00
TRAFFIC CONTROL					
9a	Flaggers, per hour worked	40	HR	\$22.00	\$880.00
PERMITTING AND BONDS					
10a	NHDOT Excavation Bond, lump sum	1	LS	\$14,500.00	\$14,500.00
SUBTOTAL					\$311,245
15% Contingency					\$46,687
Engineering					\$110,000
CONSTRUCTION TOTAL					\$467,932

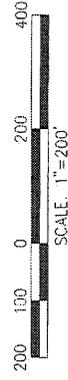
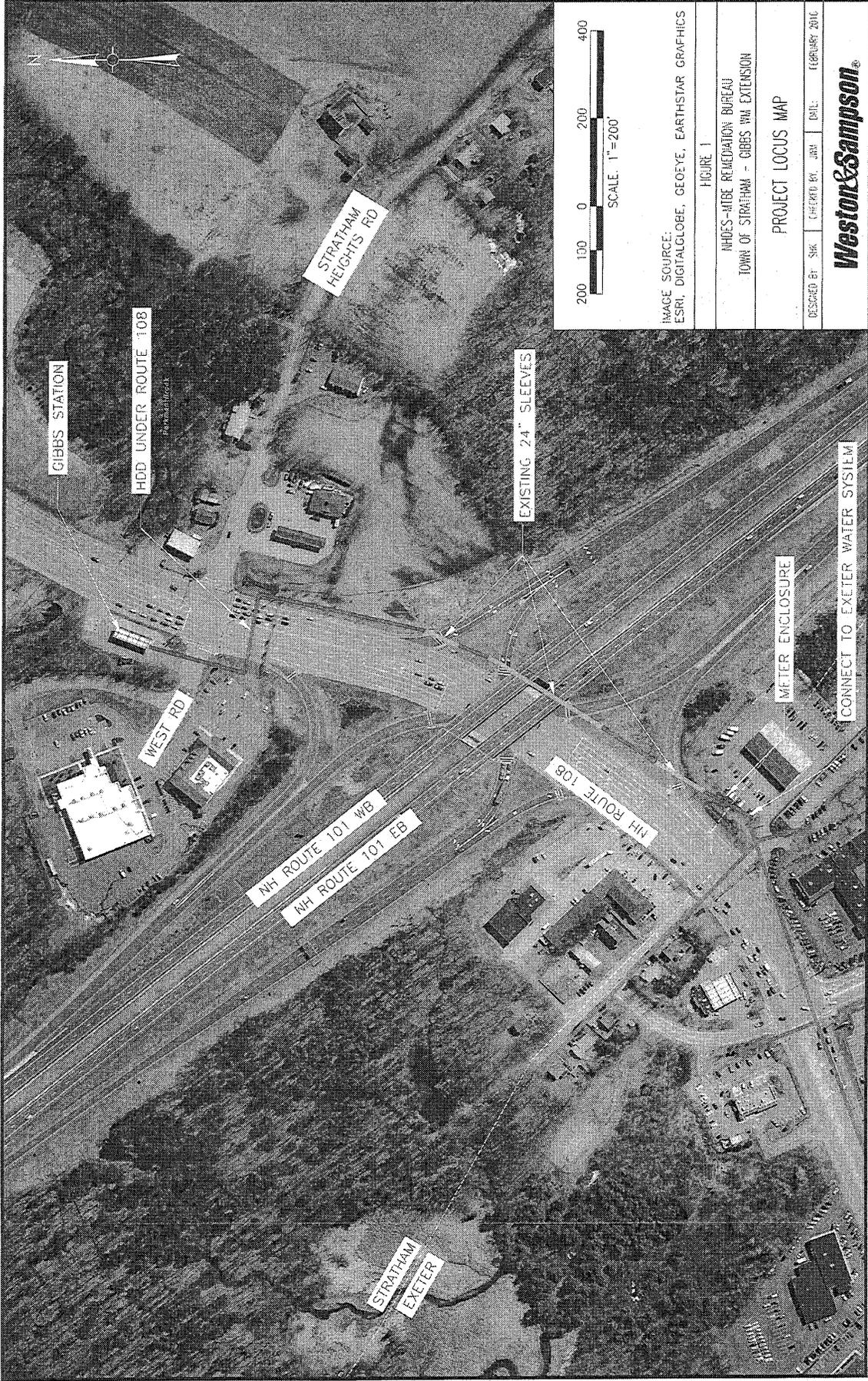


IMAGE SOURCE:
 ESRI, DIGITALGLOBE, GEOEYE, EARTHSTAR GRAPHICS

FIGURE 1

NHDES-NHE REMEDIATION BUREAU
 TOWN OF STRATHAM - GIBBS WMA EXTENSION

PROJECT LOCUS MAP

DESIGNED BY: SKK CHECKED BY: JWR DATE: FEBRUARY 2010

Weston & Sampson

**TITLE XXVI
CEMETERIES; BURIALS; DEAD BODIES**

CHAPTER 289 - CEMETERIES

Section 289:1

289:1 Definitions. – In this chapter, unless the context clearly requires otherwise:

- I. "Burial ground" means a private cemetery on private property and not available for use by the public.
- II. "Burial space" means a lot in any cemetery as designed and intended for the interment of a human body or bodies, but presently not used for such purpose.
- III. "Cemetery" means any cemetery owned, managed, or controlled by any municipality within this state or owned and managed by any cemetery corporation chartered by the state.
- IV. "Cemetery association" means a cemetery corporation, the voting members of which are the owners of burial spaces in the cemetery owned and operated by the association.
- V. "Cemetery corporation" means a corporation organized for the purpose of operating a cemetery.
- VI. "Cemetery trustees" means town cemetery trustees elected pursuant to the provisions contained in this chapter.
- VII. "Corporate officer" means the elected or appointed managing officer of a corporation established to operate a cemetery for public interment.
- VIII. "Owner" means any person or persons owning or possessing the privilege, license, or right of interment in any burial space, as determined under RSA 290:24.

Source. 1994, 318:2, eff. Aug. 7, 1994. 2000, 95:1, eff. Apr. 27, 2000.

289:2 Municipality to Provide. – Every municipality shall provide one or more suitable cemeteries for the interment of deceased persons within its boundaries, which shall be subject to such regulations as the municipality may establish. In the absence of regulations established by vote of the legislative body, the cemetery trustees may establish such regulations pursuant to RSA 289:7, I(a). The operation and maintenance of all cemeteries owned and maintained by the municipality shall be in the charge of the cemetery trustees.

Source. 1994, 318:2, eff. Aug. 7, 1994.

289:3 Location. – All cemeteries and burial grounds shall be laid out in accordance with the following requirements:

- I. No cemetery shall be laid out within 100 feet of any dwelling house, schoolhouse or school lot, store or other place of business without the consent of the owner of the same, nor within 50 feet of a known source of water or the right of way of any classification of state highway. Existing cemeteries which are not in compliance with the above set-back requirements may be enlarged, provided that no portion of the enlargement is located any closer to the above-listed buildings, water sources or highways than the existing cemetery, and provided further that no such enlargement shall be located within 50 feet of any classification of state highway.
- II. Burials on private property, not in an established burial ground, shall comply with local zoning regulations. In the absence of such regulations, such burial sites shall comply with the requirements in paragraph I. The location of the burial site shall be recorded in the deed to the property upon transfer of the property to another person.
- III. New construction, excavation, or building in the area of a known burial site or within the boundaries of an established burial ground or cemetery shall comply with local zoning regulations

concerning burial sites, burial grounds or cemeteries, whether or not such burial site or burial ground was properly recorded in the deed to the property. In the absence of such regulations, no new construction, excavation, or building shall be conducted within 25 feet of a known burial site or within 25 feet of the boundaries of an established burial ground or cemetery, whether or not such burial site or burial ground was properly recorded in the deed to the property, except when such construction, excavation, or building is necessary for the construction of an essential service, as approved by the governing body of a municipality in concurrence with the cemetery trustees, or in the case of a state highway, by the commissioner of the department of transportation in concurrence with the cemetery trustees.

IV. Nothing in this section shall be construed to conflict with RSA 290, local ordinances, or cemetery rules concerning burials and disinterments of human remains.

Source. 1994, 318:2, eff. Aug. 7, 1994.

289:4 Maintenance. – Every municipality shall raise and appropriate sufficient funds, by taxation or otherwise, to provide for the suitable care and maintenance of the municipal public cemeteries within its boundaries which are not otherwise provided for, and to provide and maintain around all such cemeteries a good and sufficient fence, and to supply the fence with necessary gates. Every municipality may raise and appropriate annually a sufficient sum to provide for the suitable care and maintenance of deserted burial grounds and cemeteries which have been declared abandoned in accordance with RSA 289:19-21.

Source. 1994, 318:2, eff. Aug. 7, 1994.

289:5 Cemetery Records. – The corporate officer or designee of a cemetery corporation or town cemetery trustees charged with the responsibility of operation and administration of any cemetery under their control shall keep a record of every burial showing the date of burial and name of the person buried, when these particulars can be obtained, and the lot, plot, or part of such plot or lot, in which the burial was made. Such records shall also be kept of every private burial site within a municipality by the owner of the land containing the burial site, and a copy of the information shall be supplied to the cemetery trustees who will maintain the municipal records of such sites. A copy of such record, duly certified, shall be furnished to any person on demand and payment of a fee established in compliance with RSA 91-A:4. The location of each cemetery and private burial site may be annotated on the municipal tax map.

Source. 1994, 318:2, eff. Aug. 7, 1994.

289:6 Cemetery Trustees. –

I. Every municipality shall elect a board of cemetery trustees consisting of 3 members, unless a town at an annual or special town meeting votes that the board shall consist of 5 members. In the initial election of cemetery trustees, they shall be elected by ballot at an annual town meeting. One shall be elected for a one-year term, one for a 2-year term and one for a 3-year term. In towns with a board of 5 trustees the 2 additional trustees shall be appointed by the selectmen, one for one year and one for 2 years. Subsequent trustees shall be elected by ballot at the annual town meeting to replace those whose terms expire. The term of each trustee shall be 3 years. Vacancies shall be filled by the selectmen for the remainder of the term. In cities the trustees shall be chosen and hold their office for such term as shall be provided by city ordinance. Trustees shall organize by electing one of their number chairperson and another bookkeeper, who shall keep the records and books of the trustees, and shall issue vouchers as necessary for funds to be expended. The chairperson and the bookkeeper may be the same member.

II. Any town that has the town manager form of government may vote to not have cemetery trustees by delegating all of the duties and responsibilities of cemetery trustees to the town manager, as specified in RSA 289. This option may be adopted by a vote of the town meeting. The warrant article question to be voted shall be: ""Shall we discontinue the board of cemetery trustees by delegating their duties and

responsibilities to the town manager?" If the majority votes in the affirmative, then the discontinuance shall take effect 90 days after adoption.

II-a. (a) Any town, with a traditional town meeting form of government, may adopt by a vote of the town meeting to have the board of selectmen serve for the term of elected office as the cemetery trustees. The warrant article to be voted shall be:

""Shall we delegate the duties and responsibilities of the cemetery trustees to the board of selectmen?"

(b) If the majority vote in the affirmative then the delegation shall take effect 90 days after adoption and shall continue until rescinded by vote of the town meeting.

III. At any subsequent town meeting, the town may vote to reinstate the board of cemetery trustees. A new board of cemetery trustees shall be elected at the town meeting next following the vote to reinstate the board of cemetery trustees.

IV. Any town that has a municipal charter form of government may specify in its charter the procedure to be utilized for the election or appointment of cemetery trustees. Such procedure shall be adopted under the provisions of RSA 49-B.

Source. 1994, 318:2. 1995, 62:1, 2, eff. July 8, 1995.

289:7 Powers and Duties. –

I. Except in those municipalities in which other provisions have been made by a general or special act of the legislature, all cemetery trustees in the state shall:

(a) Adopt bylaws and regulations for their transaction of business and for the establishment and management of all municipal cemeteries within their responsibility.

(b) Prepare an annual budget indicating what support and maintenance of the municipal public cemeteries will be required out of public funds for submission to the appropriate agency of the municipality. A separate budget request shall be submitted for planning and establishment of a new public cemetery and for capital improvements or expansion of an existing public cemetery.

(c) Expend all moneys raised and appropriated by the municipality for cemetery purposes. Such funds shall be maintained in the general fund and paid in the same manner that funds of other municipal departments are paid.

(d) Expend income from all trust funds for cemetery purposes in accordance with the conditions of each donation or bequest accepted by the municipality. Such trust funds shall be held in the custody and under the management of the trustees of trust funds. The trust income shall be transferred to the cemetery trustees by the trustees of trust funds in response to vouchers executed by the cemetery trustees, if the requested funds are available. Such trust fund income shall not be commingled with the moneys raised and appropriated by the municipality.

(e) Prepare deeds of cemetery lots for the governing body to sign.

II. Cemetery trustees may appoint a cemetery custodian or sexton who shall not be a trustee and who shall be responsible to the cemetery trustees for supervising work done in the cemeteries.

Source. 1994, 318:2. 1995, 62:3, eff. July 8, 1995.

289:8 Enforcement. – Any person designated as a cemetery trustee failing to comply with the provisions of RSA 289:7 shall be guilty of a violation. Any other person who violates this chapter or any regulation established under the authority of this chapter shall be guilty of a violation.

Source. 1994, 318:2, eff. Aug. 7, 1994.

289:9 Use of Trust Funds. – Cemetery corporations and the trust fund trustees of municipalities may take and hold funds in trust, and may apply the income of the trust to the improvement, watering, or

embellishment of the cemetery, or to the care, preservation, or embellishment of any lot or its appurtenances.

Source. 1994, 318:2, eff. Aug. 7, 1994.

289:10 Investments. – Cemetery corporations holding funds in trust as provided in RSA 289:9 may establish, maintain, and operate common trust funds as provided in RSA 31:27-30.

Source. 1994, 318:2, eff. Aug. 7, 1994.

289:11 Accounting. – Whenever any cemetery corporation shall take and hold trust funds according to the provisions of RSA 289:9, such corporation shall keep in its books an account of all funds received and held by it in the same manner as required of municipalities, and the account of any such fund shall be open to inspection by any person having an interest in the proper administration of the trust.

Source. 1994, 318:2, eff. Aug. 7, 1994.

289:12 Reports. – A copy of the annual financial report of such corporations shall be filed with the attorney general, unless otherwise required by law to file such a report with any town, city, county, or state agency.

Source. 1994, 318:2, eff. Aug. 7, 1994.

289:13 Cemetery Association Termination. – Any cemetery laid out by an individual or corporation and located within the municipality, in which all lots have been sold and for the care of which trust funds are held by the municipality, may be deeded to the municipality with no implied financial liability to the municipality for the maintenance of the cemetery over and above the trust fund income, provided the municipality votes to accept such cemetery transfer. Municipalities may raise and appropriate additional funds for the care of such cemeteries. Upon the transfer of the title to the cemetery, the municipal cemetery trustees shall have the sole management responsibility for the cemetery.

Source. 1994, 318:2, eff. Aug. 7, 1994.

289:14 Right of Way to Private Burial Ground. – Any person wishing to have a temporary right of entry over private land in order to enter a private burial ground enclosure to which there is no public right of way may apply in writing to the selectmen of a town or the mayor of a city stating the reason for such request and the period of time for which such right is to be exercised. The applicant shall also notify in writing the owner or occupier of the land over which the right of way is desired. The selectmen or mayor, in the exercise of discretion and in consultation with the cemetery trustees, may issue a permit for such temporary right of entry designating the particular place where the land may be crossed. The owner or occupier of the land may recommend the place of crossing which, if reasonable, shall be the place designated by the selectmen or mayor.

Source. 1994, 318:2, eff. Aug. 7, 1994.

289:15 Discontinuance. – Whenever there is a public necessity for the discontinuance of any municipal cemetery and the removal of the remains of persons buried in such cemetery, the cemetery may be discontinued by a 3/4 vote of the legal voters present and voting at any town meeting held for the purpose, or by 3/4 of each board of the city councils present and voting.

Source. 1994, 318:2, eff. Aug. 7, 1994.

289:16 Reinterment. – The governing body may, at the expense of the municipality, disinter all the remains of persons buried in such cemetery and reinter the same in the unoccupied part of another cemetery within the municipality, such reinterment to be in the place designated by the nearest surviving relatives of the deceased persons or, in the absence of such surviving relative, by the cemetery trustees. Such removal and reinterment shall be done prudently and with proper care and attention.

Source. 1994, 318:2, eff. Aug. 7, 1994.

289:17 Removal of Monuments. – The monuments, gravestones, and other appurtenances attached to the graves shall be carefully removed and properly set up at the place of reinterment with as little injury as the nature of the case will admit. In case of injury to any monument, gravestone, or appurtenance, the damages shall be assessed by the governing body in the same manner and with the same right of appeal as in the case of alteration of the grade of highways.

Source. 1994, 318:2, eff. Aug. 7, 1994.

289:18 Forfeiture Procedures. –

I. Whenever a burial space or spaces in any cemetery subject to the provisions of this subdivision have remained unused for a period of 50 years, and the owner has not improved such space or spaces by causing a monument, gravestone, or other permanent appurtenance to be placed on the burial space, the person, corporate manager, or cemetery trustees having jurisdiction over such cemetery may institute proceedings for the termination and forfeiture of the rights and interests of such owner. All purchase contracts for burial spaces executed after August 7, 1994, shall include a notice that this procedure may be invoked in the future.

II. Whenever such person, corporate manager, or board of trustees determines that the conditions stated in paragraph I have been met, then they may send to the owner a notice of the intent to terminate and forfeit the owner's rights, served on the owner personally by a competent person or sent by certified mail with return receipt requested to the owner's last known address.

III. When the owner receives the forfeiture notice, the owner may notify the cemetery management of continued intent to use the space, in which case this procedure shall be cancelled, or the owner may return the space to the cemetery and receive in compensation the same amount the owner paid for the space, less any portion of the original purchase price that was specified for inclusion in a perpetual care trust fund.

IV. If no response is received from the owner for 60 days, the cemetery management may advertise in a paper of local distribution for information regarding the present whereabouts of the owner. If information is forth-coming, the notification process shall be repeated using the new address information. If no information is received, the original purchase contract may be voided and the space sold to a new owner. Any owner contacting the cemetery management after the space has been resold shall be reimbursed the amount he originally paid, including the portion set aside for perpetual care.

Source. 1994, 318:2, eff. Aug. 7, 1994.

289:19 Neglected Burial Ground. – Whenever a burial ground within the boundaries of the town has been neglected for a period of 20 years or more, the municipality may declare it abandoned for purposes of preservation, maintenance or restoration.

Source. 1994, 318:2, eff. Aug. 7, 1994.

289:20 Procedure. – To declare a burial ground abandoned:

I. The municipality shall place an advertisement in at least one newspaper having general distribution in the municipality and surrounding area. The advertisement shall state the intent of the municipality, identifying the burial ground by name, if known, and by names and dates of the oldest stones in the burial ground, with a request for any direct descendent to contact the town selectmen's office, the town manager, or mayor, as applicable. If the burial ground contains no stones with legible inscriptions, the site may be identified by a detailed description of its location.

II. Not less than 60 days nor more than 90 days after the notice of the intent has been published, the notice shall be read at a regularly scheduled selectmen's meeting or in the case of a city, a city council meeting.

III. If any descendants were located and grant permission, or if no descendants were located, then, after a public hearing, the municipality may declare the burial ground abandoned by a majority vote of the selectmen or city councilmen present and voting.

Source. 1994, 318:2, eff. Aug. 7, 1994.

289:21 Rights and Responsibilities. – Any burial ground declared abandoned under these provisions shall become a municipal cemetery for management purposes and shall be managed by the cemetery trustees, who shall assume all the authorization and rights of natural lineal descendants.

Source. 1994, 318:2, eff. Aug. 7, 1994.

289:22 Stone Rubbings. – No person shall make gravestone rubbings in any municipal cemetery or burial ground without first obtaining the written permission of the town selectmen or the mayor of a city or designee. Before granting such permission, the selectmen or mayor will ascertain to the best of their ability that the person making the request knows the proper precautions to be taken and the proper materials to be used for this activity. The town selectmen or city mayor or their designee shall notify the cemetery trustees of the request and its disposition. Any person who violates the provisions of this section shall be guilty of a misdemeanor.

Source. 1994, 318:2, eff. Aug. 7, 1994.

289:23 Other Unauthorized Acts. – All other unauthorized conduct under RSA 635:6 and 635:7 regarding the abuse of cemeteries shall be penalized as provided in RSA 635:8.

Source. 1994, 318:2, eff. Aug. 7, 1994.

List for Selectmen's meeting August 8, 2016

Abatement

Map/Lot	Location	Refund
64/86	1 Jady Hill Ave	Denial
64/51	10 Chestnut Street	Denial

Intnet to Cut

Map/Lot	Location	Owner
71/119	Drinkwater Road	Phillips Exeter Academy

CHAPTER 5 HIGHWAY USE REGULATIONS

501 Snow Removal

No person, firm or corporation engaged in the operation of snow plowing, blowing or removing shall allow, or cause any accumulations of snow to obstruct or impair any town-maintained street, roadway, sidewalk, parking lot or right-of-way, unless such operations are approved by the Director of the Exeter Public Works Department.

501.1 Fire Hydrants

No person, firm or corporation shall place any object, item or material, or allow or cause any object, item or material to be placed upon any town-maintained street, roadway, right-of-way, sidewalk or parking lot, so as to obstruct vehicle or pedestrian traffic. Such objects shall include, but not be limited to, snow ice, dirt, gravel, sand, signs or other obstructions.

502 Highway and Sidewalk Obstruction

No person, firm or corporation shall place any object, item or material, or allow or cause any object, item or material to be placed, upon any town-maintained street, roadway, right-of-way, sidewalk or parking lot, so as to obstruct vehicle or pedestrian traffic. Such objects shall include, but not be limited to, snow, ice, dirt, gravel, sand, signs or other obstructions.

502.1 Damage to Surface

No person, firm or corporation shall place any object, item or materials, or allow or cause any object, item or material to be placed upon any town-maintained street, roadway, right-of-way, sidewalk or parking lot so as to damage the surface thereof.

502.2 ~~Signs in Rights-of-Way~~

~~No person, firm or corporation shall place, or allow to be placed, any sign or sign so-called in the rights-of-way owned by the Town of Exeter whether adjacent to a street, road or sidewalk or not. This provision shall also apply to banner-type signs extending across the town's rights-of-way and to signs affixed to utility poles within such rights-of-way.~~

502.3 ~~Waiver~~

~~Any person, firm or corporation seeking an exemption from this section shall petition the Board of Selectman, in a regular session, for a waiver. The petition shall clearly state the need of the posting places affected, and the duration of the posting.~~

503 Weight Limits

No person, firm or corporation shall operate any vehicle on or over any bridge or elevated road-way in the Town of Exeter when such vehicle weighs more than

*deleted
8/1/11
see revised
language*



Application for Use of Town Facility

Forms submitted to: Town of Exeter, 10 Front Street, Exeter, NH 03833
Fax #: 603-777-1514 email: sriffle@exeternh.gov

Use Request: Town Hall (Main Floor) Bandstand Parking - # Spaces _____ Location _____

Signboard Request: Poster Board Week: _____ Plywood Board Week: _____

Representative:

Name: Martha Shepardson-Killam Address: 356 Exeter Road

Town/State/Zip: Hampton Falls, NH 03844 Phone: c: 603-339-0566

Email: msk@heronfield.org

Organization:

Name: Heronfield Academy Address: 356 Exeter Road

Town/State/Zip: Hampton Falls, NH 03844 Phone: 603-772-9093

Reservation Details:

Type of Event/Meeting: Seventh Grade Play Rehearsals and Play Date: February 14-17, 2017

Times of Event: Please see the attached sheet. Times needed for set-up/clean-up: Please see attached.

of tables: _____ # of chairs: 100 Will food/beverages be served? Yes No

Tech/ AV Services Needed: Yes No Details: We will have our sound technician

Requirements:

Cleaning Deposit: A cleaning deposit of \$100 is required of any user serving food or beverages. If the town determines after use that the building was acceptably cleaned, the deposit fee will be returned to the user. No food is allowed in Main Hall of the Town Hall. If food is to be served and/or prepared in foyer of Town Hall, the electrical outlet cannot exceed 20 amps. For more information call Kevin Smart, Maintenance Superintendent at 773-6162 prior to use.

Liability Insurance Required: The Town requires liability insurance to be submitted with this completed application. Required insurance amounts: General Liability/Bodily Injury/Property Damage: \$300,000/\$1,000,000. The Town of Exeter must be listed as additional insured.

Rental Fee: For Town Hall use there is a fee of \$125 per day. A rental fee waiver may be requested in writing.

Tech/AV Services: There is a fee of \$80 an hour for any Tech/AV services needed. Services must be arranged in advance. Email aswanson@exeternh.gov to coordinate.

Keys: Access to a town building after normal business hours requires a key sign out. Forms and keys can be obtained from the Town Manager's office at the Town Office during normal business hours (there is no other option for obtaining a key). A key can be collected up to 24 hours before your event (with the exception of Sunday events).

Signing below acknowledges receipt of and agreement to all rules, regulations and requirements pertaining to the use of a town facility. Permit approvals are contingent upon proper insurance and fees paid to the Town of Exeter.

Applicant signature: _____ Date: _____

Authorized by the Board of Selectmen/Designee: _____ Date: _____

Office Use Only:

Liability Insurance: On file In-process Fee: Paid Non-profit fee waiver requested

Town Hall 7th Grade Play info

February 2017

- 14 2:00 p.m. Set up
Seventh Grade Play Rehearsal 3:30 - 5:30 p.m.
- 15 Seventh Grade Play Rehearsal 3:30 - 5:30 p.m.
- 16 Seventh Grade Play: 6:30 p.m.
- 17 Seventh Grade Play 10:00 a.m.
Noon: start clean up



Application for Use of Town Facility

Forms submitted to: Town of Exeter, 10 Front Street, Exeter, NH 03833

Fax #: 603-777-1514 email: sriffle@exeternh.gov

Use Request: Town Hall (Main Floor) Bandstand Parking - # Spaces _____ Location _____

Signboard Request: Poster Board Week: _____ Plywood Board Week: _____

Representative:

Name: Martha Shepardson-Killam Address: 356 Exeter Road

Town/State/Zip: Hampton Falls, NH 03844 Phone: c: 603-339-0566

Email: msh@heronfield.org

Organization:

Name: Heronfield Academy Address: 356 Exeter Road

Town/State/Zip: Hampton Falls, NH 03844 Phone: 603-772-9093

Reservation Details:

Type of Event/Meeting: Eighth Grade Rehearsals and Eighth Grade Play Date: May 16-19, 2017

Times of Event: Please see the attached sheet Times needed for set-up/clean-up: Please see attached.

of tables: _____ # of chairs: 100 Will food/beverages be served? Yes No

Tech/ AV Services Needed: Yes No Details: We will have our sound technician

Requirements:

Cleaning Deposit: A cleaning deposit of \$100 is required of any user serving food or beverages. If the town determines after use that the building was acceptably cleaned, the deposit fee will be returned to the user. No food is allowed in Main Hall of the Town Hall. If food is to be served and/or prepared in foyer of Town Hall, the electrical outlet cannot exceed 20 amps. For more information call Kevin Smart, Maintenance Superintendent at 773-6162 prior to use.

Liability Insurance Required: The Town requires liability insurance to be submitted with this completed application. Required insurance amounts: General Liability/Bodily Injury/Property Damage: \$300,000/\$1,000,000. The Town of Exeter must be listed as additional insured.

Rental Fee: For Town Hall use there is a fee of \$125 per day. A rental fee waiver may be requested in writing.

Tech/AV Services: There is a fee of \$80 an hour for any Tech/AV services needed. Services must be arranged in advance. Email aswanson@exeternh.gov to coordinate.

Keys: Access to a town building after normal business hours requires a key sign out. Forms and keys can be obtained from the Town Manager's office at the Town Office during normal business hours (there is no other option for obtaining a key). A key can be collected up to 24 hours before your event (with the exception of Sunday events).

Signing below acknowledges receipt of and agreement to all rules, regulations and requirements pertaining to the use of a town facility. Permit approvals are contingent upon proper insurance and fees paid to the Town of Exeter.

Applicant signature: _____ Date: _____

Authorized by the Board of Selectmen/Designee: _____ Date: _____

Office Use Only:

Liability Insurance: On file In-process Fee: Paid Non-profit fee waiver requested

May:

- 15 2:00 p.m. Set up
Eighth Grade Play Rehearsal: 3:30 - 6:00 p.m.,
- 17 Eighth Grade Play Rehearsal: 3:30 - 6:00 p.m.,
- 18 Eighth Grade Play 6:30 p.m.
- 19 Eighth Grade Play 10:00 a.m.
Noon clean up

puddlejumper's

children's shop

August 4, 2016

To The Board of Selectman-Exeter, NH:

We are writing today to ask permission to leave a 10' x 10' canopy on the sidewalk just to the left of our storefront at 31 Water Street through the end of August.

The canopy protects our inventory from the elements, keeps the beautiful shade tree in the lot next door from shedding onto the inventory, and – in our opinion – is an attractive way to draw attention to our all-important annual clearance event. We have used a canopy in this way for 20+ years. It goes up for Sidewalk Sale Days-an annual event in downtown Exeter-and typically stays in place through August. Once Sidewalk Sales have passed we adhere to the ordinance #502.2a(2) and no inventory extends more than 24 inches into the right of way or sidewalk. We further insure that there is a minimum of 5 feet of sidewalk width for handicapped accessibility and raise the canopy to provide 6 feet 4 inches of head clearance for pedestrians walking underneath. We replace the canopy when it becomes worn or damaged in any way, and we are confident that removing it would have a devastating effect on our seasonal numbers. In fact, in years past, when we took it down earlier our sales plummeted immediately.

Before erecting the canopy we sought the permission our neighboring business owner, Jeff Turner of the Green Bean, as our inventory is directly in front of his business and partially on his property. The supporting letter is evidence of his permission. As a courtesy, we also checked with our other neighbor, The Chocolatier and received support from them as well. Their letter, stating such, is also included.

We have also included photos, with measurements for your review. We appreciate your consideration in this matter.

Sincerely,

Dennis & Cheri Smith

Owners, puddlejumper's

8/4/16

To: The Exeter Select Board

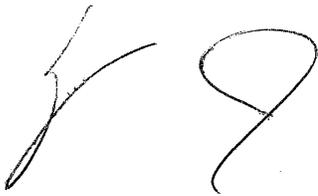
From: Jeff Turner and Lori Whitney
Owners of The Green Bean and 33 Water Street

We are writing this letter in support of Cheri Smith and her shop, Puddle Jumpers. Specifically, Lori and I are in support of the tent Puddle Jumpers is using to shield their product that sits in front of their store and our courtyard. This is not the first year Puddle Jumpers has had their summer tent sale and the tent/sale has proven time and again to be a draw for our business as well as hers.

Thank you for your consideration and we hope that Puddle Jumpers receives the needed exception to continue the use of the tent and for their product to be placed outside.

Sincerely,

Jeff and Lori

Handwritten signatures of Jeff and Lori. The signature on the left is a stylized 'J' followed by a flourish. The signature on the right is a stylized 'L' followed by a flourish.

The Chocolatier

August 4, 2016

To whom it may concern:

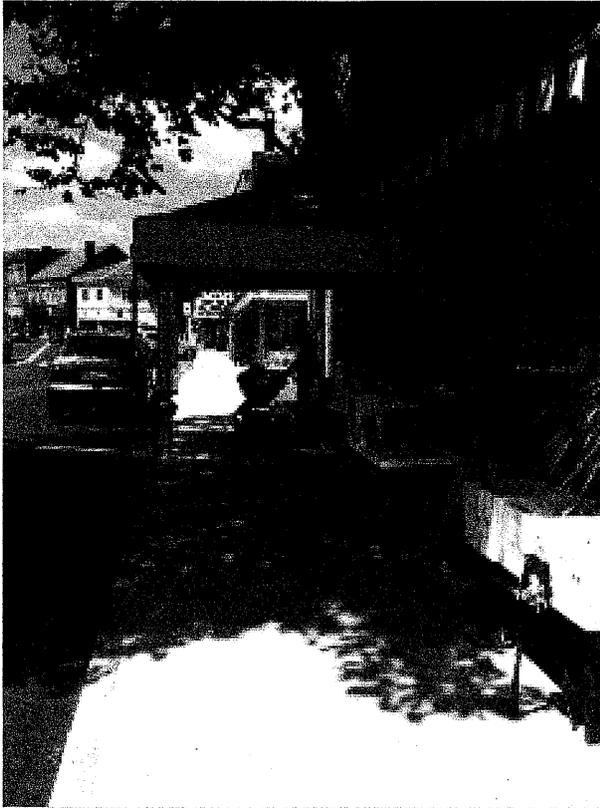
As owners of The Chocolatier we strongly support Cheri Smith's (puddlejumper's) "application for an exception" regarding her tent. The tent attracts customers to her business which in turn helps our business.

With the disruption caused by the recent downtown construction, the increased foot traffic generated by Puddlejumper's tent is a welcome benefit.

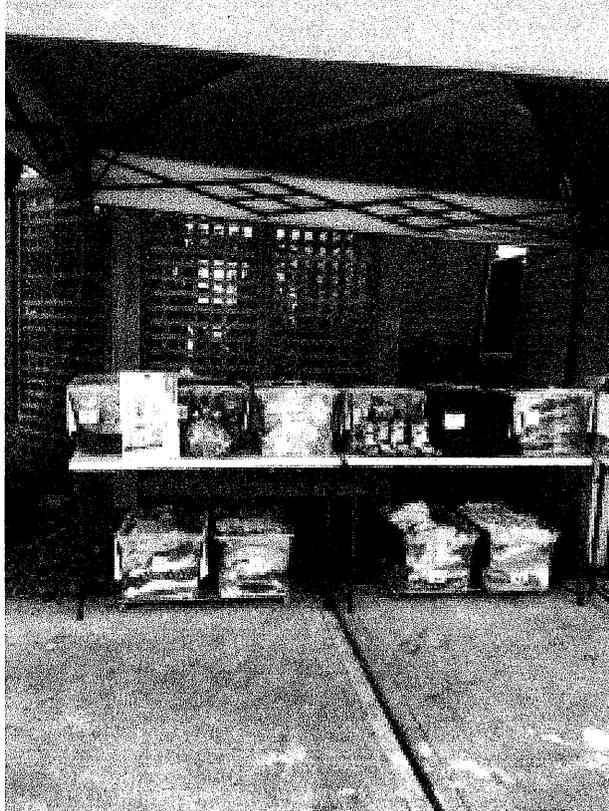
Sincerely,

The image shows two handwritten signatures in black ink. The first signature is 'Edna Howard' and the second is 'Jason Martone'. Both are written in a cursive, flowing style.

Edna Howard, Jason Martone
Owners, The Chocolatier



5' minimum right of way
for pedestrians





overhead clearance
6' 4"





COPY - Planning /

Building
eff. 8/1/11

AMENDMENT TO TOWN'S ORDINANCES:

Section 502 Highway and Sidewalk Obstruction

Delete: 502.2 Signs in Rights-of-Way

No person, firm or corporation shall place, caused to be placed or allow to be placed, any sign or sign so-called in the rights-of-way owned by the Town of Exeter whether adjacent to a street, road or sidewalk or not. This provision shall also apply to banner-type signs extending across the town's rights-of-way and to signs affixed to utility poles within such rights-of-way.

502.3 Waiver

Any person, firm or corporation seeking an exemption from this section shall petition the Board of Selectman, in a regular session, for a waiver. The petition shall clearly state the need of the posting places affected, and the duration of the posting.

Add: 502.2 Signs and Other Obstructions on Sidewalks or in Rights-of-Way

No person, firm or corporation, except as provided in 502.2a, 502.2b, 502.2c and 502.2d, shall place, caused to be placed or allow to be placed, any sign, sign so-called or other obstruction in or on sidewalks or the rights-of-way of the Town of Exeter whether adjacent to a street, road or sidewalk or not.

502.2a Signs and Displays

502.2a(1) Sandwich board or A-frame signs are allowed only along the Waterfront Commercial zone and along the following downtown streets: Water Street between Great Bridge and Main Street, Center Street, and Front Street from Spring Street to Water Street. Only one sandwich board sign per business establishment shall be permitted. All sandwich board signs shall be removed at the end of the business day for the respective business.

502.2a(2) Dimensions and placement

To encourage signs that are of a quality design, and are appropriate in size and materials, sandwich board signs shall meet the following criteria:

(A) A sandwich board sign shall have dimensions no greater than 42 inches in height, 24 inches in width, and shall extend into the right-of-way or sidewalk no more than 24 inches.

(B) No balloons, flags, illumination or other decorations may be placed upon a sandwich board sign.

(C) Sandwich board signs may not be permitted on sidewalks where the width of the sidewalk will be significantly diminished by placement of the sign.

(D) Business establishments requesting a permit for a sandwich board sign shall demonstrate that the business has premises and general liability insurance in the amount of \$300,000/\$1 million, which contains coverage for said business' use and activity upon the right-of-way or sidewalk, and shall cause the Town of Exeter to be named as an additional insured under the policy.

502.2a(3) Permit Required

Any person, firm or corporation seeking to place a sandwich board sign in or on a public right-of-way or sidewalk under 502.2a shall apply to the Town's Code Enforcement Officer for a permit for such sign. Such application shall specify the proposed location of the sign and the design and materials of the sign along with a dimensioned drawing of the proposed sign. Any modifications to the sign after approval by the Code Enforcement Officer must be re-submitted for approval. If approved, the applicant will be issued a Town sandwich board sign sticker to be placed prominently on the outside surface of the sign.

502.2a(4) Any person, firm or corporation seeking to place a merchandise display in or on a public right-of-way or sidewalk shall apply to the Town's Code Enforcement Officer for a permit for such display. Such display shall also be limited to 24 inches in width and shall extend into the right-of-way or sidewalk no more than 24 inches.

(A) Any person, firm or corporation seeking the use of the sidewalk for an infrequent sidewalk sale shall petition the Board of Selectman, in a regular session, for permission to do so.

502.2b Directional Signs ("Blue Signs")

Any person, firm or corporation seeking the installation of a directional sign, also known as a "Blue Sign," to a place or establishment shall petition the Board of Selectman, in a regular session, for permission. Permission will only be considered for purposes of directing the public to a place or establishment that is not on a primary Town road. The petition shall clearly state the need of the posting places affected, the duration of the posting and pay the cost of the sign(s), which will be installed by the Department of Public Works after approval by the Board.

502.2c Political Campaign Signs

Political campaign signs are allowed pursuant to RSA 664:17 as amended.

502.2d Banners, Flags and Balloons

Flags, balloons or banner-type signs extending above or across the town's sidewalks are allowed provided that the lowest portion of any such object shall be no less than 7 feet above a sidewalk, and in no event shall such object extend over any town-maintained street, roadway or parking lot so as to obstruct vehicle or pedestrian traffic or the view of the street, roadway or parking lot. Any person, firm or corporation seeking the installation of a special event banner extending across the town's roadways or rights-of-way shall petition the Board of Selectman, in a regular session, for permission.

502.2e Right-of-Way and Sidewalk Maintenance

All obstructions must be removed from town rights-of-way and sidewalks for winter maintenance during inclement weather. This includes sandwich board signs, planters, merchandise, tables, etc. In addition, all awnings must be retracted during inclement winter weather to allow safe passage for the maintenance vehicles and equipment.

502.2f Removal

Signs, flags or banners found in violation of this section shall be subject to removal at any time by the Department of Works, the Code Enforcement Officer or the Police Department. Such signs, flags or banners will be removed to the Department of Public Works and stored for one week so that the owner may retrieve the item. Items not retrieved after one week will be recycled or disposed of.

502.2g Town signs and poles

No one shall affix any sign, flag or other material to a Town of Exeter street sign, traffic sign or other town-owned structure located on town property or in the public right-of-way.

502.3 Waiver and Appeal

Any person, firm or corporation seeking an exemption from this section shall petition the Board of Selectman, in a regular session, for a waiver. The petition shall clearly state the need of the posting places affected, and the duration of the posting. Any person, firm or corporation having been denied a permit under 502.2a may appeal that denial to the Board of Selectmen in a regular session. The written appeal petition shall clearly state the reasons why the denial should be reversed and the permit should be granted.

Signed this 25 day of July, 2011.

Robert Aldrich

[Signature]

Julie D. Sullivan

[Signature]

Charles E. Clummet

Board of Selectmen

AUG 05 2016

Received

8-5-2016

Town Manager, Exeter, N H

Mr. Russell Dean

10 Front St.

Exeter, N H 03833

Dear Mr. Dean:

My property tax bill for the last tax year (2015) was about \$9,700 since the assessed value of the property (land and building) was \$302,000. In August, 2015, I received the current year's tax bill based on a new assessed value of \$380,000 and it caused my escrowed tax payment to rise by about \$4,300 a year (\$430 per month for the 10 months relevant to my mortgage owner. I was shocked at the \$78,000 increase in assessed value (25.8+ %) since as a professional economist I knew that

the general inflation rate was only about 1.5% in the most recent year. I intended to simply apply for a tax abatement (as I had done a couple of years ago – and was given one). I simply put it out of my mind and let the issue lay until March, 2016. When Janet Whitten, Assessing Clerk, told me in a very nice way in early March, 2016 that I had missed the state determined deadline for submitting abatement applications by March 1, I said to myself “How could I have been so lazy and careless so as to have missed the opportunity to get a much better, i.e., lower, assessment value (especially given the onerous increase in my tax financial responsibility) ?” Part of my mentally slovenly behavior was due to the fact that my total mortgage payment stayed at \$1,905.74 for January and March of 2016. I was warned by the mortgage holder that my payment would rise to \$2,334+ in March based on the new tax assessment. So it was entirely my fault (*mea culpa, mea maxima culpa*) for the financial

debacle I then encountered. I was counseled by Janet to ask for a personal visit in early June in order to get a new assessment for the next tax year. Janet has been very helpful to me and we even exchanged some humorous comments (I have enjoyed saying "Hello" to Janet every time I visit the Town Offices). I have to admit that I was mad at the state for not allowing abatement requests for a longer period of time.

Therefore, in early June, 2016, I walked into the Tax Assessor's office and asked Janet start the process to complete a revised property tax assessment of my property at 155 Court St in Exeter by visiting and going through the house. Janet was about to start the process when the current Assessor, Paul McKenny, CNHA, the from the firm of Municipal Resources in Meredith, N H came into the outer office and the three of us discussed the possibility of a personal visit and assessment. Janet and Paul couldn't have been nicer. Paul agreed to complete the assessment that afternoon which

astonished me because I didn't expect such a quick visit. Paul came out to my property and he and I had a wonderful visit, i.e., we talked about non-tax, mundane issues as he proceeded through the house. I was extremely impressed with his essential humanity in addition to his utter professionalism. Let me add that I had no idea what Mr. McKenney would ultimately make the new assessed value. Personally I thought that it would have to be lower given what I knew about the condition of the interior of the house.

In summary, I would like to thank Janet Whitten and Mr. Paul McKenney for their incredibly swift response to my request. I would like to highly compliment Ms. Whitten for her friendly and helpful interactions during this difficult time for me. I would also like to thank Mr. McKenny's for his very friendly demeanor, yet very professional attitude, while going through the house.

Sincerely,

A handwritten signature in black ink that reads "Andrew J. Stollar". The signature is written in a cursive style with a large initial 'A' and 'S'.

Andrew J Stollar, PhD, Economics

Professor Emeritus, Bentley University

155 Court St

Exeter, N H 03833-4025

603-772-2309

ajts.ajts@gmail.com

cc: Mr. Christian Pearsall and

Mr. Scott Marsh

Municipal Resources, Inc.

120 Daniel Webster Highway

Meredith, N H 03253



Russ Dean <rdean@exeternh.gov>

Fwd: Board of Selectmen meeting Minutes

Nancy Belanger <nbelanger@exeternh.gov>

Wed, Aug 3, 2016 at 9:46 AM

To: Dan Chartrand <dchartra@rcn.com>, Russ Dean <rdean@exeternh.gov>, Sheri Riffle <sriffle@exeternh.gov>

Thoughts?
Thanks,
Nancy Belanger

----- Forwarded message -----

From: "Don Clement" <dclement@exeternh.gov>
Date: Aug 2, 2016 11:22 AM
Subject: Board of Selectmen meeting Minutes
To: "Exeter Selectmen" <selectmen@exeternh.gov>
Cc:

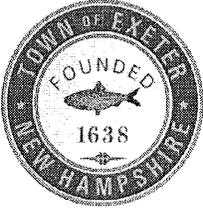
Last week I was looking for some information from our past meetings. When I searched the town web site I discovered that almost all of the minutes there from 2016 were still in their draft form. Amended and final minutes were not listed.

I also went to the Town Clerks office to review copies of older minutes on file. However, the folders for the year 2015 and 2016 were completely empty.

Our own Board of Selectmen policy 99-11 states that copies of our minutes and other committees shall be filed with the Town Clerk within 5 days of the meeting.

My concern is that we have become somewhat lax in maintaining our records and I would like to discuss reestablishing sound procedures for meeting minutes record keeping.

Thank You



OFFICE OF THE TOWN CLERK

10 FRONT STREET • EXETER, NH • 03833-3792

MEMO

TO: Russ Dean

FROM: Andie Kohler, Town Clerk

SUBJECT: Committee and Board Minutes

DATE: August 5, 2016

Hi Russ,

Last week Selectmen Clement requested BOS minutes for 2016. Unfortunately, I had only received minutes for 4 meetings. Mr. Clement did not request minutes from any other year. I have most of the minutes for FY15 & FY14 but some are missing.

I have some committees that send them regularly but most do not. I know Sheri has requested that ALL minutes should be forwarded to her for posting and on the website and me for our records. It seems this process is not being followed on a regular basis.

Going forward, it may help if the BOS Representative of the committee reminds the recorder to forward the minutes to Sheri and myself.

Thanks,

Andie

ANDREA J. KOHLER, TOWN CLERK
Office: 603-773-6105 Fax: 603-418-6424
akohler@exeternh.gov
www.exeternh.gov/townclerk



August 4, 2016

P: 603 | 627 | 0708
www.cmaengineers.com

Mr. Dan Chartrand
Town of Exeter
Board of Selectman
10 Front Street
Exeter, NH 03834

Re: Exeter 40436
Kingston Road TAP Project
Resource Agency Coordination (Responses Requested by 8/19/16)
CMA #1030

Dear Mr. Chartrand:

The Town of Exeter, New Hampshire, in conjunction with the New Hampshire Department of Transportation (NHDOT), is planning to enhance pedestrian/bike safety on Kingston Road (see attached locus map and figure). The project is being locally administered under the NHDOT's Transportation Alternatives Program (TAP).

As envisioned, the proposed project will widen the shoulders along both sides of Kingston Road between Westside Drive and Pickpocket Road (approximately 1 mile), include improvements at Brickyard Park, and enhance pedestrian crossings. Shoulder widening will involve removal of existing features and installation of sub-base, pavement, and side slopes, as well as modifying/replacing existing drainage pipes and structures, reconstructing driveways, clearing trees and vegetation (where they conflict with proposed work or restrict sight distances), erecting signage, and modifying utilities, as may be required.

We are in the process of preparing the necessary environmental documentation for the project and any comments or pertinent information that you or your staff can provide relative to potential impacts to environmental, social, economic, or cultural resources would be appreciated. Please feel free to contact Jennifer Mates, Assistant Town Engineer (603-418-6431 or jmates@exeternh.gov) or me (603-627-0708 or dHUDSON@cmaengineers.com) should you have any questions or need additional information.

Very truly yours,
CMA ENGINEERS, INC.

Daniel Hudson, P.E.
Project Manager

JJB/DH:ams

Enclosures

cc: Jennifer Mates, Town of Exeter

Memo

To: Exeter Conservation Commission, Exeter Planning Board
Thru: Exeter Board of Selectmen
From: Kevin Smart, Maintenance Superintendent
Date: 29 July 2016
Re: Carr Property Acquisition
Cc: Town Manager Russ Dean, Public Works Director Jennifer Perry

Pursuant to NH RSA 41:14-c, a review and recommendation from the Town's Conservation Commission and Planning Board are being requested in conjunction with the Town's purchase of 4.7 acres of land abutting the Exeter Public Works complex on Newfields Road.

The parcel is owned by the Jaye L. Carr Trust 2000, 17 Newfields Road, Exeter, N.H. and identified as Tax Assessor's Map 49, Parcel 12. The parcel has no road frontage and is considered back land, and as such is landlocked by Public Works activities.

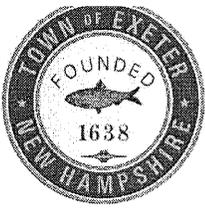
The Title Search was conducted by Title Pro., and an appraisal was completed in August 2015 by Craft Appraisals. The Purchase and Sale Agreement, and Deed were generated by Mitchell Municipal Group, P.A. and signed on July 11, 2016 for a purchase price of \$24,000.00.

The intended use is the property is for General Government. A September 2016 purchase completion is desired.

I have attached the following for your review:

- Real Estate Appraisal Report prepared by Crafts Appraisal Associates
- Buffer Map of property
- Executed Purchase and Sale Agreement
- Copy of Warranty Deed

I would like to request that this matter be placed on the Conservation Commission 8/9/2016 meeting, and on the 8/11/2016 Planning Board's meeting agendas for consideration. If you should have any questions, please do not hesitate to contact me.



TOWN OF EXETER, NEW HAMPSHIRE

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

www.exeternh.gov

PUBLIC MEETING

Kingston Road Improvement Project

Wednesday, August 17, 2016, at 6:30 P.M.

Nowak Room of the Town Office

10 Front Street, Exeter, NH

The Department of Public Works will be holding a Local Concerns Meeting for the Kingston Road Improvement Project. The project is intended to make safety improvements to the existing roadway (from Westside Drive to Pickpocket Road, shown in yellow) by adding or enhancing pedestrian/bike facilities. For more information, go to <http://exeternh.gov/publicworks/kingston-road-project> or just scan the QR code below.

The intent of the meeting is to collect input from the public relative to the existing conditions, concerns, and project goals. A review of the existing site conditions, contemplated improvements, and schedule will be followed by a question, answer, and comment period.

