

**Exeter Board of Selectmen Meeting
Monday, September 12th, 2016, 6:45 p.m.
Nowak Room, Town Office Building
10 Front Street, Exeter, NH**

1. Call Meeting to Order
2. Board Interviews – Budget Recommendations Committee, Conservation Commission
3. Public Comment
4. Minutes & Proclamations
 - a. Proclamations/Recognitions
 - b. Minutes: Regular Meetings: August 22nd, 2016
 - c. Minutes: Special Meetings: August 31st, 2016
5. Appointments
6. Discussion/Action Items
 - a. New Business
 - i. Public Hearing: Water Restriction Ordinance
 - ii. Town Hall Use Discussion
 - iii. COAST Proposal – Comfort Station
 - iv. Master Plan Contract
 - v. Public Hearing: Carr Property Purchase
 - vi. Police Chief re: new Police RSAs
 - b. Old Business
 - i. NHMA Policy Conference Items
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: 9/9/16 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: BUDGET RECOMMENDATIONS COMMITTEE (BRC)

New Re-Appointment Regular Alternate

Name: LEN BENJAMIN Email: LBEN3065@GMAIL.COM
 Address: 8 WIDEMERE LAKE Phone: 603-580-1517

Registered Voter: Yes No

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

I HAVE PREVIOUSLY SERVED ON TWO TOWN
COMMISSIONS AND WOULD LIKE TO BE ACTIVE
AGAIN IN TOWN AFFAIRS. TAXES ARE AN
IMPORTANT ASPECT OF LIFE IN EXETER. BY JOINING
THE BRC I WOULD HOPE TO MAKE SOME POSITIVE
IMPACT ON THE TOWN'S FISCAL WELL-BEING.

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: Len Benjamin Date: 31 AUG, 2016



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

6:55 pm
9/12/16

**Statement of Interest
Boards and Committee Membership**

Committee Selection: Budget Committee

New Re-Appointment Regular Alternate

Name: Christine Soutter Email: cjdavis2001@comcast.net

Address: 31 Cullen way Phone: 603 858 0838

Registered Voter: Yes No

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

Background in municipal govt. as well as
previous volunteer member of the Exeter
E.D.C.

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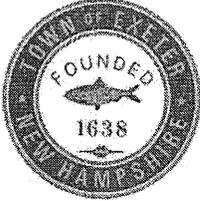
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I certify that I am 18 years of age or older:

Signature: C. J. Soutter

Date: 8/25/16



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

**Statement of Interest
 Boards and Committee Membership**

Committee Selection: Conservation Commission

New **Re-Appointment** **Regular** **Alternate**

Name: David O'Hearn **Email:** dohearn@wtgnh.com
Address: 9 Hale St Exeter, NH 03833 **Phone:** H 603-772-0613 Cell 603-770-3905

Registered Voter: Yes No

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

I was recommended by Kristen Murphy the Natural Resource Planner for the Town of Exeter. I am interested in becoming an alternate to view the workings of the committee. My experience comes from my hobbies of hunting, fishing and trapping in which I have spent over 40 years pursuing locally. I may not know a lot about laws, setbacks, etc but I have rich knowledge of local wildlife, fish and trees that I would like to share. I was recently accepted as a member of the Exeter-Squamscott River Local Advisory Committee. I am an official land steward for the Society for the Protection of NH Forests for their 468 acre parcel on Quarry Mountain in Alton, NH. I am an accomplished outdoor writer being published numerous times in NH F&G's Wildlife Journal. I also write monthly for NH's only sportsmen's magazine called NH Hawkeye.

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

Signature: *David O'Hearn* Date: 8-23-16

Draft Minutes

Exeter Board of Selectmen

August 22, 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, Selectwoman Nancy Belanger and Selectwoman Anne Surman. Town Manager Russell Dean was also present.

2. Board Interviews

There were no Board Interviews.

3. Public Comment

Elizabeth Dion, Exeter resident, spoke first. She is in search of a resolution for traffic by the Catholic Church. She said it is a very messy area and suggested a roundabout in that area. She said a roundabout would solve the safety issue. Vice Chair said this is an idea she has been interested in. She would like to see a resolution there. Selectman Clement said there was an attempt made many years ago for a roundabout. Selectwoman Belanger agreed that this is a problem area. Selectwoman suggested Ms. Dion talk to the Chief of Police and DPW and agreed they need an answer here. Chair Chartrand said they need to go through channels to get this approved, but he likes the idea.

Mike Dawley, Exeter resident, spoke next. He said budget season is almost here. He is confused about the \$9 million renovation of the rec park. He said there is a site plan and the town is just running with it. He said no one has vetted that plan. Selectman Clement said on Thursday night the Planning Board will hold the first CIP hearing. He said the rec park expansion is on that. There will be presentation and discussion. Mr. Dawley asked what the Planning Board will do. Selectman Clement said Planning Board will have a second hearing. He said typically there isn't a vote to say yes or no, they'll just discuss it. He said they may move to pass the CIP projects to the BOS. Chair Chartrand said after the Planning Board, it will go to the BRC, then the BOS, then deliberative session, then to town vote. He said it will be a very thorough process. He added that Mike Favreau has done a lot of presentations on this lately. Mr. Favreau said he just thinks this needs to be looked at for a lower price. Selectwoman Surman said they got a presentation from Mike Favreau and they haven't gotten some answers they asked for. Selectman Clement said this needs more engineering done before it's presented to the town.

Art Baillargeon spoke next, asking about water/sewer work on Lincoln Street. Mr. Dean said there is a Lincoln Street phase 2 proposal in the CIP. He said there needs to be some sewer work done there, which is in the CIP request. Mr. Baillargeon said the street has a lot of potholes as well. Selectman Clement said he didn't think Lincoln Street will be paved this year. Mr. Dean said that is correct.

4. Minutes and Proclamations

a. Proclamations/Recognitions.

There were no proclamations or recognitions.

b. Minutes: Regular Meeting: August 8, 2016

Vice Chair Gilman had an amendment to page 1, changing the first sentence under 2. to read "Chair Chartrand convened the meeting at 6:50pm and recessed to the Wheelwright Room for an interview with KC Cargill for a position on the Budget Recommendations Committee. The meeting reconvened at 7pm."

Selectwoman Surman had an amendment to page 2 changing the second sentence in the 4th paragraph to say "She supports this, but the Resolution says that the Town supports this so the process should be this should go on the Warrant." She also had changed "not" to "now" in the next paragraph. Her third amendment was on page 5 fourth paragraph, adding a sentence to say "Ms. Perry said they didn't know what to expect, so they couldn't budget for it."

Selectman Clement had an amendment to page 5, changing "training" to "draining".

Motion: A Motion was made by Selectwoman Surman and seconded by Selectman Clement to approve the minutes of the August 8, 2016 BOS meeting, as amended. Motion carried – all in favor.

5. Appointments – Budget Recommendations Committee

Motion: A Motion was made by Vice Chair Gilman and seconded by Selectwoman Belanger to appoint KC Cargill to the Budget Recommendations Committee. Selectwoman Surman asked if Mr. Cargill had registered as a voter yet. Chair Chartrand said that is unknown. Vice Chair Gilman and Selectwoman Belanger withdrew their Motion and second while until they could find that out.

The Board discussed Action Item ii. next, and then moved to Action Item i.

6. Discussion/Action Items

a. New Business

ii) Fire Department – Old Ambulance Donation Request

Chief Brian Comeau asked if the Board would be interested in donating the surplus 2006 Ford Ambulance to the Seacoast Chief Fire Officers. He talked the SCFO, saying they are mostly volunteers and all about sharing resources. The truck would be repurposed. He asked for the Board's support.

Selectwoman Surman asked what the value of the vehicle is. Chief Comeau said it is about \$3500.

Chief Comeau added that this has been done in the past.

Motion: A Motion was made by Selectwoman Belanger and seconded by Selectwoman Surman to approve donation of the surplus ambulance to the Seacoast Fire Chiefs Association. Motion carried – all in favor.

i) Supervisors of Checklist re: state primary September 13th

Susan Gorman and Vicky Nawoichyk were two of the three Supervisors present.

Ms. Gorman spoke first, and talked about the upcoming primary. She wanted to make sure that everybody who is qualified to vote can. She thanked Andie Kohler and Paul Scafidi for their work. She explained that the Supervisors of the Checklist is a Board of people who are responsible for everything to do with voting like accuracy of voter's info, checking in, registering voters, and verifying nominations. She went on to say it is easy to vote, and there is same day registration.

New Hampshire Primary is Tuesday, September 13. Ms. Gorman reminded all voters to bring their picture ID with an address on it. She said the Supervisors of the Checklist will have a public session to handle all matters for voting on Tuesday September 6 from 7-730pm at the Town Office building.

Chair Chartrand asked if residents can vote at the Town Clerk's office. Ms. Nawoichyk said yes, they can.

Ms. Gorman reminded residents that there are voter ID laws in NH, but there are affidavits for those with no picture ID.

The Town Clerk has new hours. Ms. Gorman said some election laws have changed. Those changes include: Supervisors of the Checklist can now advertise sessions on the town website, provisions for voting absentee have expanded, if you are now 17 years old and will be

18 by the time the general election comes you can only register to vote as you must be 18 to vote in NH, and any influencing campaign clothing is considered electioneering and is illegal. The Supervisors of the Checklist can be contacted at 603-773-6121 or at soc@exeternh.gov.

The IT Department came out and said none of this information was broadcasted. Chair Chartrand said he would like to put this on the next agenda for a revised presentation.

Paul Scafidi, Town Moderator, talked about traffic during voting. He said there will be one way in and one way out. He explained the traffic routes. He said parking at the High School is limited, so he asked voters to be patient. He asked those working the polls to park in the lower parking lot behind the field. He asked anybody who would be there for any length of time to park out back.

Mr. Scafidi went on to talk about the Selectmen's roles. He said the law says the Selectmen are supposed to be at the polls all day. The new law allows Selectmen to appoint somebody in their place if they can't be there. He said if there is anybody wearing a button, pub, t-shirt, or anything of the sort, that is electioneering and they cannot until it is removed.

Mr. Scafidi asked voters to come into the building, check in, get their ballot, vote, and then leave. He said the voting area will be in the gym area and voters cannot stand around in that area where the ballot booths are. He said there are barricades outside for sign holders and there has to be a person holding a sign – not just a sign leaning against something or in the ground. There is no electioneering allowed in the parking lot.

Mr. Scafidi said if anybody has any questions they can contact him or the Town Clerk. He said bake sales and such are ok, just call the Town Clerk to legitimize.

iii) Dump Truck Lease/Purchase – DPW

Mr. Dean said this is Article 19 of the town meeting that was passed. He said the DPW recommends a 2017 dump truck costing \$149,235, which is well within the budgeted cost. He said the DPW recommends going with Tax Exempt Leasing for the financial agent who is offering an interest rate of 2.37% over 5 years. Mr. Dean said if this is approved the town will make a payment this year, and then have four payments to go and that will be within the appropriation.

Motion: A Motion was made by Selectwoman Surman and seconded by Selectwoman Belanger that the BOS authorize a five year lease/purchase in the amount of \$149,235 with Tax Exempt Leasing for a 2017 International 7400 cab and chase dump truck for the DPW, with an interest rate of 2.37%, and to authorize the Town Manager to sign any necessary documents related to the lease/purchase agreement. Motion carried – all in favor.

iv) Kingston Road Project Update

Mr. Dean said there was a public meeting on this last Wednesday night. He said there were about 15 attendees from the public. He went on to say there is no formal design for the project, but there was some public input. The public's biggest concerns are the safety of the shoulders and sidewalks. There will be a follow-up meeting in mid-September.

Mr. Dean said if any members of the Board have any specific questions, to send them his way.

v) 2016 Selectboard Goals – Master Plan

Chair Chartrand said they Board has been reviewing the four Selectboard goals they set for themselves. The goal they would discuss tonight is the first goal – Master Plan Update.

Vice Chair Gilman is the representative to the Master Plan Steering Committee. She said that committee is made up of about 20 people. They have been alternating morning/night meeting to accommodate everyone's schedules. There has been a bid put in for a contractor to help with updating the Master Plan. She said a company has been chosen to establish to scope of work to be done and there will be several public meetings for input. She said the process is supposed to end before March 2017 and they should be seeing some actions by Nov/Dec/Jan.

Selectwoman Surman asked if there are any reps from the hospital, PEA, schools, or Riverwoods on the MP Steering Committee. Vice Chair Gilman said they do have representatives from all four entities.

Selectman Clement asked if the MP Steering Committee will be doing an interim report for the Planning Board. Vice Chair Gilman said she wasn't sure, but said it is a good idea. Selectman Clement said it is good to keep the Planning Board engaged.

Chair Chartrand said he thinks this is the most important goal. He said the Master Plan is a plan that has needed updating for a long time. He is glad the new Planning Director set an ambition timeframe for getting this done. He said he has a vision for the new Master Plan that the town needs to increase its population. He would like to see this incorporated in the Master Plan.

Mr. Dean said the Master Plan process is always geared toward a 10-20 year horizon. He said a lot of great information has been coming out of the Housing Advisory Committee meetings.

Selectman Clement said he is unsure an increase to the population should be a goal the Master Plan sets. He said they could describe it as more infrastructure, adding Complete Streets, and those kind of details. He is unsure how they can increase the population.

The Board moved back to the Board Interviews discussion. It was discovered that even if KC Cargill had registered to vote, it may not be on the list yet. Selectwoman Surman said because it not known if he has registered, she cannot vote in favor of appoint him to the BRC. Selectman Clement agreed with Selectwoman Surman. Vice Chair Gilman said their past practice has been casual about this.

Motion: A Motion was made by Vice Chair Gilman and seconded by Selectwoman Belanger to appoint KC Cargill to the Budget Recommendations Committee. Motion carried – 3-1-1 vote. Selectwoman Surman voted nay, and Selectman Clement abstained.

b. Old Business

i) TBD

7. Regular Business

a. Tax, Water/Sewer Abatements & Exemptions

There were no tax water/sewer abatements or exemptions.

b. Permits & Approvals

Mr. Dean told the Board about a request for an extension for an MS-1 form. He said MRI recommends this extension. It can be extended until October 1.

Motion: A Motion was made by Selectman Clement and seconded by Selectwoman Belanger to sign the MS-1 extension. Motion carried – all in favor.

c. Town Manager's Report

Mr. Dean talked about the following:

- The dam removal project is moving forward. They are doing major work contouring the river bottom. Fish & Game and NOAA have been talking about maintaining more of a fish passage. They have been told that money is tight, but they are trying to work through that.

- String Bridge work continues

- He walked downtown with Dave Sharples and reviewed bench placements. There is a plan.

- Had a Housing Advisory Committee meeting on August 12
- The Revolving Fund application for the wastewater plant will be acted on September 7 by Governor and Council.
- Dam Ceremony is September 9
- The stop sign at the Epping Road/Park Ave intersection is up
- The draft CIP has been completed
- Lincoln Street phase 2, the Rec Park project, Court Street Bridge culvert project, and TTHM remediation are all part of the CIP
- He had a conversation with a resident about commercial trucks in Swasey Parkway. He said commercial trucks are prohibited in the Park. DPW would take the lead on this for our own trucks.
- FY17 budget work continues
- School starts August 29
- October 31 will be trick or treat
- A land use citation has been filed with the court for 3 Sanborn Street
- Got an email saying FEMA preliminary maps have not been filed yet

Selectman Clement asked if there is a sign in the Parkway saying commercial trucks are prohibited. Mr. Dean said yes, there is a sign.

d. Selectmen's Committee Reports

Selectman Clement reported the Planning Board met and reviewed and approved a 1200 square foot addition for McFarland Ford. He said they heard from Jennifer Perry about a tentative P/S agreement for some property behind a garage on Newfields Road. He also reported that Safety Committee met last week. They heard from a Primex rep who suggested departments should invest in straps to help move heavy equipment because there have been complaints of lifting injuries. He said Planning Board will meet this Thursday and have the first CIP hearing.

Selectwoman Surman reported a site walk with the Conservation Commission. She reported that the timber harvest was a great success. Also, they are looking for people for the Trails Committee. Also, the Rayne's Farm will have its festival in September.

Vice Chair Gilman reported the dam ceremony will be September 9, which is also the date the L-CHIP folks are coming to walk through the Winter Street Cemetery. She will know by December if they will be awarded the L-CHIP grant.

Selectwoman Belanger reported a Housing Authority Committee meeting on August 12. She said the next meeting will be September 9. She said lots of data was gathered. Also, she reported that the Water/Sewer Committee will meet this week to discuss the rate study.

Chair Chartrand reported the EEDC will meet on August 30 at 7pm.

e. Correspondence

The following correspondence were included in the packet:

- letter from DTC re: Riverwoods v. Town of Exeter withdrawal of appeal
- email from Dave Sharples re: creating a E911 Committee. The Board thought this was a great idea.
- letter from NHDES re: Request to Expedite, C31 Project. Selectwoman Surman asked when and why this was made concurrent with the Conservation Commission's application. Mr. Dean said DES seeks a letter from the town so they can review it and decide whether to grant the to expedite the process. He said this letter allows expediting. Selectwoman Surman asked what would happen if Conservation Commission didn't approve it. She asked when this letter was asked for. Mr. Dean said he can look further into it. Selectwoman Surman said if the Conservation Commission was not in favor, the town would look like a divided front to the State. She said this is about process and thought Mr. Winham should have worked with the Conservation Commission. She thought there could have been better communication.
- multiple NHMA Floor Policy Proposals

8. Review Board Calendar

The BOS will have a joint meeting with the Water/Sewer Advisory Committee on August 24 at 6:30pm. September 6 will be a consultation meeting with council. The next BOS meeting will be September 12.

9. Non-Public Session

A Motion was made by Vice Chair Gilman and seconded by Selectwoman Belanger to go into a non-public session under RSA 91-A 3 II (e) and (I). Motion carried – all in favor. Selectwoman Belanger called the roll call. Selectman Clement, Chair Chartrand, Vice Chair

Gilman, Selectwoman Surman, and Selectwoman Belanger voted aye. The Board was now in non-public session.

The Board emerged from non public session. Selectwoman Belanger moved to adjourn. Selectwoman Surman seconded. The board stood adjourned at 9:30 p.m..

Respectfully submitted,

Nicole Piper, Recording Secretary

Board of Selectmen

August 31, 2016

Special Meeting

In attendance: Chair Dan Chartrand, Vice-Chair Julie Gilman, Clerk Nancy Belanger, Selectman Donald Clement. Absent: Town Manager Russ Dean and Selectwoman Anne Surman.

The Chair called the meeting to order at 6:07 pm.

Town Planner Dave Sharples handed out an information packet regarding an available grant to submit; the Transportation Alternatives Program Application and a draft letter of support for the Selectboard to consider.

Dave Sharples explained how this grant would help fund portions of the towns sidewalk community project: Epping Road in the vicinity of Great Bay Kids which would extend the existing sidewalk to both sides of Epping Road and each side would conclude in the same place; the east side of Spring Street that would expand from Front Street to Main Street; and Winter Street that would expand the sidewalk from Whitely Street to Epping Road and provide a crosswalk across Epping Road in the area of Park Street Common.

The total cost of the project is \$541,261.00. The grant offered is an 80/20 match with \$433,009 federally funded and \$108,252.00 matched by The Town of Exeter.

Vice-Chair Julie Gilman made a motion that the Board of Selectmen sign the letter of support for the Transportation Alternatives Program grant to construct various sidewalks. The motion was seconded by Selectman Don Clement. Motion carried by a 4-0 vote.

There was a general discussion regarding the recent issuance of a water ban restriction going from voluntary to mandatory. There was concern voiced by Selectmen Clement that the procedure wasn't followed. All members spoke.

Selectman Clement made a motion that the Board of Selectmen establish regulations per NH RSA 41:11-d restricting the use of water from private wells and public water systems for outdoor lawn watering. The motion was seconded by Vice Chair Julie Gilman. Motion carried 2-1-1 with Selectman Don Clement and Vice-Chair Julie Gilman voting yea, Chair Dan Chartrand voting no and Selectwoman Belanger abstaining.

Motion to Adjourn was made by Selectwoman Belanger and seconded by Selectman Clement. All in favor. Meeting adjourned at 6:45 pm.

Respectfully Submitted by,

Selectwoman Nancy Belanger, Chair

September 1, 2016

What is Constitution Day?

“The United States Constitution has proven itself the most marvelously elastic compilation of rules of government ever written.” *Franklin D. Roosevelt*

What is Constitution Day and Citizenship Day? - Constitution Day is observed each year on September 17 to commemorate the signing of the Constitution on September 17, 1787. Originally entitled Citizenship Day, recent legislation has renamed the day as Constitution and Citizenship Day and mandated that federally funded schools and federal agencies provide instruction and information about the Constitution. The selected resources which will be updated annually are intended to provide a resource for educators and the general public.

What is the legislature and chronological history of Constitution Day, Citizenship Day and Constitution Week?

- 1940 "I Am an American Day" celebrated on the third Sunday of May, 54 Stat. 178, May 3, 1940.
- 1952 The day is moved to September 17th and the name is changed to Citizenship Day, 66 Stat. 9, February 29, 1952.
- 1952 President Truman proclaims the first Citizenship Day, Proclamation 2984, July 25, 1952, 17 FR 6931.
- 1955 President Eisenhower proclaims the first Constitution Week, Proclamation 3109, August 19, 1955, 20 FR 6209.
- 2004 Consolidated Appropriations Act, 2005, Pub. L. 108-447, 118 Stat. 2809 (Dec. 8, 2004; H.R. 4818; see Section 111© of Division J. pages 3344-45. Amends Title 36 USC 106 to rename Constitution Day and Citizenship Day mandates that schools receiving federal funding must instruct students on the Constitution on September 17th.
- May 24, 2005 - Notice of Implementation of Constitution Day and Citizenship Day on September 17 of Each Year. 70 Fed. Reg. 29727.

Appendix A

ENABLING LEGISLATION THAT ALLOWS THE ADOPTION OF WATER USE RESTRICTIONS AND/OR BYLAWS

38:26 Bylaws and Ordinances. –

I. In municipalities with public water systems the governing body, or the board of water commissioners, if any, may adopt such ordinances and bylaws relating to the system or structures as required for proper maintenance and operation.

II. Any person who violates any ordinance or bylaw adopted pursuant to paragraph I of this section shall be subject to a civil penalty not to exceed \$10,000 per day of such violation.

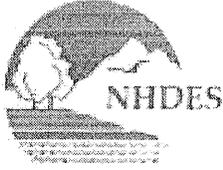
AUTHORITY FOR WATER UTILITIES REGULATED BY THE PUBLIC UTILITIES COMMISSION TO RESTRICT WATER USE

Water utilities regulated by the Public Utilities Commission (PUC) may restrict water use in accordance with Administrative Rule Puc 604.07 – Shortage of Supply which states the following:

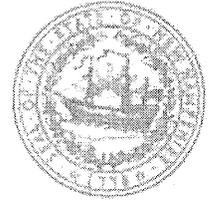
- (a) The utility shall furnish a continuous and adequate supply of water to its customers and to avoid any shortage or interruption of delivery thereof except when prevented from doing so by emergencies the effect of which prudent planning would not have avoided.
- (b) If a utility finds that it is necessary to restrict the use of water it shall give the commission and its customers written notice, except in emergency conditions, no less than 24 hours in advance, before such restriction becomes effective.
- (c) Such notifications shall specify:
 - a. The reason for the restriction;
 - b. The nature and extent of the restriction, such as restrictions on outdoor use of water or use by certain classes of customers;
 - c. The date such restriction is to go into effect; and
 - d. The probable date of termination of such restriction.

(d) During times of threatened or actual water shortage each utility shall equitably apportion its available water supply among its customers with due regard to public health and safety

Penalties or other enforcement actions must be in accordance with the company's tariff, PUC rules or as otherwise approved by the PUC. For more information, contact PUC at: 21 South Fruit Street, Suite 10 Concord, NH 03301-2429; Phone: (603) 271-2431; Fax: (603) 271-3878,



The State of New Hampshire
DEPARTMENT OF ENVIRONMENTAL SERVICES



Thomas S. Burack, Commissioner

**RESTRICTING RESIDENTIAL LAWN WATERING
DURING STATE OR FEDERALLY DECLARED DROUGHTS**

Municipal and privately-owned public water systems have had the authority to implement water use restrictions for water system customers under RSA 38:26. Water systems with potential water supply shortages have often restricted or banned residential lawn watering to ensure an adequate water supply is maintained.

In 2007, the legislature adopted RSA 41:11-d, authorizing municipalities to restrict all residential lawn watering for areas within their political boundaries if the state or federal government declares a drought condition for that region of the state. This authorizes a municipality to adopt regulations to restrict residential lawn watering during a drought for properties that obtain water from either public water systems or on-lot private domestic wells.

The legislation was adopted because of experiences during the 2001-2003 drought when municipalities and the state found there was no clear process to curtail residential lawn watering, even in neighborhoods where private residential wells were dewatered. During the drought, homeowners with dewatered or dry wells spent thousands of dollars to replace or deepen wells and experienced long waits due to the increased demand for water well contractor services. Many homeowners resorted to cross-connecting their home plumbing system via a garden hose to a neighbor's home or illegally dumping water hauled to their property into their dewatered well.

In order to adopt residential lawn watering regulations for drought conditions, the local governing body may establish the regulations after public notice that includes publishing them in a paper of general circulation in the municipality and posting them in at least two public places. Implementing and enforcing these regulations may occur at least three calendar days before implementation. The minimum notification requirements are provided in the regulation but towns are encouraged to find supplemental means of notification to residents. RSA 41:11-d allows for broad flexibility in developing residential lawn watering restrictions. The governing body of the municipality can specify how, where, when, and to what extent the lawn watering restrictions apply. The governing body may also enforce the lawn watering restrictions by imposing fines in accordance with RSA 625:9.

1610 Water Use Restrictions

- 1610.1 is to ensure the use of water is regulated in a manner the Board deems to be in the best interests of the Town of Exeter. The Board may use reasonable means to protect, preserve and maintain the public health, safety and welfare when a water supply shortage exists.
- 1610.2 The Town of Exeter adopts this by-law or ordinance under its authority to regulate public water systems under RSA 38:26 and to restrict the use of private wells to water lawns under RSA 41:11-d.
- 1610.3 The requirements of this section shall apply to all water users with connections receiving water from the Exeter Water Department under RSA 38 and private wells in Exeter under RSA 41:11-d.
- 1610.4 By definition, a water supply shortage is a situation when insufficient water is available to meet the present or anticipated needs of the water system. A water supply shortage usually occurs due to drought or a major infrastructure failure.
- 1610.5 Upon declaration of a water supply shortage or other water emergency the Board shall be authorized to determine and implement restrictions necessary to conserve and maintain adequate reserves of the public water supply. Provided there is a declaration as noted above, the following levels of restriction will apply immediately after the public notification period specified in 1610.6.
- a. If the Board issues a Level 1 restriction, then
 - i. The public is requested to refrain voluntarily from landscape watering and to limit the amount of water used outdoors for other purposes.
 - ii. Landscape watering shall not occur between the hours of 8 am and 7 pm.
 - b. If the Board issues a Level 2 restriction, then
 - i. Landscape watering by odd numbered addresses is allowed on odd numbered days.
 - ii. Landscape watering by even numbered addresses is allowed on even numbered days.
 - iii. Landscape watering shall not occur between the hours of 8 am and 7 pm.
 - c. If the Board issues a Level 3 restriction, then
 - i. Landscape watering by odd numbered addresses is allowed on Mondays and Thursdays.
 - ii. Landscape watering by even numbered addresses is allowed on Tuesdays and Fridays.
 - iii. Landscape watering shall not occur between the hours of 8 am and 7 pm.
 - d. If the Board issues a Level 4 restriction, then
 - i. Landscape watering is prohibited.

- ii. The filling of swimming pools greater than 100 gallons capacity is prohibited.
 - iii. Washing of streets, driveways, sidewalks or other impervious areas is prohibited.
 - iv. Washing of vehicles or boats at a non-commercial facility shall be prohibited.
- 1610.6 Notification of intent to implement water use restrictions by the Board due to a water supply shortage shall be posted in two public locations and published in a newspaper of general circulation within the town of Exeter or by such other means reasonably determined to notify all affected water users.
- 1610.7 The Board upon a determination that the water supply shortage no longer exists may terminate a State of Water Supply Shortage. Public notification of the termination of a State of Water Supply Shortage shall be given in accordance with 1610.6.
- 1610.8 Exceptions to restrictions include the following
- a. Hand irrigation of crops used for food by residents at a residential property shall not be restricted.
 - b. Water to sustain animal life shall not be restricted.
 - c. Commercial car washes, cash crops, farms, flower shops or garden centers.
 - d. Despite the authority granted by 1610.2, orders imposing water use restrictions shall not apply to uses that obtain water from sources other than the public water supply, unless it can be clearly demonstrated that the use of such water directly affects the public water supply. Note: Municipalities have the authority to implement lawn watering restrictions in accordance with RSA 41:11-d applicable to all water users (including those using private wells) under state declared drought conditions.
- 1610.10 Any person failing to comply with the restrictions imposed pursuant to this Ordinance shall be subject to a fine and/or be subject to imposition of civil penalties pursuant to RSA 38:26, II not to exceed \$10,000 per day of such violation. Recovered penalties shall be used as the Town of Exeter may direct. In addition to the foregoing penalties, the Town of Exeter is authorized to discontinue the furnishing of water where orders and restrictions have been violated. Such discontinuance shall be made pursuant to RSA 38:31 and may be continued so long as there is evidence that the violations will continue.

First violation: Written warning delivered to site of violation

Second violation: \$100 fine

Third violation: \$500 fine and discontinuance of water service.

All current fees will be applicable in addition to fines including but not limited to fees for water shut-off and turn-on.

CHAPTER 16 WATER SERVICE REGULATIONS

1600 Purpose

The purpose of this Chapter is to regulate the use, consumption, and operations of the municipal water system in the Town of Exeter pursuant to RSA 38. It is the intent of the Town that this Chapter shall bind all customers as hereinafter defined to take water only in accordance with the provisions of this Chapter, and any customer, by taking water, shall be considered as expressing his assent to be bound by this Chapter.

1601 Definitions

- A. The word "**Board**" shall mean the Board of Selectmen.
- B. The word "**Manager**" shall mean the Town Manager.
- C. The word "**Department**" shall mean the Public Works Department of the Town of Exeter.
- D. The word "**Customer**" shall mean any firm, person, corporation, body politic, or organization of any type supplied or taking water from the Exeter Water System.
- E. The word "**Main Pipe**" is the main water pipe so-called, from which service connections are made to supply water to customers.
- F. The word "**Service Pipe**" is the pipe running from the main pipe to the meter, including all pipe, fittings and valves necessary to make the connection, both domestic and fire.
- G. The word "**Shut-Off**" shall mean the valve located on the service pipe immediately before the water meter.
- H. The word "Lien" shall mean the statutory lien of the municipality as provided by RSA 38:22.
- I. The word "**Curb Stop**" shall mean the valve located on the service line at or near the public right-of-way line and used to shut off the water service outside the premises being served.
- J. The word "**Water and Sewer Division**" shall mean the Water and Sewer Division of the Public Works Department of the Town of Exeter.
- K. The words "**High Hazard**" shall mean that if a backflow were to occur, the resulting effect on the water supply could cause illness or death if consumed by humans. The foreign substance may be toxic to humans either from a chemical, bacteriological or radiological standpoint. The effects of the contaminants may result from short or long-term exposure.
- L. The words "**Low Hazard**" shall mean that if backflow were to occur, the resulting effect on the water supply would be a change in its aesthetic qualities. The foreign substance must be non-toxic to humans.

1602 Procedures

- 1602.1 No person, firm or corporation shall take water from any hydrant, main, blow-off, or outlet without the express permission of the Town of Exeter.

1602.2 Methods of Authorization:

- (a) Application for metered service,
- (b) Bulk purchase at Treatment Plant may be purchased upon approval of the Public Works Director and paid for at prevailing rates,
- (c) Special application for metered or bulk use from hydrant only if approved in writing by the Town Manager.

1602.3 Application for metered service. Application must be made at least two business days before service is required to allow for proper scheduling and notification. In general, a minimum of two business days is required for requests with the Water and Sewer Division, excepting emergency situations. Line location requires seventy-two (72) working hours advance notice. All persons requiring metered service shall make application in the following manner:

- (a) New Service: On the applicable forms, make application to the Town and pay the appropriate fees for the following (a licensed contractor must do the installation).
 - 1. Entrance Permit
 - 2. Excavation Permit
 - 3. Special Meter, if applicable
 - 4. Sign the application authorizing inspections and agreeing to payment of fees.
- (b) New owner existing service: On the applicable forms, make application to the Town to have service placed in the name of the new owner and sign the application authorizing inspection and agreeing to payment of fees.
- (c) Replace existing service: On the applicable forms, make application to the Town and pay the appropriate fees for the following (a licensed contractor must do the installation):
 - 1. Inspection Fee
 - 2. Digging Permit

1602.4 No person shall uncover, repair, connect, make any opening into or use, alter or disturb in any manner any part of the Water system without first executing an "Application for Water Service Work" from the Public Works Department and paying all applicable fees. All work must be performed and completed in accordance with all applicable regulations by persons who are: 1) certified and employed by firms that hold a valid "Utility Pipe Installers" license, or 2) with special permission of the Public Works Director, a residential building owner doing work for themselves, at their residence. Utility pipe installers shall maintain minimum insurance coverage in accordance with Selectmen's

Policy 96-05.

1602.5 Inspections Required

No person, firm or corporation shall install any water mains, services, or devices connected to the Town system that are in conflict with AID, AWWA, and NH WSPCC regulations, nor shall they engage in excavation backfill or pipe fitting methods that will or may cause damage to the system or public way. Installation and construction work shall be inspected by an authorized representative of the Town.

Water division employees, upon showing of town identification card, shall be allowed access to the customer's premises after reasonable notice during normal working hours of examination of pipes, fixtures, connections, and quantity of water used and the manner of use. In case of emergency, no prior notice need be given and, in the event of refusal of entry, application can be made to the Courts for an appropriate order with all legal costs being charged to the customer.

1603 Installation

The purpose of this section is to define, in general terms, the methods of installation required for the Exeter Water System. The Public Works Director shall annually publish rules and regulations that specify exact construction and plumbing methods. These are entitled "Standard Specifications for Construction in Exeter, New Hampshire."

1603.1 Mains

Extension of the main pipe shall be made only upon written request to the Board of Selectmen by persons or prospective customers and subject to such terms and conditions as the Board of Selectmen shall impose, but in no event shall the main pipe be extended except in highways, streets and roads which are public highways under the provisions of the laws of the State of New Hampshire and public rights-of-way acceptable to the Selectmen. The cost of such extension shall be borne by the customer or developer to such extent as shall be determined by the Board of Selectmen and a contract shall be executed by the customer or developer prior to the commencement of the extension or further installation. Any extension of the mains in the Town shall be with the approval of the Board of Selectmen and the Planning Board, and may be at the expense of the developer or customer.

Construction of mains shall be in accordance with current EPA, AID and AWWA standards.

1603.2 Service Pipes

- a. Location: Service pipe connections will be made only from the street which is the legal address of the premises served.

- b. **Installation, Ownership and Maintenance:** All service pipes shall be gated on Municipal property. All service pipes, including the curb-stop within the limits of the highway, shall be owned and maintained by the Town. The cost of the initial installation, including materials, of the service pipes including the curb-stop within the limits of the highway shall be paid by the customer. From the limits of the curb-stop to the premises serviced, the service pipe shall be installed, owned, and maintained by the customer. The materials and fixtures shall have been approved by the Water and Sewer Division, prior to installation. Exterior lines shall maintain five feet of cover. The service shall extend at least 24 inches inside the premises to allow for meter shut-off and fitting.

When a service is installed from a water main which is located in a highway controlled by the State of New Hampshire, Division of Public Works and Highways, and said Division of Public Works and Highways requires, the service shall be installed by boring the roadbed beneath the surface.

The cost of the installation shall be at the customer's expense. All installations shall be in a manner approved by the Water and Sewer Division and for all future services, the pipe shall not be less than 3/4" outside diameter. On future installations or reinstallation of service lines, only one customer will be supplied through one service pipe. Where more than one customer is now supplied through one service pipe, and under control of one curb stop, any violation of the rules of the Town by either or any of the customers so supplied shall be deemed a violation by all and the Town may take such action as could be taken against a single customer, except that such action shall not be taken until the innocent customer who is not in violation of the Town's rules has been given a reasonable opportunity to attach his pipe to a separately controlled service connection. The violator shall be responsible for all costs.

- c. **Joint Use of Service Pipe Trench:** Joint use of water service pipe trench for multiple service pipes will be allowed in a four-foot trench with 18" horizontal separations.
- d. **Temporary Service Connection:** Temporary service is one installed to any building or trailer not placed on a permanent foundation, or to a garden, or for other temporary use. The whole cost of installation from the nearest available main, and maintenance shall be at the customer's expense.
- e. **Thawing:** When it becomes necessary to thaw a frozen service pipe and it cannot be determined where it is frozen and the Town, at the customer's request, undertakes to thaw the same, one-half of the cost thereof shall be paid by the customer.
- f. **Maintenance of Plumbing:** Customers shall maintain the plumbing and

fixtures within their own premises in good repair, free from leaks, and protected from freezing, at their own expense; and for failure to do so service may be disconnected. Any relocation of the service pipe on customer's premises due to change in grade, relocation of grade or otherwise shall be at the customer's expense, and in no event shall the Town be responsible for any damage done by water escaping therefrom.

- g. Installation of stops, waste devices, and other elements of the water system within a customer's building may be subject to an inspection by the Town. All such installations shall be in compliance with BOCA Building Codes.
- h. Fluctuation of pressure by customer's apparatus: No customer shall install or use water consumption apparatus which will affect the pressure or operation conditions so as to interfere with the service of another customer. Where a customer has or proposes to install apparatus which requires water in sudden and/or material quantities, impairing pressure to the detriment, damage, or disadvantage of other customers, the Water Division reserves the right to require such customer to install devices or apparatus which will confine such fluctuation of demand or reduction of pressure to reasonable limits determined by the Water Division.

If a customer, after receiving written notice from the Water Division fails to present an acceptable remedial plan to confine fluctuation of demand or reduction of pressure within the limits set by the Water Division, that customer's water service will be discontinued.

- i. Emergency Turnoffs: Emergency turn-offs, at the customer's request, will be attended to as soon as possible at any time of the day. Turn-offs, in the event of any type of disaster or unattended home where a leak is discovered may be carried out without notifying the customer.
- j. Alteration in Pipes: No customer shall install any additions or alterations of any service pipe or pipes for any purpose not mentioned in the customer's application without first giving written notice to the Water Division and obtaining its approval.

1603.3 (a) Cross Connections

No cross connection between the public water system and any nonpotable supply will be allowed unless protected by a system specifically designed for this purpose, and the connection is approved by the Water Division and by the N.H. Water Supply & Pollution Control Division. No connection capable of causing back-flow between the public water supply system and any plumbing fixture, device, or appliance or between any waste outlet or pipe having direct connection to waste drains will be permitted. If the Water Division discovers such a connection, service will be discontinued immediately.

All customer service shall be protected with a device commensurate with the degree of potential hazard. All such devices shall be located at the service entrance and all water consumption within the premises shall pass through the protective device. All owners of backflow prevention devices must have a valid permit issued by the Town for each device.

1603.3 (b) Back Flow Prevention Devices

An approved backflow prevention device shall be required on a commercial and industrial enterprise using municipal water. Said device shall be purchased and maintained by the owner of the enterprise. Said device shall be inspected by the Water and Sewer Division or its agents as follows: High hazard should be tested every six (6) months; Low hazard should be tested every twelve (12) months. The cost of said inspection will be billed to the owner.

1603.3 (c) Method of Connections

The Public Works Director shall annually publish such rules and regulations as are necessary to describe the methods of cross connection and back flow prevention for services connected to the Town system. These will be found in the "Standard Specifications for Construction in Exeter, New Hampshire."

1603.4 Fire Protection Devices

Hydrants and Gate Valves: No person(s) shall at any time, operate a fire hydrant or gate valve even if said hydrant or gate valve is owned privately. Hydrants or valves can only be used:

By the Water and Sewer Division personnel or designees,
By fire fighters testing, filling fire trucks after a fire, at a working fire, or other emergency.

Private Fire Protection: An application for private fire service must be submitted to the Director of Public Works, or his designees, for approval and must be accompanied by a plan of the proposed piping system, together with a statement telling for what other purposes the system might be used. Fee will be charged in accordance with the fee schedule.

All fire protection service pipes, including those that have the dual purpose of providing regular water service in the right-of-way and on private property, shall be furnished, laid, connected and maintained by the customer in conformance with town ordinances and regulations. All water supplied through fire service pipes may, at the option of the Water Division, be metered and special measuring or detecting devices may be installed, and all such meters and devices may be approved, furnished, and set by the Water Division at the owner's expense. Where a standpipe, reservoir, pump, tank, or cistern is used, it shall be constructed so as to shield and protect the water

from all possible contamination according to complete plans submitted to and approved by the Water Division.

In construction of stand pipes, reservoirs, pumps, tanks, and cisterns, provision shall be made for means of easy access to their interiors by the agents of the Water Division for the purpose of inspection and to permit cleaning as required by the Water Division. Also, a draw-off pipe shall be fitted for the purpose of draining off all the water periodically for inspection. Such draw-off pipe shall not be connected with a sewer, drain, or outlet in anyway that would permit pollution of the public water supply.

Private fire service and fire apparatus connected therewith may be tested by the owners or by the insurance inspectors under the following conditions:

Notice to be given to the Water Division and Fire Department, and the date and hour agreed upon by the departments,
Conducted in the presence of a Water Division and Fire Department Agent,
Cost of the Water Division Work to be paid by the owner.

The Board of Selectmen in no manner guarantees to furnish proper quantities of water through any public or private fire service, nor does it undertake to guarantee anything relative to that service.

1604 Metering

- 1604.1 All services connected to the Town system shall be metered. The sizes, types, and requirements for meters shall be determined by the Water Division. No person, except a duly authorized agent of the Water Division, shall set, take off, or repair a water meter.
- 1604.2 The customer shall supply a dry, easily accessible place so the meter can be worked on, read, and inspected. Meters shall be set, as nearly as possible, at the point of entrance of the service pipe.
- 1604.3 When the customer fails or neglects to furnish a suitable location for a meter inside the building, or where for other reasons it is necessary or expedient to locate the meter in an underground box or vault, the customer shall bear the expense of same.
- 1604.4 The Water Division will install all water meters up to 3/4" in size. The customer will pay the entire cost for meters over 3/4" and their accessories. All meters shall be the property of the Town of Exeter.
- 1604.5 For services up to 3/4" in size, meter repairs or replacements necessitated by ordinary wear will be paid for by the Water Division. Those repairs necessitated by freezing, hot water, willful damage, or other fault of the customer will be charged to the customer.

- 1604.6 Access to Meters: The customer, upon connection of service, shall be deemed to have granted permission for the reading, inspection, and installation of meters, including the installation of remote readers for meters. Failure to respond to meter replacement requests of any nature will result in a notice by certified mail notifying customers of a water shut off date in accordance with Public Works Operating Guidelines Section 5-501.
- 1604.7 Seasonal Meters: Meters will be removed, stored, and reinstalled when the customer requires such because of the nature of the business or the likelihood of freezing. Such installations will be subject to the normal turn-on/turn-off fees.
- 1604.8 Defective Meters: Upon request of a customer, the Water and Sewer Division shall test a meter to determine its accuracy, removing it, if necessary, from the premises of a customer. If the meter is found to be defective to the extent of a variance of more than two percent, no charge shall be made for the test and an adjustment shall be made on the water bill to the extent of the variance from the period beginning with the last scheduled reading to the date of the discovery of the variance. If the meter is found to be less than the two percent variance, the customer shall pay \$20.00 for the test. By request, the customer may be present when the testing is done.
- 1604.9 Meter Seal: All meters shall have a suitable seal affixed there-to, in such a manner that the adjustment of registration of the meter cannot be tampered with without breaking the seal. Disruption of seal will be cause for discontinuance of service.
- 1604.10 Second Meters: Upon request of a single-family, residential customer, second meters are permissible for the purpose of metering irrigation water that will not be discharged to the municipal sewer system in accordance with the following provisions:
1. Customer must make application and make payment of standard "Water-New Service" hook-up fee.
 2. All plumbing work must be done by a NH licensed Master Plumber and in accordance with the National Plumbing Code and Standard Specifications for Construction of Public Utilities in Exeter, NH and inspected by the Water Department.
 3. Customers must pay quarterly "Flat Rate" per size of meter for the duration of the second meter installation. Seasonal, intermittent payment of the flat rate fee is prohibited.
 4. No adjustments will be made for service fee for leaks or unwanted water usage.

1605 Fees and Charges

Customers shall be charged for services and water consumption in accordance with the prevailing rates established by the Board of Selectmen and published in the Town of Exeter Fee Schedule.

1605.1 Estimated Bill: In the event a meter stops because of mechanical failure, the customer shall be billed for the average consumption for the previous twelve (12) months.

1605.2 Charges:

- Water rate - base consumption 10,000 gallons
- Bulk Water Rate
- Hook-up Fee on Individual Line
- Hook-up Fee on Subdivision
- Re-do Existing Service
- Turn-on/Turn-off
- After Hours Turn-on Fee
- Meter Test Fee
- Backflow Prevention Inspection Retest
- Meter Repairs - parts cost
- Rates to other towns
- Rates for Special Contracts
- Bad check - fine RSA 544-B
- Bad Check Service Charge

1605.3 Payment Due

All charges are due and payable upon presentation of the bill and are considered past due thirty (30) days after the date of the bill.

Failure of a customer to receive water bills does not relieve the customer of the responsibility of making prompt payment upon notification. Seasonal customers will not be eligible for service unless the previous years' bill has been paid in full.

1605.4 Deposit Required

The Town may require a deposit to cover the estimated costs of installation and other future obligations of the customer up to one year from the time service commences.

1605.5 Late Payment Charges

Amounts not paid within thirty (30) days shall be subject to a late payment charge of one percent (1%) per month on the unpaid balance (equivalent to a 12% annual rate). Late payment charges shall be calculated on the entire past due amount, for the delinquent period. Accounts that are unpaid after ninety (90) days are subject to service being shut off, and collection fees (including reasonable attorney's fees and costs) that may be incurred by the

Town shall be borne by the customer. Final notice of shutoff will be sent by certified mail - return receipt requested, cost of which shall be borne by the customer.

1605.6 Partial Payments

Partial payments equal to no less than one-third (1/3) of the unpaid arrears will be accepted, but the debtor must satisfy the entire balance within ten (10) working days. Failure to pay the balance will result in service shut-off, in accordance with Section 1605.5 unless waived by the Town Manager.

1605.7 The Water and Sewer Division, by supplying water, doing work or furnishing material, shall deal with only the owner of the premises, and such owner shall keep the division advised of the address to which bills, notices and communications may be forwarded. Although payment for service rates may be assumed by an agent or tenant, the owner of the premises will be held personally responsible for same. A change in ownership will not relieve the premises from payment of back bills; in case of forfeiture, the water may be shut off and will not be turned on again until all unpaid charges have been settled in full.

1606 Procedures in Non-payment Cases

Failure to pay appropriate charges will subject the customer to one or more of the following enforcement procedures:

1606.1 Shut off: Water service can be shut off in accordance with the provisions of 1605.5 of this Chapter.

1606.2 Civil Court Action: The Town may bring action in small claims court to recover the amount due for an unpaid water charge and the customer attorney's fees incurred by the Town.

1606.3 Lien: Under the provisions of New Hampshire RSA 38:22 (c), all charges for water services shall constitute a lien in favor of the Town of Exeter upon the real estate where the services were furnished and the lien shall continue for eighteen (18) months from the date of the last unpaid bill, unless the Town records in the Rockingham County Registry of Deeds a notice of lien, in which case the lien shall continue for six (6) years from the date of the last unpaid bill. The lien may be enforced in a suit by the Town against the owner of such real estate. In such a suit, the Town shall have the right to a judgment for per year charges, entered at the rate of 12 percent from the date of the last unpaid bill to the date of judgment, and costs. The records in the Water and Sewer Division shall be sufficient notice to maintain suit upon the lien against subsequent purchases or attaching creditors of real estate.

1607 Forms Required

From time to time, the Town Manager or Public Works Director may require

appropriate forms to be utilized to maintain accurate and effective records for the department. Forms issued as applications for service are bidding contracts when signed by or on behalf of the owner/customer.

1608 Violations and Enforcement

- 1608.1 Disconnection without notice: Service may be shut off without notice for any of the following reasons, if the Public Works Director or his authorized agents, determines that there has been:

Use of water for purposes other than described in the application,
Misrepresentation in the application,
Willful waste
Tampering with Utility property,
Vacancy
Cross-connecting the Utility's service pipe with any other supply source,
Refusal of reasonable access to property, or
Violation of any water bans imposed by the Board of Selectmen.

- 1608.2 Any violations of the provisions of these rules and regulations, or failure on the part of any customer utilizing the water to promptly pay any and all claims for service or other charges of the water division, shall be considered sufficient cause for shutting off the water supply of such customer and such supply shall not be turned on again until all such causes of complaint shall have been removed, including any additional work costs incurred for turning on or off the water.

1609 Damage and Liability

- 1609.1 The Water and Sewer Division reserves the right to shut off service temporarily whenever it becomes necessary to make extensions, alterations or repair, or to curtail the use of water whenever conditions so require. Notice of shut off for repairs to mains or service pipes will be given when practicable.
- 1609.2 The Water and Sewer Division will not be responsible for any damage claims or shutoffs in the mains or service pipes because of supply, setting, or removing meters, repairs, construction, or for other reasons beyond the control of the Division. Notice of shut off will be given when practicable, however, nothing in this rule shall be construed as requiring the giving of such notice. The Water and Sewer Division will not be liable for any damages from leakage or water escaping from any part of a customer's system. All customers having direct pressure hot water tanks or appliances must place proper automatic vacuum and relief valves in the pipe system to prevent any damage to such tanks or appliances, should it become necessary to shut off water on the street mains or service pipe. Water service will be provided to such direct pressure installations only at the customer's risk and in no case shall the Water Division be liable for any damage occasioned thereby.

**TOWN OF EXETER
MEMORANDUM**

TO: Board of Selectmen
FROM: Russ Dean, Town Manager
RE: Exeter River Intake
DATE: September 12th, 2016

The prolonged drought has resulted in an internal discussion with the Department of Public Works regarding lowering the river intake across from Gilman Park.

I am asking the Board authorize up to \$48,000 in water reserves to complete the work. Time is of the essence as drought conditions are expected to last through October. We have already switched to the Exeter Reservoir water source sooner than a normal year would require. There are available savings from the project of \$45,000 plus another \$10,000 pledged from NHDES funds to put toward this work. We would only use the amount of reserves necessary to complete the work.

Thank you for your consideration.



TOWN OF EXETER

Planning and Building Department

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

www.exeternh.gov

Date: September 9, 2016
To: Russ Dean, Town Manager
From: Dave Sharples, Town Planner
Re: COAST Bus shelter advertising

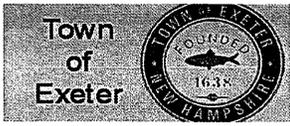
I am writing this memorandum in response to a request from COAST to allow advertising on bus shelters in Exeter. The proposal is described in further detail in the email from Rad Nichols, the Executive Director of COAST, which is enclosed for your review. In addition to the email, Rad provided a copy of their current advertising policy, a description of the proposal to Exeter, and two examples of what the shelters would look like.

The Economic Development Commission discussed this matter at their August meeting where they unanimously supported the request. There are no bus shelters in Exeter at the present time so we do not know exactly where they will be located. However, Rad Nichols has indicated that they would like to place one in the downtown area.

Since the shelters and the advertising would be located within the Town's right-of-way, I believe the Selectboard would need to approve the request so if you could place the item on their September 12th agenda it would be appreciated. Rad Nichols and I will be in attendance at the Selectboard meeting on September 12th to answer any questions.

Thank you

enc (5)



David Sharples <dsharples@exeternh.gov>

COAST - Bus Shelter Advertising

1 message

Rad Nichols <rnichols@coastbus.org>
To: David Sharples <dsharples@exeternh.gov>

Fri, Sep 9, 2016 at 11:05 AM

Dave,

Thank you for advising me on the progress of the potential allowance of bus shelter advertising in the Town of Exeter. It is exciting to see the discussions from last summer/fall moving forward in such a positive way.

We remain open to locating at least one bus shelter with bench within the greater downtown area of Exeter and working on the details for exact locations. The installation of these additional amenities for bus riders and the Town continues to be contingent upon an allowance of advertising on the shelter itself.

Currently, COAST policy is to share up to 50% of the net revenues earned on bus shelters in communities that are fully funding COAST services (see attached). In Rochester this year (3 shelters), we are projecting over \$12k in net revenues that we will be crediting back to the City at the end of our Fiscal Year. Shelter advertising has proven to be a great way for us to increase and diversify our revenue streams at COAST.

The communities of Rochester, Somersworth and Farmington have specifically allowed this form of advertising, in the public right of way, on our shelters. Dover is also very close to granting us a similar opportunity to raise revenues in support of our operations.

COAST has very comprehensive policies regarding advertising on our buses and shelters and the Town can be assured that we follow these rules strictly. I have attached a copy of our latest policy.

Specific to the shelter itself, we ask the following in exchange for COAST supplying the bus shelter itself:

- the Town prepare the selected site for the installation of the shelter itself (i.e., pad),
- the Town install the shelter,
- the Town clear the shelter of ice and snow as part of regular winter sidewalk maintenance,
- the Town consider relocation of a nearby trash receptacle, or COAST will supply a trash receptacle (to Exeter specifications) for install near the bus shelter,
- the Town maintain the area and trash receptacle as part of regular trash and trash receptacle maintenance.

I look forward to attending the upcoming Selectboard meeting on Monday, September 12 to be available to answer any questions that may be raised. Thank you very much.

Rad Nichols
Executive Director
Cooperative Alliance for Seacoast Transportation
42 Sumner Drive
Dover, NH 03820
(603) 743-5777

www.coastbus.org

"Living a life that matters doesn't happen by accident. It's not a matter of circumstance but of choice."

Michael Josephson

4 attachments



Cooperative Alliance for Seacoast Transportation (COAST) ADVERTISING POLICY AND GUIDELINES

SECTION 1: SCOPE AND PURPOSE OF THE ADVERTISING POLICY AND GUIDELINES

The Advertising Policy and Guidelines (Policy) was developed with several goals in mind. This Policy is intended to clarify COAST's purpose in permitting advertising on its buses. COAST's acceptance of advertising will not provide or create a general public forum for expressive activities. In keeping with its proprietary function as a provider of public transportation, COAST does not intend its acceptance of advertising to permit its buses to be used as open public forums of public discourse and debate. Rather, COAST's fundamental purpose and intent is to accept advertising as an additional means of generating revenue to support its bus operations. In furtherance of that discreet and limited primary objective, COAST will retain strict control over the nature of the advertisements accepted for posting on its facilities and buses and will maintain its advertising space as a non-public forum. COAST is acting as a commercial enterprise seeking to derive revenue from the sale of advertising space while minimizing interference with, or disruption of, COAST's commercial function.

This Policy is intended to provide guidance to COAST staff regarding the types of advertisements that are not acceptable for display on COAST buses. As stated previously, it is not COAST's intent to permit all types of advertisements on COAST buses. The Policy sets forth appropriate guidelines for identifying which types of advertisements are unacceptable. Further, by establishing specific policies and procedures, the Policy encourages the consistent application of the guidelines to all applicants for advertising space.

This Policy is based on several important policy goals. While COAST desires to sell advertising space in order to generate additional revenues, COAST's primary focus in providing services is safe, comfortable and efficient public transportation to all persons in the Seacoast. The Policy recognizes that certain types of advertisements may subject COAST passengers, employees, and property to increased risk of injury and has designed the Policy to reduce such risk. COAST is also sensitive to the captive nature of passengers while on buses and designed the Policy to consider the potential embarrassment or discomfort that certain types of advertisements may cause to COAST passengers.

The Policy is also designed to establish a professional advertising atmosphere. COAST provides services to virtually every residential and business community in the Seacoast, encompassing a wide spectrum of ages and socioeconomic groups. The Policy is designed to include only those advertisements that reflect the level of decorum acceptable in the general community and to ensure that those advertisements displayed are suitable for viewing by all members of the public. Lastly, since COAST is acting in a commercial function, COAST must consider the economic impact that certain types of advertising may have on its revenue base.

COAST reserves the right to require advertisers to add a disclaimer that an advertisement is not sponsored by, and does not necessarily reflect the views of COAST, and also reserves the right to require that an advertiser specify who the sponsor of an advertisement is.

The Policy is effective **April 22, 2015**. Any prior advertisements were not considered or accepted in light of this Policy, and, therefore should not be a basis for comparison to future decisions regarding advertising requests.

SECTION 2: PERMITTED ADVERTISING CONTENT

Section 2.1: Commercial and Promotional Advertising

- a. **Policy:** COAST will accept advertising that meets the definition of ‘Commercial and Promotional Advertising’ and that is not otherwise prohibited in Section 3 of this Policy.
- b. **Guidelines:** For purposes of this provision, the term ‘Commercial and Promotional Advertising’ shall have the following meaning: Commercial and Promotional Advertising is advertising that promotes or solicits the sale, rental, distribution or availability of goods, services, food, entertainment, events, programs, transactions, donations, products or property (real or personal) for commercial or non-commercial purposes or more generally promotes an entity that engages in such activity.
- c. **Policy Rationale:** The allowance of Commercial and Promotional Advertising meets COAST’s advertising policy fundamental goal, to derive revenue from the sale of advertising space.

Section 2.2: Limited Government and Non-profit Advertising

- a. **Policy:** COAST will accept limited Government and Non-profit Advertising that meets the criteria below and that is not otherwise prohibited in Section 3 of this Policy. For purposes of this Section 2.2, such advertising shall be referred to as Government Advertising.
- b. **Guidelines:** An advertisement shall satisfy the following criteria in order to qualify as an allowable Government Advertising:
 - (a) The sponsor of Government Advertising must be a governmental entity or a nonprofit corporation that is exempt from taxation under §501(c)3 of the Internal Revenue Code.
 - (b) Government Advertising must be directed to the general public or a significant section of the public and relate to:
 - (i) Prevention or treatment of illness;
 - (ii) Promotion of safety, health, or personal well-being;
 - (iii) Provision of family or child social services; or

- (iv) Provision of services and programs that support low income citizens or persons of disability.
 - (c) Government Advertising may not include a commercial or promotional message as defined under Section 2.1 or mention a festival, show, sporting event, concert, lecture, or event for which an admission fee is charged.
 - (d) Government Advertising will not be used for comment on issues of public debate.
- c. **Policy Rationale:** The allowance of Government Advertising is another valuable revenue source and a public service that COAST wishes to permit under the above circumstances.

SECTION 3: PROHIBITED ADVERTISING CONTENT

Section 3.1: Advertisements Containing or Promoting Obscene Material

- a. **Policy:** COAST will not accept advertising containing or promoting obscene material.
- b. **Guidelines:** For purposes of this provision, the term obscene shall have the meaning contained in New Hampshire RSA 650:1 as such provision may be amended, modified or supplemented from time to time.
- c. **Policy Rationale:** Promoting or advertising obscene material is a criminal act in violation of New Hampshire Revised RSA 650. Further, advertisements containing obscene material do not meet the level of professionalism and decorum that COAST deems appropriate for display on its buses. Neither is such material suitable for viewing by children or the general public.

Section 3.2: Advertisements Containing or Promoting Material that is Harmful to Juveniles

- a. **Policy:** COAST will not accept advertisements containing or promoting material that is harmful to juveniles.
- b. **Guidelines:** For purposes of this provision, material that is harmful to juveniles shall have the meaning contained in New Hampshire RSA 650; as such provision may be amended, modified or supplemented from time to time.
- c. **Policy Rationale:** COAST does not wish to foster the display of material that is not suitable for viewing by children.

Section 3.3: Advertising Containing Political or Controversial Content

- a. **Policy:** COAST will not accept advertisements containing political or controversial content.
- b. **Guidelines:** For purposes of this provision, political or controversial content shall include:
 - (i) advertisements that relate to or involve reproductive or contraceptive issues;
 - (ii) advertisements on behalf of, or regarding political candidates;
 - (iii) advertisements of lawful products or services that are controversial in nature;
 - (iv) advertisements challenging or promoting existing or proposed governmental laws or policies.
- c. **Policy Rationale:** COAST's reasons for not accepting advertisements containing political or controversial content, include, but are not limited to COAST's desire to:
 - (i) maintain a position of neutrality on political and controversial issues;
 - (ii) not subject passengers to viewing material that may cause them embarrassment or discomfort;
 - (iii) protect its passengers and employees from risk of physical harm, including death or serious personal injury, that may result from reactionary conduct relating to the display of political or controversial material;
 - (iv) protect its buses from the increased likelihood of property damage that may result from reactionary conduct relating to the display of political or controversial material; and,
 - (v) minimize the risk of reduced revenues by creating an advertising environment that is conducive to commercial advertisements.

Section 3.4: Advertisements Containing Profane Content

- a. **Policy:** COAST will not accept advertisements containing profane content.
- b. **Guidelines:** For purposes of this provision, profane content shall include language and material, when considered as a whole, is patently offensive by contemporary community standards. This shall include, but not limited to: (1) indecent or swear

words; or, 2) words that refer to parts of the body or bodily functions in a derogatory or offensive manner.

- c. **Policy Rationale:** Advertisements containing profane content do not meet the level of professionalism and decorum that COAST deems appropriate for display on its buses. Such advertisements would subject passengers to viewing material that may cause them embarrassment or discomfort. The display of advertisements containing profane content may reduce COAST's revenue stream based on objections or boycotts by passengers and/or other advertisers.

Section 3.5: Advertisements Containing Violent or Criminal Content

- a. **Policy:** COAST will not accept advertisements containing violent or criminal content.
- b. **Guidelines:** For purposes of this provision, violent or criminal content shall include any material, when viewed as a whole, that could reasonably be interpreted by COAST to portray, constitute or otherwise tend to encourage, glorify, or glamorize: (1) injury to persons; (2) damage to property; or, (3) the commission of an unlawful act under the laws of any State in which COAST operates and generates revenue, including but not limited to theft, arson, assault, homicide, or sex related offenses.
- c. **Policy Rationale:** Advertisements containing violent or criminal content do not meet the level of professionalism and decorum that COAST deems appropriate for display on its buses. COAST does not wish to engage in or be associated with any allegation of criminal conduct. Such allegations undermine the legitimate commercial venture of COAST, garner negative publicity, and will have a detrimental effect on revenues.

Section 3.6: Advertisements Promoting Alcohol, Tobacco, or Firearms

- a. **Policy:** COAST will not accept advertisements that promote alcohol, tobacco, firearms, or other lawful products or services that are controversial in nature.
- b. **Guidelines:** For purposes of this provision, advertisements that promote alcohol, tobacco, firearms, or other lawful products or services that are controversial in nature shall include those advertisements when viewed as a whole, tend to encourage or endorse the use of alcohol, tobacco, firearms or other lawful products or services that are controversial in nature.
- c. **Policy Rationale:** The use and/or abuse of alcohol, tobacco, firearms, or other lawful products or services that are controversial in nature cause a significant drain on the community, both in terms of social and economic costs. As such, COAST considers the display of advertisements that promote alcohol, tobacco, firearms, or other lawful products or services that are controversial in nature to be inappropriate and contrary to the general welfare of the community.

Section 3.7: Advertisements That Promote or Denigrate Groups Based on Gender, Religion, Race, Ethnic, or Political Affiliation

- a. **Policy:** COAST will not accept advertisements that promote or denigrate groups based on gender, religion, race, ethnic, or political affiliation.

- b. **Guidelines:** For purposes of this provision advertisements that promote or denigrate groups based on gender, religion, race, ethnic, or political affiliation shall include those advertisement, when viewed as a whole, that: (1) advance, further, or support groups based on gender, religion, race, ethnic, or political affiliation; (2) have the purpose or reasonably foreseeable effect of harassing, insulting, humiliating, or stigmatizing individuals or groups based on gender, religion, race, ethnic or political origin or affiliation; or, (3) use words or symbols commonly understood to convey direct or visceral hatred or contempt for individuals or groups based on gender, religion, race, ethnic or political origin or affiliation.

- c. **Policy Rationale:** COAST's reasons for not accepting advertisements that promote or denigrate a group based on gender, religion, race, ethnic or political affiliation, include, but are not limited to:
 - (i) COAST's judgment that such advertisements do not meet the level of professionalism and decorum that COAST deems appropriate for display on its buses;

 - (ii) concern that COAST will be viewed as endorsing the attitudes conveyed by such advertisements;

 - (iii) COAST's desire to not subject its passengers to viewing material that may cause them embarrassment or discomfort;

 - (iv) COAST's desire to protect its passengers and employees from risk of physical harm, including death or serious personal injury, that may result from reactionary conduct relating to the display of such advertisements;

 - (v) COAST's desire to protect its buses from the increased likelihood of property damage that may result from the reactionary conduct relating to the display of such advertisements; and,

 - (vi) COAST's desire to minimize the risk of reduced revenues caused by adverse reaction to such advertisements.

Section 3.8: False, Misleading or Deceptive Advertising

- a. **Policy:** COAST will not accept advertisements containing false, misleading or deceptive content.
- b. **Guidelines:** For purposes of this provision false advertising is any published claim that is deceptive or untruthful. Misleading advertising is any published claim that gives a consumer an incorrect understanding of the product they are interested in purchasing or using. Deceptive advertising is advertising that gives an appearance or impression different from the true one.
- c. **Policy Rationale:** As advertising has the potential to persuade people into commercial transactions that they might otherwise avoid, COAST will not condone the sale of false, deceptive or misleading advertising that may cause consumers to suffer a financial loss, or another form of damage.

Section 3.9: Advertising that Contains Material that is an Infringement of Copyright, Trademark or Service Mark or is Otherwise Illegal

- a. **Policy:** COAST will not accept advertisements that contain material that is an infringement of copyright, trademark or service mark or is otherwise illegal.
- b. **Guidelines:** Advertisers must not infringe on a copyright, trademark or service mark, or otherwise illegally advertise.
- c. **Policy Rationale:** These forms of advertising are unethical and illegal.

Section 3.10: Termination of Advertising Displays Based on Adverse Publicity or Complaints

- a. **Policy:** COAST will maintain a log of adverse publicity or complaints regarding any advertisements displayed on COAST buses. The log will include the date of the adverse publicity or complaint, the name of the complainant (if available), and the nature or the adverse publicity or complaint.

COAST will consider the following factors when deciding whether to terminate an advertising display based on adverse publicity or complaints (Objectionable Advertisement):

- (i) number and nature of the complaints;
- (ii) extent and nature of any negative publicity;
- (iii) actual or potential negative economic impact resulting from Objectionable Advertisement, including lost revenues from other advertisers or passengers;

- (iv) risk of physical harm to passengers or employees resulting from continued display of the Objectionable Advertisement; and,
 - (v) risk of damage to COAST's buses from continued display of the Objectionable Advertisement.
- b. **Policy Rationale:** COAST's policy regarding termination of advertisements based on adverse publicity or complaints is based on COAST's desire to:
- (i) protect its passengers and employees from risk of physical harm, including death or serious personal injury, that may result from reactionary conduct relating to the continued display of Objectionable Advertisements;
 - (ii) protect its buses from the increased likelihood of property damage that may result from reactionary conduct relating to the continued display of Objectionable Advertisements; and,
 - (iii) minimize the risk of reduced revenues from continuing to display Objectionable Advertisements.

SECTION 4: INTERNAL PROCEDURES

Section 4.1: General

- a. COAST will designate which employees will have primary responsibility for reviewing advertising applications.
- b. Each COAST employee with responsibility for reviewing applications will be thoroughly familiar with the Advertising Policy and Guidelines.
- c. COAST will maintain a log of advertisements that it accepts for display on COAST buses. The log shall include: (1) the dates on which the advertisements will be displayed; (2) the location of where the advertisements will be displayed; (3) contract price; and, (4) a general description of the subject matter and nature of the advertisement.
- d. COAST will establish an Advertising Appellate Committee, consisting of at least three (3) COAST employees and/or Board Members who are thoroughly familiar with the Advertising Policy and Guidelines.

Section 4.2: Procedure When Rejecting an Advertisement or Terminating an Advertising Display

- a. ***Prior to rejecting an advertisement or terminating an advertising display***, the COAST employee reviewing the application or request for termination will review the log of past and existing advertising displays to determine if the subject matter or nature of the advertisement in question is the same as or substantially similar to any past or existing advertising display. Where the advertisement is the same as or substantially similar to the subject matter or nature of a past or existing advertisement, the advertisement shall not be rejected or terminated unless at least three COAST employees familiar with the Advertising Policy and Guidelines determine that an error was made in accepting the past or existing advertisement.
- b. ***Prior to rejecting an advertisement or terminating an advertising display***, the COAST employee reviewing the application or request for termination will seek the opinion of another COAST employee who is familiar with the Advertising Policy and Guidelines.
- c. If, after the above procedure, COAST determines that the advertisement is not acceptable or should be terminated based on the Advertising Policy and Guidelines, COAST will notify the applicant ***in writing*** of (1) the rejection or termination of the advertisement; (2) the reasons that the advertisement was rejected or terminated, referencing specific sections of the Advertising Policy and Guideline; and, (3) the method by which the applicant may appeal the decision. In appropriate cases, COAST may make suggested revisions to the proposed advertisement that would result in the advertisement being acceptable to COAST.
- d. COAST will maintain a log of those advertisements that it rejects or terminates.

Section 4.3: Appeals Process

- a. The Advertising Appellate Committee (Committee) will review a decision to reject an advertisement or to terminate an advertisement upon ***a written request*** by the appellant.
- b. The written request must state why the appellant disagrees with COAST's initial decision in light of the Advertising Policy and Guidelines.
- c. The Committee will thoroughly review the basis for COAST's rejection or termination of the advertisement, the appellant's reasons in support of the advertisement, the log of past and existing advertisements, and the log of previously rejected or terminated advertisements prior to reaching its decision.
- d. The Committee will notify the appellant in writing of its decision and the basis for its decision.

Definitions

- (A) Any material or performance is harmful to juveniles, if it is offensive to prevailing standards in the adult community with respect to what is suitable for juveniles, and if any of the following apply:
1. It tends to appeal to the prurient interest of juveniles;
 2. It contains a display, description, or representation of sexual activity, masturbation, sexual excitement, or nudity.
 3. It contains a display, description, or representation of bestiality or extreme or bizarre violence, cruelty, or brutality;
 4. It contains a display, description, or representation of human bodily functions of elimination;
 5. It makes repeated use of foul language;
 6. It contains a display, description, or representation in lurid detail of the violent physical torture, dismemberment, destruction, or death of a human being;
 7. It contains a display, description, or representation of criminal activity that tends to glorify or glamorize the activity, and that, with respect to juveniles, has a dominant tendency to corrupt.
- (B) When considered as a whole, and judged with reference to ordinary adults or, if it is designed for sexual deviates or other especially susceptible group, judged with reference to that group, any material or performance is obscene if any of the following apply:
1. Its dominant appeal is to prurient interest;
 2. Its dominant tendency is to arouse lust by displaying or depicting sexual activity, masturbation, sexual excitement, or nudity in a way that tends to represent human beings as mere objects of sexual appetite
 3. Its dominant tendency is to arouse lust by displaying or depicting bestiality or extreme or bizarre violence, cruelty, or brutality;
 4. Its dominant tendency is to appeal to scatological interest by displaying or depicting human bodily functions of elimination in a way that inspires disgust or revulsion in persons with ordinary sensibilities, without serving any genuine scientific, educational, sociological, moral, or artistic purpose;

5. It contains a series of displays or descriptions of sexual activity, masturbation, sexual excitement, nudity, bestiality, extreme or bizarre violence, cruelty, or brutality, or human bodily functions of elimination, the cumulative effect of which is a dominant tendency to appeal to prurient or scatological interest, when the appeal to such an interest is primarily for its own sake or for commercial exploitation, rather than primarily for a genuine scientific, educational, sociological, moral, or artistic purpose.

(C) Juvenile means an unmarried person under the age of eighteen.

(D) Material means any book, magazine, newspaper, pamphlet, poster, print, picture, figure, image, description, motion picture film, phonographic record, or tape, or other tangible thing capable of arousing interest through sight, sound or touch.

(E) Performance means any motion picture, preview, trailer, play, show, skit, dance, or other exhibition performed before an audience.

(F) Minor means a person under the age of eighteen.



Bus Shelter Advertising Proposal - Exeter

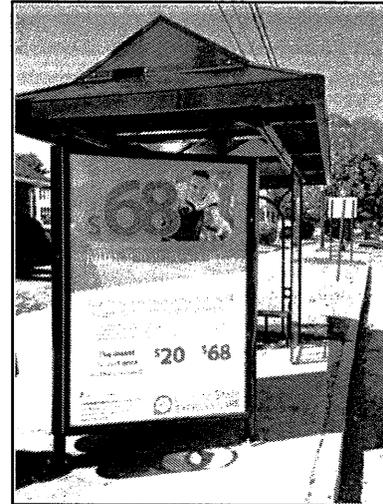
Why bus shelter advertising?

Bus shelters are a very desirable space for advertisers. Current and new advertisers looking to purchase this medium are regularly being turned away as this space is not currently available, except in Rochester and Somersworth.

COAST estimates that the current potential for gross annualized bus shelter advertising revenue across the system is \$87,000.

What is the goal of this program?

The goal of our bus shelter advertising program is to continue to diversify our revenue streams. In the end, the more funding we can raise through programs like this, the less financial burden there will be on the local communities receiving our services.

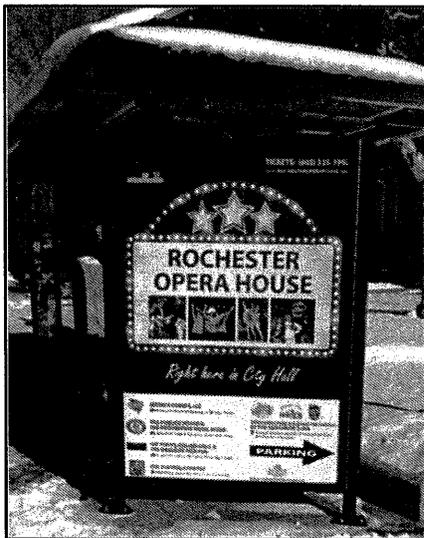


What controls the advertisements that can be placed in the shelters?

COAST has a specific (recently updated) policy on advertising and the forms of advertising that it will allow on its buses and/or shelters.

The same high standards that apply to advertising on buses would also be applied to advertising in bus shelters.

COAST uses a local firm, ATA, who has demonstrated over the past 20+ years a clear understanding of the local market and concerns over attracting and targeting appropriate advertisers/campaigns for COAST and our member communities.



What is in it for Exeter?

COAST has adopted a 50/50 revenue sharing proposal for host communities. Revenues shared would be from the net local match generated by bus shelter sales in that community.

COAST is currently looking to install one (1) shelter on which advertising could be placed in Exeter.

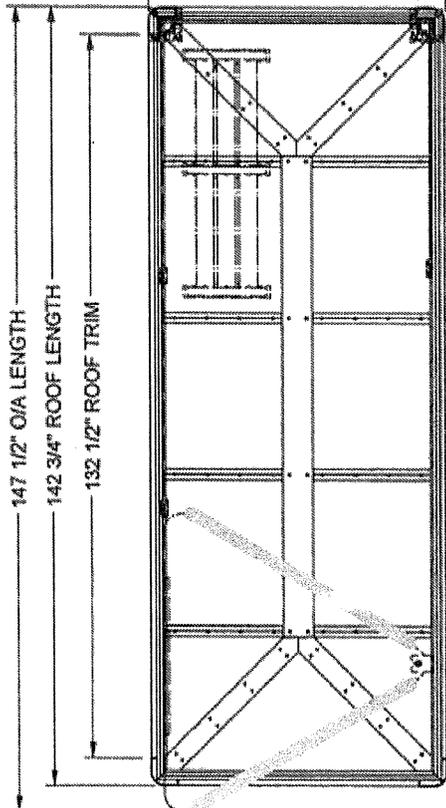
We estimate conservatively, that this single shelter could result in generating the equivalent of \$3,000 in net local match to share

with the Town by September 2017.

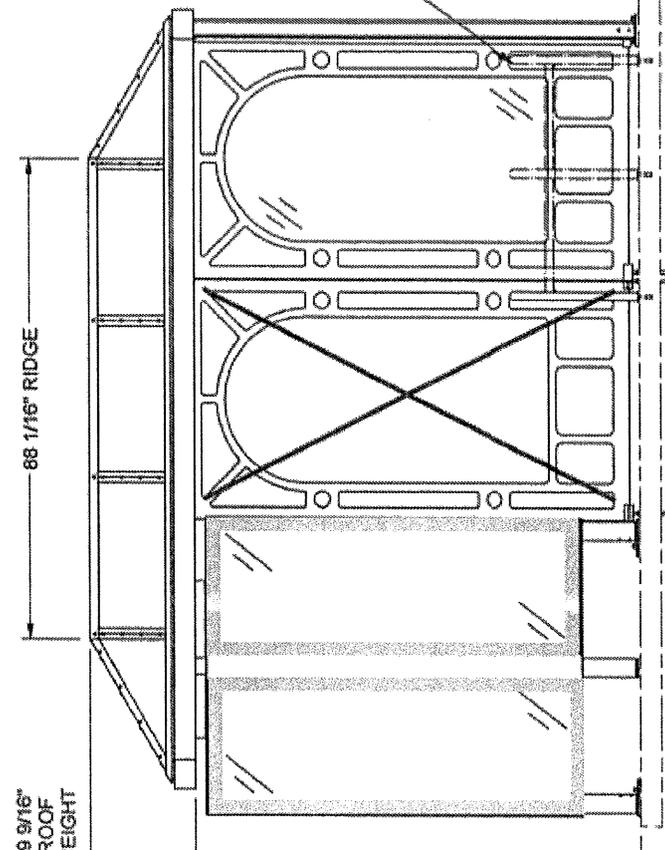
How would revenues be passed along to the Town?

Should bus shelter advertising be allowed within Exeter, our intention is that net annual local match generated would be attributed to shelters and their home communities after the close of the books for COAST's Fiscal Year (Oct. 1 – Sep. 30). The mechanism for sharing these revenues (50/50) will be through a credit applied on the community's next local match invoice.

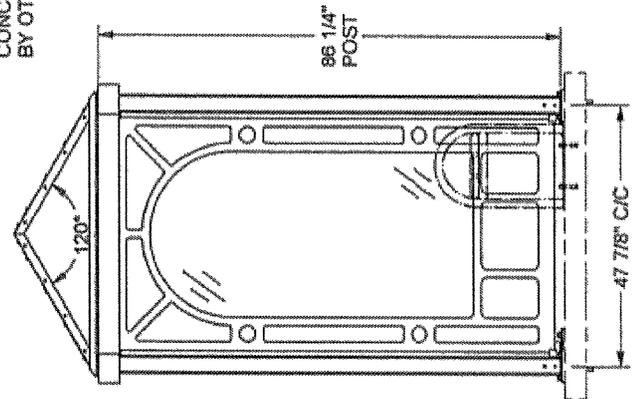
In the case where the community is not fully funding COAST, this credit will be applied to COAST's requested amount, not the actual approved amount in the community's budget. This will have the effect of helping to ultimately close any funding gap between our request and the level of funding approved within the community's budget.



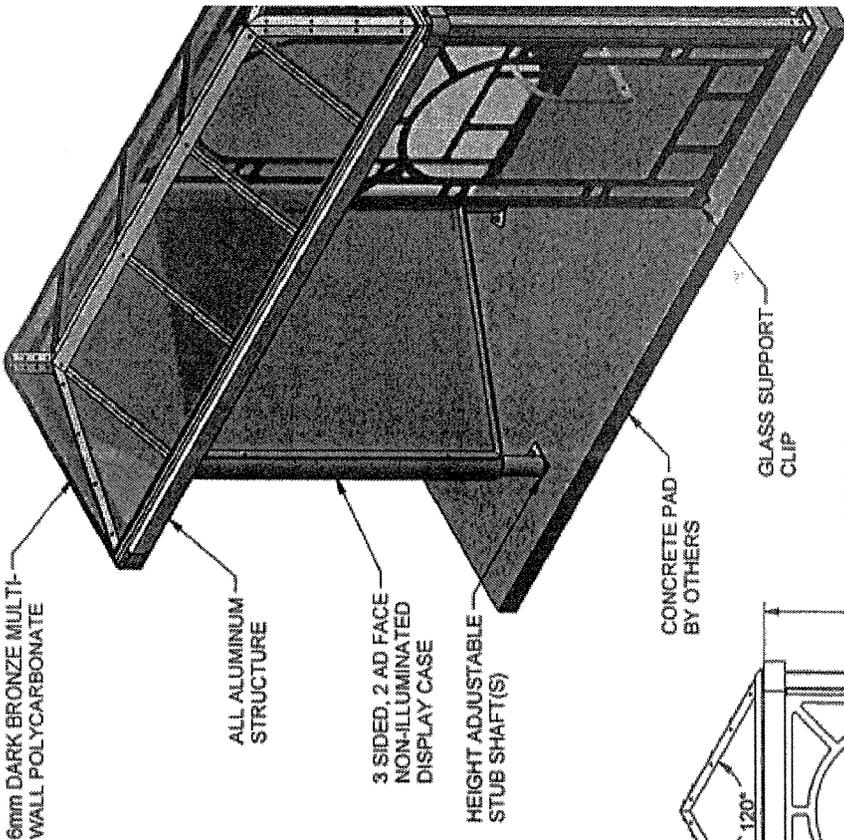
TOP VIEW



FRONT ELEVATION



END ELEVATION



NOTES:
 - COLOUR AS PER CUSTOMER SPEC
 - ALL STAINLESS STEEL FASTENERS USE
 - CONCRETE PAD/FOUNDATION BY OTHERS

ITEM	QTY	PART NUMBER	DESCRIPTION
6	8	HD0425	3/8" SPLIT L.W. S.S.
5	8	HD0399	WASHER FLAT 3/8"-1"
4	8	HD0345	HEX BOLT 3/8-16X1.25
3	1	5478-20	4'X12' SHELTER FOR 'A' TRIM ROOF
2	1	5478-01	4'X12' HIP ROOF C/W THERMOCLIP PANELS
1	1	3129-1	44" ALUM EASY ACCESS BENCH A



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Title 4'X12' HIP ROOF SHELTER C/W 3 SIDED DIS			
No.	Date	Revision Description	By

Drawn By	Date Drawn	Drawing No.
EP	8/12/2015	5478-80
Checked By	Scale	NTS



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Installation instructions

Peak Roof Shelters

Revised: Apr 13, 2010

Purchaser (or installer) assumes full responsibility for installing the Daytech product. Always use the proper equipment and extra care when lifting heavy loads such as glass panels or roof assemblies. Wear suitable safety protection devices including hard hat, safety glasses, safety boots, safety vest and gloves.

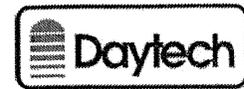
Concrete slab

1. Concrete not in place:
 - a) Pour suitable concrete pad in accordance with local requirements and Daytech guidelines (if applicable). Asphalt or pavers are not recommended surfaces.
 - b) Provide conduit for electrical power feed in proper location (if applicable).
2. Concrete in place:
 - a) Check site location and concrete pad as per shelter size requirements indicated on drawings
 - b) If electrical is needed, determine and mark location of incoming electrical power feed(s) if not already indicated on site. Drill a 2" Ø core hole in concrete pad for each power feed.



Sort parts

3. Sort hardware into the following groups;
 - Roof assembly hardware
 - Post, glass supports & anchors
 - Glazing hardware
 - Bench hardware
 - Optional hardware
4. Sort wall panel parts;
 - corner posts, right-hand side (RHS) and left-hand side (LHS)
 - Center posts c/w 2 glazing bodies and snaps
 - match with suitable glazing body and glazing snap
 - vinyl edge guard (if applicable)
 - horizontal mullions (if applicable – these instructions do not show mullion details)



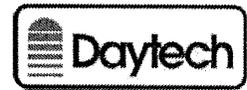
Installation instructions

Peak Roof Shelters

Rev: Apr 13, 2010

Roof Assembly (if applicable)

4. If roof is assembled, go to step 19. If not go to step 5.
5. If roof is not assembled, then sort the roof components.
6. Use work tables, work horse, or 2x4's to support roof and avoid scratching the finish and to facilitate the assembly of the roof.
7. Insert the pre-assembled end roof units into the long roof trim sections.
8. Square the roof before securing with the supplied hardware as per drawings.
9. Attach the "Y" channel extrusion to the roof as per the drawing details using supplied hardware.
10. On one (1) "Y" channel, insert (2) rubber air-spacers for each panel of multiwall polycarbonate panel.
11. Sort the multiwall polycarbonate roof panels.
12. Remove the protective film (if any) from the roof panels and install according to the dimensions shown on the drawings. Ensure plastic is installed with UV coating to the outside.
13. Sort the flat bars and end bell angles.
14. Attach the flat bars to the mid ribs covering the multiwall polycarbonate joints. When additional flat bars are supplied, they also must be attached to the remaining mid ribs. Use rubber washer tek screws to prevent any leaking.
15. Insert the end bell gasket to the end bell angle.
16. Remove protective film (if any) from the multiwall polycarbonate and insert the end bell multiwall polycarbonate panel between the end rib and the roof trim angle. Ensure plastic is installed with UV coating to the outside.
17. Attach the end bell angle with inserted gasket onto the end rib with the supplied hardware as per drawings.
18. Apply clear silicone to seal the gap between the multiwall polycarbonate panels and the top of the "Y" channel and also the 1" x 1" end bell roof angle and the multiwall polycarbonate.



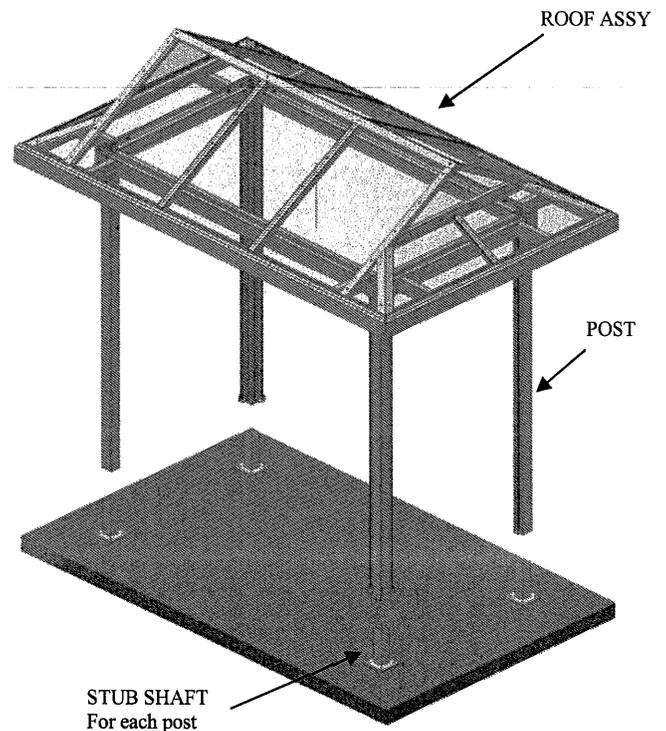
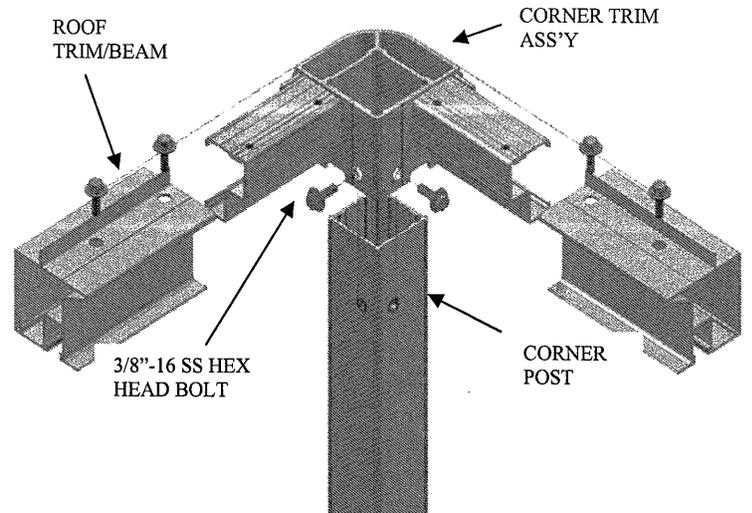
Installation instructions

Peak Roof Shelters

Rev: Apr 13, 2010

Post Installation & Ad Display Assembly

19. Move the **roof assembly** into position over the concrete pad, using suitable lifting equipment. Use extreme care.
20. Lift the roof assembly, then **insert all posts** into the proper locations. Secure posts with 3/8"-16 SS hex head bolts making sure that the posts are fully inserted.
21. Insert the **stub shafts** into the bottom of the appropriate posts making sure the stub shaft plates are properly oriented. Taping the stubs to the posts will hold them in place until the shelter is properly positioned.
22. If an **advertising display case** has been supplied then proceed with the following directions, otherwise go to step 23.
 - a. The ad display case is shipped as a complete assembly.
 - b. Move the ad display case into position for power feed and roof trim location as per drawing
 - c. Insert the ad display case stub shaft(s) as per drawing making sure the stub shaft plates are properly oriented
 - d. Secure the ad display case top brackets into the roof trim with the appropriate supplied hardware (i.e. 3/8-16 bolts)
 - e. If display is supplied with a kick plate, you must install it after leveling the shelter.

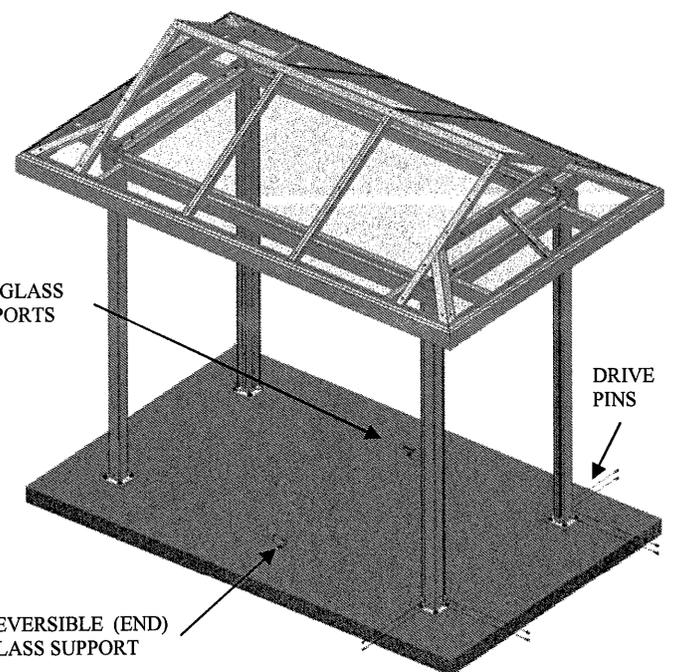
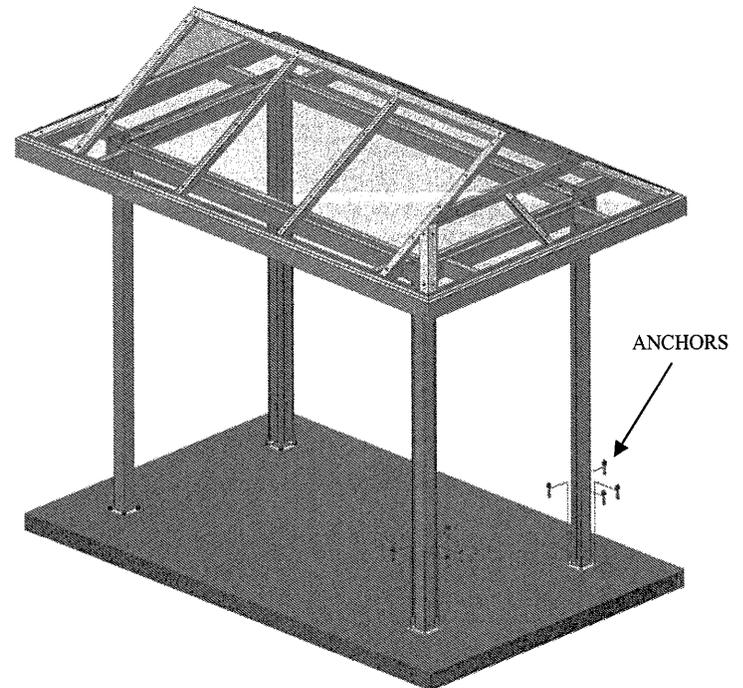


Installation instructions

Peak Roof Shelters

Rev: Apr 13, 2010

23. Lower the shelter into position.
24. Square and plumb the posts so that the distances between the posts at the top and bottom are the same. It is suggested to use a wood spacer.
25. **Install anchors.** Depending on anchors (ground hardware) provided, drill an appropriate hole through the stub shaft plates into the concrete pad according to manufacturers specifications. Four anchors are required per stub shaft unless otherwise specified.
Note: In certain areas where very high wind loads exist (ie. Parts of Florida), then epoxy anchors may be needed.
26. Insert the hardware and fasten securely.
27. Double check the shelter making sure it is plumb and square after fastening posts.
28. **Level the shelter.** To secure level, drill with a No. 6 drill bit for the insertion of the 1/4" diameter **drive pins**. Locate the holes on the posts for the drive pins as per the drawings. Insert (hammer) the drive pins.



Wall Panels

29. Line up the **glass supports** with the roof glazing channel and the glazing body on the posts. Check the location of the glass supports with the shelter layout drawings. Orient the glass support such that the slider part is facing inwards to the shelter. There may be (2) different types of glass supports, depending on your shelter. The "mid" glass support is used to support (2) glass panels that butt together. See glass support graphic below.

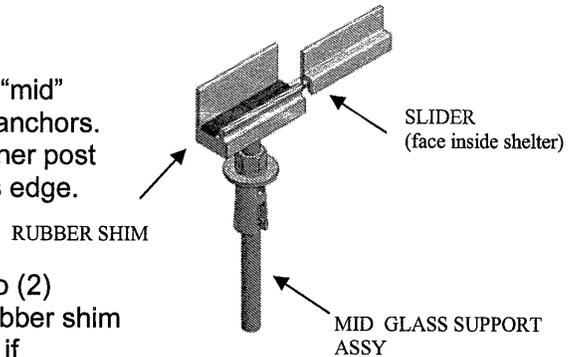
Installation instructions

Peak Roof Shelters

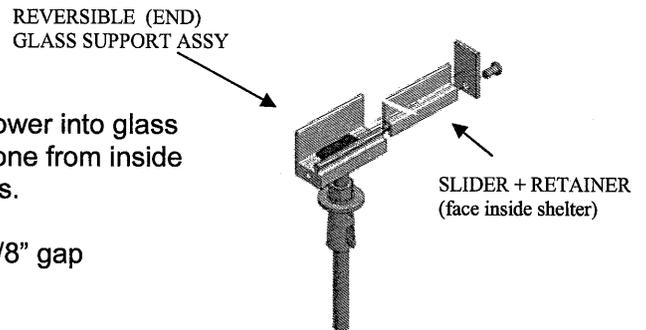
Rev: Apr 13, 2010

30. Measure glass width and mark center line of the "mid" glass support. Drill for adjustable glass support anchors. At the shelter opening, drill 1" closer to glass corner post so glass support clip does not stick outside glass edge.

31. The **glass support assembly** includes a removeable **slider**. Remove slider and place two (2) rubber shims on the "mid" glass support or (1) rubber shim on the reversible (end) glass support. Use more if additional shimming is required.



32. **Lift glass into roof trim** (minimum 3/4") and lower into glass support assembly. **NOTE:** Glazing must be done from inside shelter. Use extreme care when handling glass.

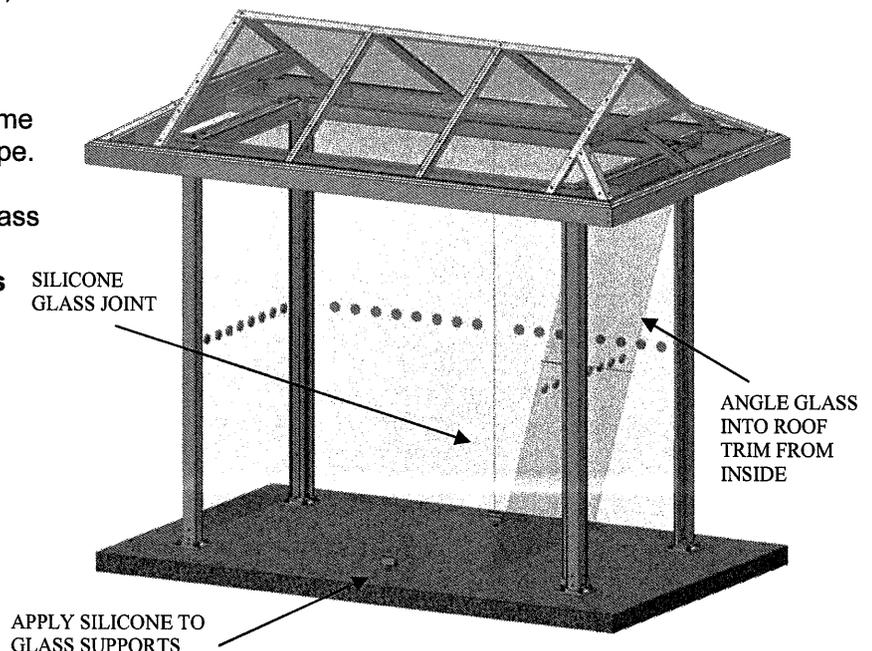


33. Plumb and level glass leaving approximately 1/8" gap between each glass sheet for a silicone joint.

34. Using rubber mallet and starting at top of the post, snap glazing extrusion onto the glazing body (assembled on post).

35. Apply **silicone between joints of glass**. Begin by applying masking tape along the glass edges, to prevent excess caulking from sticking. Using (2) silicone guns, inject silicone on both sides of the gap, simultaneously. Place small amount of dish detergent on thumbs and run down length of silicone, pressing at the same time to make clean joint. Remove tape.

36. Install **slider and retainer** on glass supports. **Apply silicone** to both sides of all **glass supports** to prevent removal of slider and glass.



Installation instructions

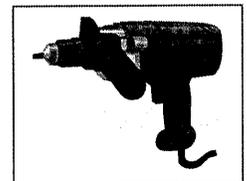
Peak Roof Shelters

Rev: Apr 13, 2010

37. Install glass **edge protector** (if supplied) on the exposed vertical glass edge using a rubber mallet. Insert a small amount of silicone into glass edge protector to prevent removal.
38. Inspect all bolts and screws for tightness.

Tools Required

1. Regular drill & bits (No. 6 supplied for drive pins)
2. Hammer drill and 3/4", 7/8" & 1/2" Ø drill bits (3/8" Ø required for bench installation)
3. Small rubber mallet
4. Hand tools
 - hammer, rubber mallet, screw drivers (Torx and Robertson <square head>))
 - Allen keys, nut driver set, ratchet socket sets and 7/16", 9/16" and 3/4" open-end wrenches
 - Pry bar, small sledge hammer
5. Rope or sling to lift roof
6. Caulking guns with clear silicone
7. Level, measuring tape, chalk line and plumb bob
8. Dish detergent (1/4 cup)
9. Glass lifters (suction cups) for installing glass (if available)
10. Wood slats (1" x 4" and 2" x 4") for work platform



Toll-free (877) 329-1907 x-222

Business hours, M-F, 8 am to 4:30 pm E.S.T.



TOWN OF EXETER

Planning and Building Department

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

www.exeternh.gov

Date: September 9, 2016
To: Russ Dean, Town Manager
From: Dave Sharples, Town Planner
Re: Master Plan Update contract

I am writing this memorandum to request that the Selectboard vote to authorize you to sign a contract and execute any and all agreements with the Horsley Witten Group to perform the Master Plan Update. As you know, the voters approved a warrant article for \$50,000 to update the Town's Master Plan. The Planning Board subsequently created a Steering Committee that has been guiding the process. The following is what has been accomplished to date:

- A Request for Qualifications (RFQ) was issued;
- The Town received four responses to the RFQ;
- An interview panel was formed by the Steering Committee and all four firms that submitted proposals were interviewed;
- The panel recommended contracting with the Horsley Witten Group (HWG) to perform the update;
- The Steering Committee met with HWG and discussed a scope of work for the update; and,
- HWG submitted the attached draft contract to conduct the update.

For your convenience, I offer the following motion that will allow you to execute the contract and any other necessary agreements to carry out the update:

Proposed motion: *I move that the Town Manager is authorized to execute any documents, agreements and take any and all such actions on behalf of the Town, to complete the Master Plan Update for an amount not-to-exceed \$50,000.*

You will note that the language has \$50,000 as the not-to-exceed amount which is consistent with the warrant article. I have enclosed the draft contract for your review. I also provided a copy of the contract to the Planning Board and Steering Committee.

Thank you.

enc (1)

Horsley Witten Group

Sustainable Environmental Solutions

90 Route 6A • Unit 1 • Sandwich, MA 02563
508-833-8600 • horsleywitten.com



MEMORANDUM

TO: David Sharples
FROM: Nathan Kelly
DATE: August 24, 2016
RE: Community Vision Plan Scope of Work – Exeter, New Hampshire

David,

This memorandum provides a proposed scope of work and associated fee based on our recent meeting with the project Steering Committee. We have also attached our standard contract for your review.

Please let us know if you have any questions or if there are elements of the scope, fee or contract that you would like to amend. If all of the documents appear to be in order, please have the contract signed and returned to HW. We will place our signature on the document and send a copy to you for your records.

We are very excited to begin this project with the community and look forward to our next visit.

Sincerely,
Nate

Scope of Work

Task 1: Project Infrastructure – Communication Tools and Protocols

In accordance with our standard approach, HW will establish certain tools and protocols at the outset of the project. Some of these tools and protocols can be developed exclusively by HW, while others will require some assistance from municipal staff. Products that we will develop as part of this task include:

Project Contact List. HW will work with the Town to develop a full contact list for the project team. This will include Steering Committee members, members of the consultant team, and municipal staff.

Town Coordination. HW will work with municipal staff to develop a schedule of regular “check in” communications for project updates. These meetings, usually brief conference calls, provide a means to maintain the pace of the project and ensure continued progress along a “critical path” approach.

Work Session Schedule. HW will work with municipal staff to develop a schedule (subject to continual change) for public meetings and any Steering Committee work sessions.

E-mail Contact List. The Town will provide HW with an e-mail contact list that will be used for e-blast notifications to key stakeholders and the general public. HW will assist the Town with identifying potential stakeholders that can help spread these electronic notifications into previously established network (e.g., the library, social service organizations, etc.).

Project Website. The Town will use its own website for posting any draft products or meeting notifications. HW will provide content as directed.

Document Development and Review Protocol. The Vision Plan elements and other products will likely be reviewed by different parties (e.g., Conservation, etc.) and in different formats (e.g., text only, text with graphics, maps, etc.). HW will develop a protocol with the Town regarding how these review processes will occur and in which format the product will appear at different stages of review.

Deliverables: Tools, lists, and protocol memoranda as described above.

Task 2: The Baseline – Data Collection and Processing

Information Needs Plan

HW will develop an information needs plan for the early stages of the project. This plan will be organized as a matrix describing the information needed to update the baseline information and identifying the likely source of that information. This matrix will then be organized by different sources (e.g., Police, DPW, School Department, etc.) and disseminated to the appropriate individuals. HW staff will develop a “follow through”

procedure to ensure that all information is gathered in the most efficient way possible. The information needs plan will be vetted with the Steering Committee and municipal staff to determine if there are items that need to be added and the most likely source of the information.

Data Collection

Once the information needs plan (matrix) is complete, as described above, HW will begin our “fact finding” efforts with various data sources, municipal departments, or key stakeholders. This exercise typically includes:

- Mining of information from various regional, state, and federal agencies (e.g. Capitol Region COG, U.S. Census, etc.).
- Interviews (up to 15) with municipal officials and departments, department heads, and Steering Committee members to mine data and discuss key issues.
- Collection of GIS data from local, regional, and state-level sources.
- Collection or verification of any established third-party methodologies for data analyses (e.g. COG population analyses, housing affordability gap analyses, etc.).
- Review and summary of previous studies.

Targeted Stakeholder Engagement

HW will meet with key individuals or groups to discuss our findings to date and get a sense of what their priorities and initiatives are. The list of groups and individuals to be engaged will be developed in coordination with the project Steering Committee, and can be organized either by issue or geographic location. These discussions will serve as the transition point between gathering data and setting priorities before moving into the public discussion.

Baseline Snapshot Summaries

HW will develop a series of illustrated baseline snapshots that will concisely package important information for upcoming public process. These will be formatted as easily read fliers, maps, or posters, depending on the content. The format will be geared toward educating the public while fostering interest in the public process.

Deliverables: Information Needs Plan for the Town and HW staff to direct data gathering efforts. Data collection and interviews with key municipal officials, staff, and stakeholders. Baseline snapshot summaries presenting all data, information and analyses required for each element of the Vision Plan. Development of all required materials and presentations for each stakeholder meeting. Development of written meeting summaries.

Task 3: Public Meeting #1 – Community Listening Session

When Tasks 2 and 3 are nearing completion, HW will facilitate the first public meeting to introduce the project. As with all of our local engagement efforts, HW will work with municipal

staff to refine and finalize the approach to these meetings based on staff members' experience with engagement in the community. In general, the purposes of this first public meeting include:

- Introduce the project and the project team.
- Explain the significance of the Vision Plan.
- Present some of the highlights from the baseline research.
- Discuss the proposed framework for the Plan.
- Clearly convey the schedule and ways to stay involved.
- Solicit feedback on residents' concerns over specific elements.

Deliverables: Development of all required materials and presentations for first public meeting. Facilitation and recording at the meeting. Development of written meeting summaries. Any required project website update.

Task 4: Plan Outline, Draft Text, and Mock Up

Vision Plan Outline

At the outset of this Task, HW will develop an annotated outline for the Vision Plan that provides the overall structure of the document as well as a concise description of the material to be included in each chapter. The outline will include a list of figures and maps. We will present the outline at a meeting of the Steering Committee and make adjustments as necessary.

Draft Text

HW will develop a complete draft of the Vision Plan text for the Steering Committee and Town staff to review. HW and Town staff will develop a process through which a single set of revisions is provided to HW for incorporation into the document.

Section Mock Up

Once the Steering Committee is comfortable with the outline, the HW Team will draft a mock up for one section of the Vision Plan for the Town's consideration. This will provide the Steering Committee and municipal staff the opportunity to see graphic design elements and how images and illustrations will be incorporated into the document. HW will attend two review sessions with the Steering Committee to review content and incorporate feedback.

Deliverables: Draft annotated Vision Plan outline and Vision Plan document. Workshops with the Steering Committee to review and revise the Vision Plan annotated outline, draft plan text, and mock up.

Task 5: Public Meeting #2 – Priorities and Actions

Once HW and the Town’s project team have identified the key issues for the community to consider and the overall outline of the plan, HW will facilitate the second public meeting to present these concepts. This meeting will:

- Present the key findings of our analyses.
- Present the list of key issues that will shape each of the elements in the plan.
- Solicit feedback on “what’s good”, “what needs improving”, and “what’s missing.”
- Remind attendees of what has been completed in the project and the schedule moving forward.

The structure of these discussions can vary significantly and is affected by the space in which the meeting is held, the anticipated number of attendees, and many other factors. Discussions can incorporate techniques such as “dot” voting, break out groups, “open house” format with stations, and others. The interactive discussions at meetings can also be supplemented with on-line voting in survey format for a more widespread audience. HW will work with municipal staff to identify the best approach(es) to the meeting in order to effectively engage stakeholders in this important discussion.

Deliverables: Development of all required materials and presentations for second public meeting. Facilitation and recording at the meeting. Development of written meeting summaries.

Task 6: Final Draft Plan

Based on the results of the second public meeting, HW will develop a final draft of the Vision Plan. This document will be discussed at a single work session with the Steering Committee, where we will discuss the last edits that are required before finalizing the document and going to the public hearing phase. At the close of this Task, HW will deliver a single full draft of the Vision Plan.

Deliverables: Complete draft of Vision Plan. In hardcopy and electronic format.

Task 7: Adoption

Once the final draft of the Vision Plan is complete, HW will assist with the adoption process by attending all required hearings with the Steering Committee. Final adjustments will be made to the document in response to comments at the hearing.

Deliverables: Adoption hearings. All supporting electronic files including, but not limited to, MSWord text, ArcGIS shapefiles, images and photos (.jpeg). Number of hard copy plans to be negotiated.*

Budget

The proposed budget for the project is provided below.

PROJECT BUDGET:Town of Exeter, NH							
Tasks	Principal	Project Designer	Project Manager	Planner	Planner	GIS	
Key Staff	Kelly	Ford	Moravec	Pereira	Davis	Cabral	Cost
Hourly Rate	\$155	\$135	\$115	\$115	\$95	\$75	
1. Project Infrastructure	2		16	4	4	8	\$3,590
2. The Plan Baseline	4		40	40	40		\$13,620
3. Public Meeting #1	4	4	12	12	12	16	\$6,260
4. Plan Outline and Mock Up	12	8	40	16	24	8	\$12,260
5. Public Meeting #2	4	4	12	12	12	8	\$5,660
6. Final Draft	4		40		8		\$5,980
7. Adoption	2		8				\$1,230
Total Hours	32		168	84	100	40	
Total Costs	\$4,960		\$19,320	\$9,660	\$9,500	\$3,000	

\$48,600

Direct Costs (Supplies, rentals, mileage, copies)

Mileage	.54/mile	630	miles:	\$340
Copies - Color	\$1.00/page	200	pages:	\$200
Copies - Color 11x17	\$1.50/page	200	pages:	\$300
Copies - B&W	\$0.20/page	800	pages:	\$160
Plotter Prints	\$1.50/s.f. (\$9/sheet - 24 x 36)	40	# sheets:	\$360
Postage		40	postage:	\$40

TOTAL DIRECT COSTS: \$1,400

\$50,000

Horsley Witten Group

Sustainable Environmental Solutions

90 Route 6A • Unit 1 • Sandwich, MA 02563
508-833-6600 • horsleywitten.com



Client Name: Town of Exeter
Address: 10 Front Street
Town: Exeter, New Hampshire 03833
Contact: Mr. David Sharples
Re: Community Vision Plan
Exeter, New Hampshire

STANDARD MUNICIPAL AGREEMENT NOT TO EXCEED MAXIMUM FEE AGREEMENT

I (we) [hereinafter referred to as "The Client"] the undersigned agrees to and accepts the following terms and, further, understands that such terms shall apply for the duration of this Agreement with HORSLEY WITTEN GROUP, INC. [hereinafter referred to as "HW"].

The Client wishes to engage HW to perform professional services and HW wishes to perform professional services for the Client in an environmentally responsible manner for Community Vision Plan, Exeter, New Hampshire (the "Project"). In consideration of the above, the client and HW agree as follows:

1. The total project maximum not to exceed fee, including reimbursable expenses, for the work hereupon agreed shall be \$50,000.00 all as more particularly described in the proposal dated August 24, 2106 and attached hereto and made part of this Agreement and describes the Project. The Client shall receive an Invoice monthly from HW for work performed and related expenses incurred during the prior 30 day period (the "billing period"). HW will invoice the Client for services rendered on a Time and Expense basis as hourly and reimbursable expenses are incurred up to a not to exceed fee of \$50,000.00.

The scope of work may contain specific budgets by task; billings may exceed the stated budget of individual tasks, but total project billings will not exceed the total project maximum not to exceed fee without a prior contract amendment.

2. The following hourly rates for HW personnel shall apply: These rates will remain in effect through January 1, 2017, after which time HW may adjust hourly rates.

	<u>Rate</u>
• Principal	\$185/hr.
• Associate Principal	\$155/hr.
• Senior Project Manager	\$140/hr.
• Project Manager/Engineer/Scientist/Landscape Architect	\$130/hr.
• Engineer/Scientist/Surveyor/Planner	\$95/hr.
• Graphics/Landscape Architect/ Env.Scientist/CAD Technician	\$80/hr.
• Administrative Assistant	\$50/hr.
• Intern	\$45/hr.
• 2-Man Survey Crew	\$145/hr.

3. The following rates shall apply to routine job-related expenses incurred by HW. Other direct expenses will be billed at cost:

Mileage Rate: <i>Based on Current Mileage Reimbursement Federally-approved by IRS</i>	Black & White Copies 8 1/2 x 11	\$0.20/page
	Black & White Copies 11 X 17	\$0.50/page
Subcontractor Costs: Cost plus 15%	Color Prints 8x11	\$1.00/page
Facsimile \$1.00/page	Color Prints 11x17	\$1.50/page
Plotter Prints \$1.50/sq.ft.	Mylar Plotter Prints	\$2.50/sq.ft.

The Client shall be billed for disposable field supplies and/or special equipment, as applicable. The maximum not to exceed fee does not include subcontractor's costs for drilling, backhoe and/or lab analysis.

4. Final reports and presentations shall not be provided until final payment is received. If payment has not been received within 30 days of the invoice date, or the Client has failed to notify HW of a dispute of the invoice, HW may, with due notification to the Client, stop work on the project until such time as all outstanding invoices have been resolved.
5. Project findings and reports for which payment has not been received within 30 days of invoice date will be the property of HW and may not be used by the Client for any purpose. Any such use without written consent will be at the Client's sole risk and without liability or legal exposure to HW; and the Client, or whoever shall use said documents in violation of this section, shall indemnify and hold harmless HW from all claim, damages losses and expenses, including attorneys' fees arising out of or resulting therefrom. This section may be specifically enforced by any court of competent jurisdiction by HW which shall, in addition to injunctive relief, be entitled to recover damages, if any, arising from any breach of this section, together with costs and reasonable attorneys' fees in any action brought to enforce the provision of this Section. HW reserves the right to notify all appropriate regulatory agencies that our firm will provide no further support for any materials or testimonies submitted under our name in the event that bills are not paid.
6. Should it become necessary to utilize legal or other resources to collect any or all monies rightfully due for services rendered under this Agreement, HW shall be entitled to full reimbursement of all such costs, including reasonable attorneys' fees, as part of the Agreement.
7. The Client shall at all times indemnify and save harmless HW and its officers, agents and employees on account of any claims, damages, losses, litigation, expenses, counsel fees, and compensation arising out of any claims, damages, personal injuries, property losses and/or economic damages sustained by or alleged to have been sustained by any person or entity, caused in whole or in part by the acts, omissions or negligence of the Client, its agents, employees, or subcontractors in connection with the project.

8. At any time, either the Client or HW shall have the absolute discretionary right to terminate this Agreement without cause or reason, by giving written notice to the other party by certified mail, return receipt requested to the address listed herein. The termination date of this Agreement shall be the date of receipt of notice or 5 days after the mailing of notice of termination, whichever occurs sooner. Notwithstanding termination of this Agreement, the Client shall be liable for and shall compensate HW for all work performed as of the termination date. HW will deliver to the Client all work products completed as of the termination date for which payment has been received. Upon termination of this Agreement, HW shall not be liable to the Client or any third party for any damages of any kind, including direct, indirect or consequential damages, including, but not limited to damages due to delay, lost revenues and accrued incidental costs. It is understood and agreed that HW will stop work as of the date of termination of this Agreement and will not be responsible for delivery of any additional or future work products.
9. For any damage on account of any error, omission or other professional negligence, the parties agree that to the fullest extent permitted by law, the total liability that HW will be limited to is a sum not to exceed the available proceeds from HW's insurance.
10. HW shall not be responsible for failure to perform or for delays in the performance of work, which arise out of causes beyond the control and without the fault or negligence of HW.
11. All documents including Drawings and Specifications prepared pursuant to this Agreement are instruments of service with respect to the Project. They are not intended or represented to be suitable for reuse by the Client or others on extensions of the Project or on any other Project and shall not be reused without the express written consent of HW. Any reuse without written consent or adaptation by HW for the specific purpose intended will be at the Client's sole risk and without liability or legal exposure to HW; and the Client, or whoever shall reuse said documents, shall indemnify and hold harmless HW from all claims, damages, losses and expenses including attorneys' fees arising out of or resulting therefrom. Any such consent or adaptation will entitle HW to additional compensation at rates to be agreed upon by HW and the person or entity seeking to reuse said documents. This section may be specifically enforced by any court of competent jurisdiction by HW which shall, in addition to injunctive relief, be entitled to recover damages, if any, arising from any breach of this section, together with costs and reasonable attorneys' fees in any action brought to enforce the provisions of this Section.
12. This Agreement represents the entire agreement between the parties regarding this Project. In entering into this Agreement, Client has relied only upon the warranties or representations (a) set forth in this Agreement; or (b) implied in law. No oral warranties, representations or statements shall be considered a part of this Agreement or a basis upon which the Client relied in entering into the Agreement. No statements, representations, warranties or understandings, unless contained herein, exist between Client and HW.
13. Should a need for further scope or budget revision be identified by either the Client or HW, the party requesting the revision shall notify the other party immediately. All changes to this Agreement must be in writing, signed by both parties.
14. The client acknowledges that HW is a corporation and agrees that any claim made by the Client arising out of any act or omission of any director, officer, or employee of HW in the performance of this or any other agreement between the parties shall be made against the corporation and not against such director, officer, or employee individually. Any breach of this section shall entitle such director, officer, or employee of HW to, in addition to all other relief, costs and reasonable attorneys' fees.

15. The invalidity of any portion of this Agreement shall not invalidate the entire agreement. If any portion or clause hereof shall be declared unenforceable or invalid by any court of competent jurisdiction, such portion or clause shall be deemed stricken from the Agreement and remainder hereof shall be binding upon the parties hereto, their heirs, successors and assigns.
16. The Laws of the State of New Hampshire shall govern this Agreement.
17. All notices sent pursuant to this Agreement shall be sent to HW and to the Client at the addresses listed on the Client Information Sheet attached hereto.
18. Services do not include legal consultation or constitute legal advice. Appropriate counsel should be employed where warranted.
19. HW shall not be liable for the failure of any manufactured product or any manufactured or factory assembled system of components to conform to the manufacturer's specifications, product literature or written documents.
20. The individual signing below, on behalf of the Client, represents that he/she has full authority to bind the Client to this Agreement.

CLIENT

HORSLEY WITTEN GROUP

DATE

DATE

Horsley Witten Group

Sustainable Environmental Solutions

90 Route 6A • Unit 1 • Sandwich, MA 02563
508-833-6600 • horsleywitten.com



Client Information Sheet

Company Name: _____

Mailing Address: _____

Contact Person: _____

Telephone: _____

Fax: _____

Email: _____

Cell: _____

Website: _____

Accounts Payable Contact: _____

A/P Telephone: _____

Please check appropriate box:

Are you a previous client? Yes No

If no, how did you hear about HW?

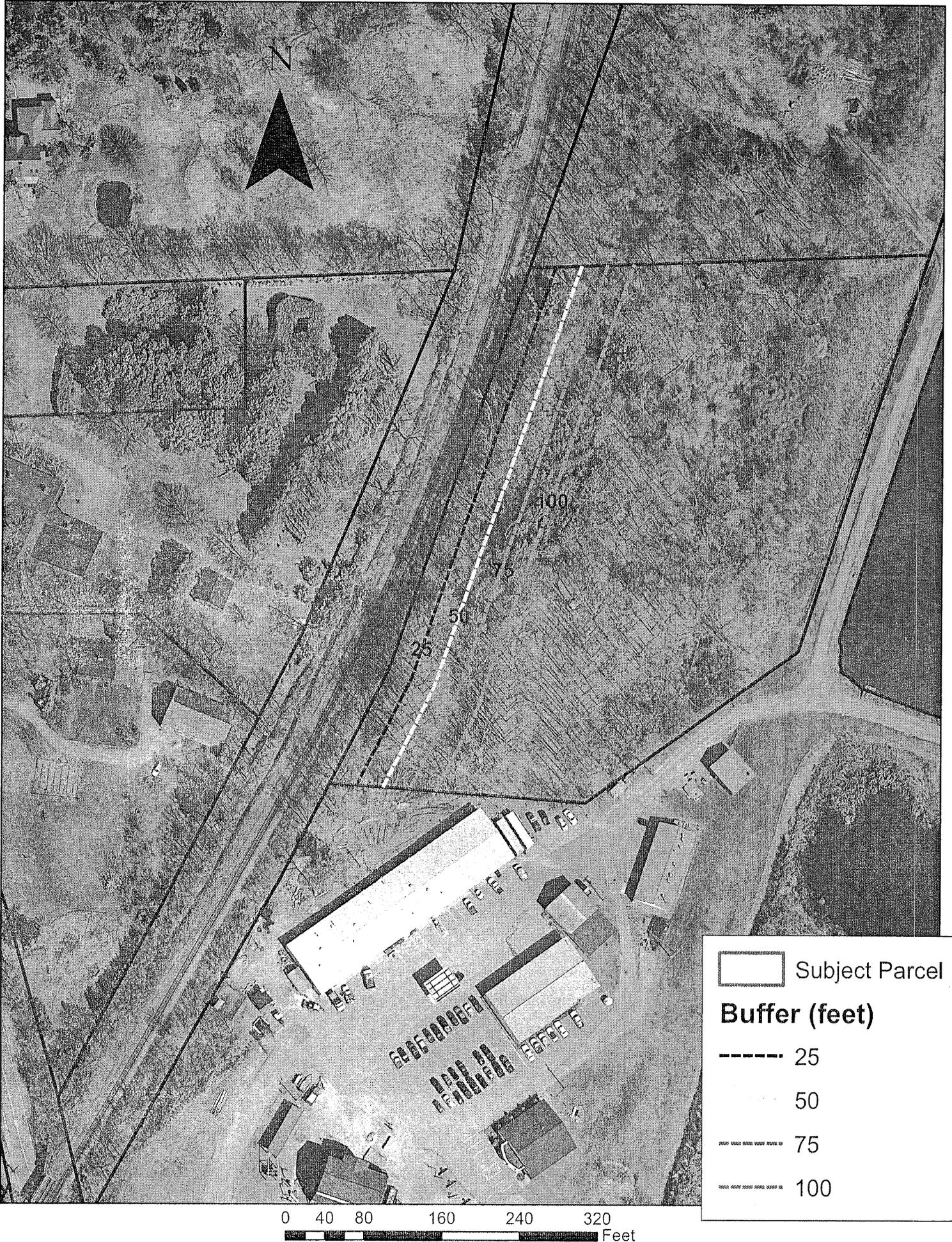
Were you referred by someone? If so, who?

***Please mail, email or fax back with signed contract.**

Email: ddelponte@horsleywitten.com

Fax: 508-833-3150

Map 49 Lot 12





TOWN OF EXETER

Planning and Building Department

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

www.exeternh.gov

Date: September 9, 2016
To: Board of Selectmen
From: Kelly Bergeron, Planning Board Chairwoman 
Re: Proposed Town Acquisition of Carr Property – Newfields Road
Tax Map Parcel #49-12

Please be advised that the Planning Board, at its August 11th, 2016 meeting, considered a proposal presented by Public Works Director Jennifer Perry for the proposed acquisition of a 4.7 acre parcel located on Newfields Road and situated adjacent to the Public Works Complex.

Subsequent to discussion, the Board voted unanimously to send a letter of recommendation supporting this acquisition. Please accept this memorandum as documentation of such recommendation.

Attached is a copy of the minutes from the August 11th, 2016 meeting on this matter. If you should have any questions, please do not hesitate to contact me.

cc: Jennifer Perry, DPW Director

f:\docs\plan'g & build'g dept\planning-misc\carr property - bos letter of recommendation.docx

Mr. Garrity said they need to know when to build it. The Chair said that they should work with Planner on that point. Mr. Cameron asked the Board if it is satisfied with all that it has heard and if there was more to learn? The Chair said that she thought it was all here and the legal opinion was clear. Mr. Cameron only wanted the record to show the Board had everything it needed to decide this.

Mr. Garrity offered to simplify the matter for the Board so it could avoid having to vote and he withdrew this application. The Board accepted that withdrawal.

5. OTHER BUSINESS:

- **Proposed Town Acquisition of Tax Map Parcel #49-12 (4.7 acre parcel on Newfields Road)**

Jennifer Perry, DPW Director, reported that they are in the process of acquiring land on Newfields Rd adjacent to the DPW facility there and have a signed Purchase & Sale Agreement. It is a 4.7 acre parcel, east of the rail road tracks, abutted by DPW land on the east and is essentially landlocked. It's not useable by the Carrs, who own it. The Conservation Commission was offered it a year ago but couldn't pursue it, so the owners were referred to DPW for its possible interest. It has potential use for DPW. The BOS was made aware of this presentation. This is a '41.14.c' process for acquisition of town land. She had to meet with the Conservation Commission this week, and with this Board, then go back to the Board of Selectmen for two public hearings on it. The Commission recommended acquisition to BOS for use by DPW.

Mr. Plumer said it makes sense. Mr. Brown asked how DPW had come up with the \$24,000 price on a \$21,000 land appraisal? Ms. Perry said the owners had gotten the appraisal in 2015, had tax incentives at that point. DPW had to sweeten the pot a bit on it since-with only a minor increase. It was an earnest offer. They went back to Kraft Appraisal and there was not enough of a change in the financial climate to warrant a new appraisal. She said there is a color aerial photo in the back of the Board packets, showing setbacks/buffers in feet. The sellers wanted a 100 ft setback from property lines for construction, which DPW couldn't do, so it negotiated for a 25 ft setback and that changed the price. Ms. Perry also said that their facilities planning conducted recently showed that the DPW building closest to this

property does not meet current code nor current needs, so DPW will be coming for proposed facilities expansion within 3-4 years. This acquisition would be extremely beneficial to the Town at this time for that reason.

Mr. Clement said at the BOS meeting on this there was discussion on change in sale price and some discomfort with members about the price change had occurred, even though not a large amount. He said in the end this is a very important price of property with 'value-added' for DPW so the BOS decided it was too good a deal to pass up based on the known future need.

Mr. Sharples said that there will be two public hearings with BOS on this so no public comment needs to be taken by the Board on this tonight.

There was discussion on the Board moving forward by recommending to the BOS that it hold hearings on acquisition. Mr. Cameron moved that the Board send the BOS a recommendation letter supporting this acquisition. It was seconded by Mr. Plumer and unanimously approved by roll call vote.

- **Proposed Site Plan Revisions Language review discussion:**

Mr. Sharples presented the proposed Site Plan Regulations revision language and suggested the Board hold a hearing on it as presented. The Board has seen all the language before, it's in regulations amendment form now. He went over language regarding deletions and additions-he added new 9.3.5 section which he read into the record. The stormwater section is being revised next. The Board needs to hold a public hearing. There was discussion on the timing of the public hearing and amount of notice beforehand. Mr. Sharples said there is no problem with 9/8 if the Board approves tonight to hold a public hearing on this, but that may be too soon if the Board wants longer. Mr. Clement moved the Regulations amendments be scheduled for public hearing for 9/8 and Mr. Cameron seconded. On discussion Mr. Brown asked if the Board could change any of it at that point. Mr. Sharples said it could change any of it, they just have to repost and redo the public hearing. The roll call vote was unanimous approval of the hearing.

- **Approval of Minutes of July 28, 2016:**

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.



TO: Key Officials

FROM: Judy A. Silva, Executive Director
Cordell A. Johnston, Government Affairs Counsel

DATE: August 18, 2016

RE: 2017-2018 Legislative Policy Conference ~ Friday, September 23, 2016

Floor Proposals and Legislative Principles

Enclosed please find a copy of the seven floor policy proposals that have been submitted for discussion and vote at the NHMA Legislative Policy Conference. These floor policies supplement the policy recommendations prepared by the three legislative policy committees, which were mailed to each municipality on June 20, 2016. In addition to the policy recommendations and the floor proposals, delegates at the conference will vote on NHMA's Legislative Principles, which also were included in the June 20 mailing. If you need copies of any of these documents, you can find them on the NHMA website, www.nhmunicipal.org. (Near the top of the home page, click on the "Advocacy" tab, then use the menu on the left to find "Legislative Principles," "2017-2018 Legislative Policy Recommendations," and "2017-2018 Floor Policies.")

Voting Delegate

Each member municipality has one vote at the Policy Conference. Each governing body is asked to appoint a voting delegate to cast the municipality's vote on the policy proposals presented. **We are sending a voting delegate card to the chief administrative officer in each municipality (or the governing body chair if no administrative staff) to return to us indicating the governing body's appointment for voting delegate.** Please mail this card back to us no later than Friday, September 16. See the Legislative Policy Process Questions & Answers document, also sent with the June 20 mailing and available on the NHMA website, for a description of who will have voting privileges for a municipality in the absence of any formal designation.

Policy Conference

The Legislative Policy Conference is scheduled for **Friday, September 23, 2016, at 9:00 a.m.** at NHMA's offices at **25 Triangle Park Drive** in Concord.

We urge the governing body of each municipality to discuss the full slate of policy recommendations, along with these floor proposals, and take a position on each proposal to give guidance to your voting delegate. ***Do not send your positions on the policy recommendations to NHMA; they are only for the guidance of your voting delegate, and each municipality can register its positions only by voting at the conference.*** At the conference, delegates may vote to approve, reject, amend, or table a policy proposal. They may also vote to change the order of priority of the various policies.

This is an important opportunity for each member municipality to participate in determining NHMA legislative policy for the 2017-2018 biennium—we count on your input! As always, please do not hesitate to call or e-mail (governmentaffairs@nhmunicipal.org) the Government Affairs Staff with any questions, comments, or concerns. We look forward to seeing you on September 23!

New Hampshire Municipal Association
2017 - 2018 Legislative Policy Process

Floor Policy Proposal

Submitted by (name): Roger Coutu

Date: August 10, 2016

City or Town: Hudson

Title of Person Submitting Policy: Selectman

Floor Policy Proposal approved by vote of the governing body on (date)

August 9, 2016

To see if NHMA will SUPPORT/OPPOSE:

To see if NHMA will support legislation to allow municipal library budgets to appear as a separate warrant article on the Town Meeting SB2 ballot.

Municipal Interest to be accomplished by proposal:

To give the voters greater visibility to the appropriations necessary to operate the municipal library when they vote at the Annual Town Meeting.

Explanation:

Currently, in SB2 communities, the operating budget for the Town appears as a separate warrant article. The article raises and appropriates a sum of money for the operation of the Town and also defines a default budget should the proposed budget not pass. In 2014, separate warrant articles were allowed on the ballot to raise and appropriate funds to run a municipal water utility and a municipal sewer utility. Each of these articles also identified a default budget should the article(s) not pass. The Hudson Board of Selectmen believe that it would be appropriate to allow SB2 communities to put municipal library budgets, separate from the Town's general fund budget, so that the voters would have greater visibility into the cost to operate the library as well as the ability to vote for a library default budget. Another strong argument in favor of allowing the library budget to be a separate warrant article is that the Library Trustees are a separately elected body, not subject to the direction of the Board of Selectmen.

New Hampshire Municipal Association
2017 - 2018 Legislative Policy Process

Floor Policy Proposal

Submitted by (name): Roger Coutu

Date: August 10, 2016

City or Town: Hudson

Title of Person Submitting Policy: Selectman

Floor Policy Proposal approved by vote of the governing body on (date)

August 9, 2016

To see if NHMA will SUPPORT/OPPOSE:

To see if NHMA will support legislation to allow municipalities to borrow funds from either their Special Revenue Funds and/or Capital Reserve Funds for the purpose of financing municipal building construction approved via warrant articles approved by the voters.

Municipal Interest to be accomplished by proposal:

This would allow municipalities access to their own funds which could generate a greater yield than other investments.

Explanation:

This would give municipalities an option to self finance capital building projects and possibly generate higher returns on their funds.

New Hampshire Municipal Association
2017-2018 Legislative Policy Process

Floor Policy Proposal

Submitted by: (name) City of Portsmouth Date: August 2, 2016

City or Town: Portsmouth Title of Person Submitting Policy: CHRISTINE DWYER, MEMBER OF THE PORTSMOUTH CITY COUNCIL AND LEGISLATIVE SUBCOMMITTEE. THE SUBCOMMITTEE SUBMITS THIS FLOOR POLICY ON THE PORTSMOUTH CITY COUNCIL'S BEHALF.

Floor Policy Proposal approved by vote of the governing body on (date): THE PORTSMOUTH CITY COUNCIL APPROVED THIS POLICY BY MAJORITY VOTE ON AUGUST 1, 2016 FOR SUBMISSION AS A FLOOR POLICY AT THE NHMA LEGISLATIVE POLICY CONFERENCE.

To see if NHMA will SUPPORT:

Legislation that amends RSA 674 regarding Accessory Dwelling Units (ADUs) to prohibit either the principal dwelling unit or the ADU from being used for short term rentals which are defined as the rental of either the principal dwelling unit or the ADU for a period of less than thirty days.

Municipal interest to be accomplished by proposal:

The Legislature's express purpose in amending RSA 674 to require municipalities to permit ADUs was to provide affordable housing for NH citizens, specifically acknowledging the needs of the elderly and disabled to provide living space for in-home caregivers. Allowing ADUs to be used as short term rentals will have the effect of reducing or eliminating affordable housing opportunities for this vulnerable population and their caregivers. Without this limitation every single family residence in every zoning district could become a short term rental business, reducing affordable housing stock for the elderly, disabled and their caregivers, and creating unintended consequences for neighbors.

Explanation:

Many communities throughout the country that are tourist destinations have been faced with the substantial reduction of available affordable housing units due to the recent exponential growth of the short term rental business. The legislative purpose of RSA 674 regarding ADUs will be undermined and likely completely thwarted if either the principal dwelling or ADU can be used as a short term rental. Use of either the principal dwelling or ADU as a short term rental would be against the spirit and intent of the express stated purpose of the legislation.

Each proposed floor policy should record the date of the governing body vote approving the proposal. It should include a brief (one or two sentence) policy statement, a statement about the municipal interest served by the proposal, and an explanation which describes the nature of the problem or concern from a municipal perspective and discusses the proposed action which is being advocated to address the problem.

Fax to 224-5406; mail to 25 Triangle Park Drive, Concord, NH 03301; or email to governmentaffairs@nhmunicipal.org.

Must be received by August 12, 2016.

New Hampshire Municipal Association
2017-2018 Legislative Policy Process

4.

Floor Policy Proposal

Submitted by: (name) City of Portsmouth

Date: August 2, 2016

City or Town: Portsmouth Title of Person Submitting Policy: CHRISTINE DWYER, MEMBER OF THE PORTSMOUTH CITY COUNCIL AND LEGISLATIVE SUBCOMMITTEE. THE SUBCOMMITTEE SUBMITS THIS FLOOR POLICY ON THE PORTSMOUTH CITY COUNCIL'S BEHALF.

Floor Policy Proposal approved by vote of the governing body on (date): THE PORTSMOUTH CITY COUNCIL APPROVED THIS POLICY BY MAJORITY VOTE ON AUGUST 1, 2016 FOR SUBMISSION AS A FLOOR POLICY AT THE NHMA LEGISLATIVE POLICY CONFERENCE.

To see if NHMA will SUPPORT:

Legislation that allows municipalities to adopt an additional surcharge under the meals and rooms tax on hotel occupancy within its municipality whereby the deposited funds would be collected by the Department of Revenue Administration and paid to the municipality into a capital reserve fund, revolving fund, or other special revenue fund to help defer additional costs municipalities face due to tourism.

Municipal interest to be accomplished by proposal:

The State of New Hampshire wants to promote tourism throughout the State because the tourism industry generates jobs and Meals and Rooms Tax revenue. Enabling legislation that gives local communities the ability to create locally a hotel surcharge to generate funds to help pay for municipal services, infrastructure improvements and capital needs without relying on the property tax would help cities and towns recoup some of the costs they have had to assume over the last decade due to loss of revenue from the State. This overreliance on the property tax has put an increased burden on all property taxpayers, but particularly those with limited sources of income who struggle to pay their property taxes each year.

Explanation:

Not every community has the same assets or needs. Enabling legislation permitting cities and towns to create a hotel surcharge could help defer the cost of municipal services, infrastructure improvements and capital needs, lessen the burden on the property tax and the financial burden on cities and towns created by the loss of revenue from the State over the last decade from the elimination of shared revenues, state aid grants, retirement contributions and failure to return the proper percentage of Meals and Rooms Tax revenue to cities and towns. The State Legislature has established a precedent for municipalities to charge fees to create a local source of revenue from fees associated with motor vehicle registration.

Each proposed floor policy should record the date of the governing body vote approving the proposal. It should include a brief (one or two sentence) policy statement, a statement about the municipal interest served by the proposal, and an explanation which describes the nature of the problem or concern from a municipal perspective and discusses the proposed action which is being advocated to address the problem.

Fax to 224-5406; mail to 25 Triangle Park Drive, Concord, NH 03301; or email to governmentaffairs@nhmunicipal.org.

Must be received by August 12, 2016.

**New Hampshire Municipal Association
2017-2018 Legislative Policy Process**

5.

Floor Policy Proposal

Submitted by: (name) City of Portsmouth

Date: August 2, 2016

City or Town: Portsmouth Title of Person Submitting Policy: CHRISTINE DWYER, MEMBER OF THE PORTSMOUTH CITY COUNCIL AND LEGISLATIVE SUBCOMMITTEE. THE SUBCOMMITTEE SUBMITS THIS FLOOR POLICY ON THE PORTSMOUTH CITY COUNCIL'S BEHALF.

Floor Policy Proposal approved by vote of the governing body on (date): THE PORTSMOUTH CITY COUNCIL APPROVED THIS POLICY BY MAJORITY VOTE ON AUGUST 1, 2016 FOR SUBMISSION AS A FLOOR POLICY TO NHMA AT ITS LEGISLATIVE POLICY CONFERENCE.

To see if NHMA will SUPPORT:

Legislation that defines short term rentals as a home business and permits municipalities to regulate and inspect these businesses for life safety issues.

Municipal interest to be accomplished by proposal:

The State of New Hampshire wants to help encourage the growth of new businesses and to support innovative business models. Legislation that permits local communities to define short term rentals as home businesses and allows them to regulate and inspect these businesses for life safety issues will support the emergence of new businesses while recognizing that there is a public interest in ensuring safety, which would benefit and protect business owners, users and all New Hampshire citizens and communities.

Explanation:

Municipalities want to help improve their local economy and need a way to ensure that new business models are encouraged if conducted in a manner that ensures the safety of all users. Local regulation actually recognizes that new models are emerging. Legislation that defines short term rental businesses as home businesses and permit municipalities to regulate and inspect for life safety issues will recognize the right and obligation of municipalities to protect the health, safety and welfare of their citizens while protecting owners and users and all New Hampshire citizens and communities.

Each proposed floor policy should record the date of the governing body vote approving the proposal. It should include a brief (one or two sentence) policy statement, a statement about the municipal interest served by the proposal, and an explanation which describes the nature of the problem or concern from a municipal perspective and discusses the proposed action which is being advocated to address the problem. Fax to 224-5406; mail to 25 Triangle Park Drive, Concord, NH 03301; or email to governmentaffairs@nhmunicipal.org.

Must be received by August 12, 2016.



6.

**New Hampshire Municipal Association
2017-2018 Legislative Policy Process**

Floor Policy Proposal

Submitted by (name) CITY OF PORTSMOUTH Date: AUGUST 2, 2016

City or Town PORTSMOUTH Title of Person Submitting Policy CHRISTINE DWYER, MEMBER OF THE PORTSMOUTH CITY COUNCIL AND LEGISLATIVE SUBCOMMITTEE. THE SUBCOMMITTEE SUBMITS THIS FLOOR POLICY ON THE PORTSMOUTH CITY COUNCIL'S BEHALF.

Floor Policy Proposal approved by vote of the governing body on (date) THE PORTSMOUTH CITY COUNCIL APPROVED THIS POLICY BY MAJORITY VOTE ON AUGUST 1, 2016 FOR SUBMISSION AS A FLOOR POLICY

To see if NHMA will SUPPORT: A POLICY THAT REQUIRES THE NEW HAMPSHIRE DEPARTMENT OF TRANSPORTATION TO ADOPT, DEVELOP AND IMPLEMENT A TYPE II PROGRAM FOR NOISE ABATEMENT ON EXISTING HIGHWAYS.

Municipal interest to be accomplished by proposal:

HIGHWAY TRAFFIC NOISE HAS A NEGATIVE IMPACT ON THE HEALTH, SAFETY AND WELFARE OF NH CITIZENS WHO RESIDE ALONGSIDE EXISTING HIGHWAYS. THE NH DOT'S FAILURE TO ADOPT A TYPE II PROGRAM TO ABATE NOISE ALONG EXISTING HIGHWAYS HAS DEPRIVED MUNICIPALITIES OF FUNDS NEEDED TO CONSTRUCT NOISE BARRIERS TO PROTECT THEIR RESIDENTS.

Explanation:

FUNDING IS NOT AVAILABLE TO CONSTRUCT NOISE BARRIERS ALONG EXISTING HIGHWAYS UNLESS THE STATE ADOPTS A TYPE II PROGRAM. CERTAIN HIGHWAYS WERE CONSTRUCTED OR EXPANDED WITHOUT NOISE BARRIERS. THE VEHICULAR TRAFFIC ON THESE HIGHWAYS HAS INCREASED SUBSTANTIALLY OVER TIME, AS HAS THE NEGATIVE IMPACT OF NOISE ON NEIGHBORHOODS THAT ABUT THESE HIGHWAYS. NH DOT'S FAILURE TO ADOPT A TYPE II POLICY PREVENTS MUNICIPALITIES FROM BEING ABLE TO RECEIVE FUNDING TO CONSTRUCT NOISE BARRIERS WHICH ARE NECESSARY TO PROTECT THE HEALTH, SAFETY AND WELFARE OF NH RESIDENTS.

New Hampshire Municipal Association
2017-2018 Legislative Policy Process

7.

Floor Policy Proposal

Submitted by:

Bruce Johnson, Select Board Chairman, Webster
Clyde Carson, Select Board Chairman, Warner

Date: June 30, 2016

Under Finance and Revenue Policy recommendation #19 - State Revenue Structure and State Education Funding:

To see if the New Hampshire Municipal Association will support legislation to reduce local property taxes by 1) fully funding the NH Education Trust fund as defined in RSA 198:38 and 2) significantly reducing the amount of \$363 million to be raised by the state property tax as defined in RSA 76:3 with any reduction to be replaced from other state revenues.

Municipal interest to be accomplished by proposal:

1. Relieving property tax burdens on all property owners. There are times when people stand up at Town meeting and say they are overburdened on property taxes, and therefore, they cannot support town funding for needed responsibilities and projects. Well, the majority of those property taxes are not local taxes but school taxes. If reform can address the school portion of the tax bills with meaningful help from the State, then small towns can take care of what they need to care of.
2. Improved quality education for all children and teens across the state. This means improved educational opportunities for children and teens in poor towns that equals that from more wealthy towns.

Explanation:

Every year at annual school district meetings or city council meetings across the State, discussions and votes pit struggling taxpayers against children in need of an education. The reason for this is a funding formula that does not include meaningful contributions by the State of New Hampshire. It is time to correct this, and for the State to step up and increase its contributions so that local property taxpayers are not overly burdened, and so that all children receive a decent education.

Approved by a vote of:

Andover Board of Selectmen – July 25, 2016
Hopkinton Board of Selectmen – August 8, 2016
Salisbury Board of Selectmen – August 3, 2016
Warner Board of Selectmen – July 26, 2016
Webster Board of Selectmen – July 5, 2016



Memorandum

TO: All NHMA Members

FROM: Judy Silva, Executive Director
Cordell A. Johnston, Government Affairs Counsel

DATE: June 20, 2016

RE: 2017-2018 Legislative Policy Process *Important Dates!*

FLOOR POLICIES DUE: August 12 ♦ **POLICY CONFERENCE: September 23**

The NHMA legislative policy process is moving forward! Enclosed with this memo is a copy of the policy recommendations made by NHMA's three policy committees. This document will also be posted on NHMA's website, www.nhmunicipal.org.

The policy recommendations are listed by committee: (1) General Administration and Governance; (2) Finance and Revenue; and (3) Infrastructure, Development, and Land Use. Each committee's recommendations are listed in order of priority, as "action," "priority," or "standing" policy recommendations. Also enclosed is a list of NHMA's Legislative Principles, which will be considered for re-adoption at the Legislative Policy Conference, along with the recommended policies.

We urge each municipality's governing body, prior to the Legislative Policy Conference, to vote a position on the recommendations and floor proposals (see reverse) to provide direction to your voting delegate at the Conference. Otherwise, your delegate is free to cast your municipality's vote as he or she chooses. For more information about the legislative policy process and the Policy Conference, please see the enclosed Questions and Answers document.

Town Manager's Office

JUN 21 2016

Received

Floor Proposals

The deadline for submitting floor proposals is **Friday, August 12**. A floor proposal will be accepted only if it is ***approved by a majority vote of the governing body*** (Board of Selectmen, Aldermen, or Council) of the town or city submitting the proposal, is submitted in writing, and is received **no later than August 12**. We will mail all floor proposals to each municipality so there will be an opportunity to take a position on them before the Policy Conference. Floor proposals should be in the same format as proposals submitted to the policy committees.

A Floor Policy Proposal form has been included for your convenience, or you may find it on the NHMA website. (Go to www.nhmunicipal.org, click on "Advocacy," then "Policy-Setting Process," then "Download 2017-2018 Floor Policy Proposal Form.") To submit a floor proposal, please send it to NHMA, 25 Triangle Park Drive, Concord, NH 03301, fax it to 224-5406, or e-mail it to governmentaffairs@nhmunicipal.org.

Legislative Policy Conference

The 2017-2018 Legislative Policy Conference is scheduled for **Friday, September 23, 2016, at 9:00 a.m. at NHMA's office, 25 Triangle Park Drive in Concord**. We will include with the floor proposal mailing a card for each town or city to return indicating who has been appointed as the municipality's voting delegate.

Please call the Government Affairs Department at 800-852-3358, ext. 3408, if you have any questions.

New Hampshire Municipal Association 2017-2018 Legislative Policy Process

Final Policy Recommendations

General Administration and Governance

Action Policy Recommendations

1. Funding for the Police Standards and Training Council

To see if NHMA will SUPPORT the continued operation of the NH Police Academy and the high quality uniform training it provides for all law enforcement officers in the state, including municipal police officers, which aids in the delivery of quality policing services and interagency cooperation to the benefit of all citizens.

- a) **To see if NHMA will SUPPORT** the continued existence of the Police Standards and Training Council (PSTC), the compliance functions it performs, and its oversight of the operations of the NH Police Academy.
- b) **To see if NHMA will SUPPORT** continued funding at the state level for the Police Academy and the PSTC. Local law enforcement agencies produce considerable funds through fines and penalty assessment monies which accrue to the State and are used for State purposes. **To see if NHMA will OPPOSE** any increase in municipal costs for police officers to participate in the training, recognizing that municipalities now pay salary, benefits, and all employment-related costs for trainees while at the Academy, as well as provide staff and instructors at no cost to the Academy.
- c) **To see if NHMA will SUPPORT** the continued use of penalty assessment funds to support the PSTC and **OPPOSE** transferring the penalty assessment funds from PSTC to the general fund.
- d) **To see if NHMA will SUPPORT** separating PSTC operational expenses from capital expenses, and the funding of capital expenses through the State Capital Budget process.
- e) **To see if NHMA will SUPPORT** the development of a sustainable, predictable, and stable plan for funding the PSTC and the Academy at the State level which is sufficient to meet the funding needs and efficient in administration. **To see if NHMA will SUPPORT** funding to supplement the penalty assessment revenues from sources such as an insurance surcharge, an additional fee for accident reports, an increase in the state motor vehicle registration fee, provided such revenues are dedicated to the PSTC.
- f) **To see if NHMA will SUPPORT** working with the PSTC and the legislature to explore other funding sources to supplement revenues to ensure the future viability of the PSTC.

2. Consultation with Counsel Expansion Under RSA 91-A

To see if NHMA will SUPPORT legislation to amend RSA 91-A so that exempt consultation with legal counsel would also include discussions about written legal correspondence provided by legal counsel, without requiring the presence of counsel at the meeting.

3. Building Plans Under RSA Chapter 91-A

To see if NHMA will SUPPORT an amendment to RSA 91-A:5, IV to specifically add building plans/construction drawings contained within a building permit file and/or building plans/construction drawings submitted as part of a building permit application as an exempt record under the statute.

Priority Policy Recommendations

4. EMS Licensing Rules

To see if NHMA will SUPPORT changes to statute or administrative rules as they apply to licensing of providers of emergency medical services, requiring directors of licensed units to report to the Commissioner of Safety the status of licensed providers within their unit who are suspended or terminated for any reason, including any and all incidents which would be cause for revocation of a provider license as detailed in the administrative rules.

5. Electronic Poll Books

To see if NHMA will SUPPORT legislation that would enable the use of electronic poll-books for municipalities with funding coming from the HAVA funds made available to the NH Secretary of State by the United States Election Assistance Commission specifically for the purpose of improvement to the administration of federal elections in the State, as well as support legislative changes to statutes to make the use permissible under State laws.

6. Municipal Welfare Fraud Penalties

To see if NHMA will SUPPORT amending the local welfare statutes so that the so-called "welfare fraud" statutes (RSA 167:17-a through 17-c, currently applicable only to offenses against state assistance programs) will also apply to the same types of fraud offenses when committed against a municipal assistance program operated under RSA chapter 165.

7. Right to Know Costs and Specificity Required

To see if NHMA will SUPPORT amendments to RSA chapter 91-A allowing municipalities to recover the taxpayer costs of retrieving, reviewing and reproducing documents, including electronic documents, and clarifying the level of specificity required when requesting public records.

8. Official Ballot Budget Postings

To see if NHMA will SUPPORT the amending of RSA 40:13 to provide for the posting of a warrant and proposed budget for the first session of the annual town meeting (deliberative session) and a final warrant and proposed budget for the second session of the annual meeting (voting day); the final warrant and proposed budget to reflect any amendments or changes approved by the first session and to be posted as required within 14 days of the close of the first session of the annual meeting

9. Public Notice Requirements

To see if NHMA will SUPPORT legislation to amend all public notice requirements to allow the choice of electronic notification and/or newspaper print, as well as posting in public places, for official public legal notification.

10. Municipal Departments and MV Information

To see if NHMA will SUPPORT legislation to make it clear that municipalities may obtain information about motor vehicles registered to an individual for all governmental purposes such as verifying asset levels when the individual is applying for general assistance or asset-based tax relief and in order to determine the ownership of vehicles for official purposes.

Standing Policy Recommendations

11. Manner of Selecting Clerk in Charter Towns

To see if NHMA will support legislation allowing towns that have adopted a charter under RSA chapter 49-D to determine how the town will choose its town clerk.

12. Sewer and Storm Ordinance Violations

To see if NHMA will SUPPORT legislation which would allow municipalities to recover costs for sewer and storm water ordinance violation enforcement, to include legal expenses, investigative costs, and mitigation expenses.

13. Preservation of Municipal Immunity

To see if NHMA will OPPOSE legislation that weakens, reduces, or diminishes the immunity of municipal, school, or county governments for damages and claims resulting from recreation facilities and activities, operation of equipment and motor vehicles, maintenance of highways and sidewalks, acts committed by employees with firearms, or any other activities related to government operations where limited liability already exists.

14. Welfare Lien Priority

To see if NHMA will SUPPORT legislation to give liens for local welfare payments arising under RSA 165:28 a higher priority position, so that those liens fall immediately after the lien for the first mortgage.

15. Petition Signature Requirements

To see if NHMA will SUPPORT legislation amending RSA 39:3 to require that in towns with an official ballot referendum town meeting (SB2/RSA 40:13), petitioned warrant articles must be signed by not less than 2% of registered voters, but in no case fewer than 10 voters or more than 150 voters.

16. Long-Term Storage of Records

To see if NHMA will SUPPORT legislation modifying the requirement that municipal records retained for longer than ten years be transferred to paper, microfilm, or both.

17. Human Resources Record Retention

To see if NHMA will SUPPORT legislation that amends the record retention requirements for successful job applications and personnel records from 50 years after termination or retirement to 20 years after termination or retirement.

18. Consolidated Policy on Collective Bargaining Items

Evergreen Clause: To see if NHMA will **OPPOSE** legislation to enact a mandatory so-called "evergreen clause" for public employee collective bargaining agreements.

Binding Arbitration: To see if NHMA will **OPPOSE** mandatory binding arbitration as a mechanism to resolve impasses in municipal employee collective bargaining.

Right to Strike: To see if NHMA will **OPPOSE** a right to strike for public employees.

Mandated Employee Benefits: To see if NHMA will **OPPOSE** any proposals to mandate employee benefits, including any proposal to enhance retirement system benefits which may increase employer costs in future years, for current or future employees.

19. Contracted Services and Bargaining

To see if NHMA will **SUPPORT** legislation to give public employers greater flexibility to privatize or use contracted services.

20. Maintenance and Policing of State-Owned Property

To see if NHMA will **SUPPORT** legislation to enable municipalities to recover the expenses of policing state-owned land against all illegal activity (including public consumption of alcohol and littering), including the ability to receive reimbursement/compensation from individuals engaged in the illegal activity.

21. Supervisor of the Checklist Sessions

To see if NHMA will **SUPPORT** legislation to reduce to one the number of required sessions that the supervisors of the checklist must hold prior to town elections.

22. Municipal Recreation Programs

To see if NHMA will **SUPPORT** the continued exemption from state child care licensing for municipal recreation department programs and also supports the exemption from state camp licensing for municipal recreation department summer programs.

23. Appointment of Town Clerks and Town Clerks/Tax Collectors

To see if NHMA will **SUPPORT** legislation to allow the legislative body to authorize the governing body to appoint or elect town clerks and town clerk/tax collectors.

24. Warrant Article Language; Adoption by Reference

To see if NHMA will **SUPPORT** legislation to amend RSA chapter 48-A, Housing Standards, to allow a town to adopt a proposed housing standards ordinance on the ballot by reference, as opposed to printing the entire ordinance on the warrant.

25. Perambulation

To see if NHMA will **SUPPORT** legislation to eliminate the RSA 51:2 requirement to perambulate town boundaries every 7 years.

26. Limitation on RSA 41:14-a Review

To see if NHMA will SUPPORT amending RSA 41:14-a to exclude the requirement for planning board and conservation commission review and recommendations for the acquisition or sale of liens, tax deeds, cemetery deeds, releases or specific conveyances that are authorized by a town meeting vote.

27. Independent Redistricting Commission

To see if NHMA will SUPPORT the establishment of an independent redistricting commission for the appointment of representative, senatorial, executive council, and congressional districts.

Finance and Revenue

Action Policy Recommendations

1. Collection of Delinquent Taxes on Manufactured Housing

To see if NHMA will SUPPORT legislation to create a study commission to address municipal concerns regarding delinquent property taxes and/or municipal utility fees on manufactured housing on land of another. Such commission to include appropriate interested stakeholders.

2. Use of RSA 83-F Utility Values

To see if NHMA will SUPPORT changing RSA 83-F to prevent any determination of utility value by the Department of Revenue Administration from being used in any way by the utility taxpayer in any application for abatement of tax under RSA 76:16 or any appeal thereof under RSA 76:16-a or RSA 76:17.

3. Current Use Assessment

To see if NHMA will SUPPORT legislation authorizing the Current Use Board to establish assessment ranges that are 20% higher than other categories for those properties that do not comply with the documentation and filing requirements requested by municipalities in accordance with ASB assessment review guidelines.

Priority Policy Recommendations

4. Tax Exemptions for Charitable Organizations

To see if NHMA will SUPPORT creating a commission to study reimbursement through PILOTs for municipal services provided to exempt charitable properties, including charitable non-profit housing project under RSA 72:23-k.

5. Meals and Rooms Tax Distribution

To see if NHMA will SUPPORT annual funding of the meals and rooms tax distribution to municipalities in accordance with catch-up provision provided under RSA 78-A:26.

6. Pollution Control Exemption

To see if NHMA will SUPPORT repeal of the so-called "pollution control exemption" (RSA 72:12-a) or amendment of the statute to impose a term limitation on any exemption granted.

7. Income Approach on Appeal

To see if NHMA will SUPPORT legislation that prohibits the use of the income approach when used by a taxpayer in any appeal of value if the taxpayer, after request by the municipality, has not submitted the requested information.

8. Clarification of Elderly Exemption

To see if NHMA will SUPPORT changes in RSA 72:39-a, 72:29, and 72:39-b to define "household income" for elderly exemption qualification consistent with the definition of "household income" used by the state in qualifying residents for the Low & Moderate Income Homeowners Property Tax Relief Program under RSA 198:56-57 and Rev 1200.

9. 10% Limitations

To see if NHMA will SUPPORT amending RSA 32:18 to limit town meeting and/or SB 2 deliberative sessions from increasing or decreasing the total amount appropriated by no more than 10 percent of the budget committee's recommended budget.

10. Prorating Disabled, Deaf and Blind Exemptions

To see if NHMA will SUPPORT legislation prorating the disabled, deaf and blind exemptions under RSA 72:37, 37-b, and 38-b when a person entitled to the exemption owns a fractional interest in the residence, in the same manner as is allowed for the elderly exemption under RSA 72:41.

11. Flood Control Payments

To see if NHMA will SUPPORT legislation to fully fund flood control payments in lieu of taxes to municipalities pursuant to the Merrimack River and Connecticut River interstate flood control compacts regardless of payments from other states.

12. Charitable Definition and Mandated Property Tax Exemptions

To see if NHMA will SUPPORT legislation that expands the definition of "charitable" in RSA 72:23-1, unless the state reimburses municipalities for the loss of revenue, and will SUPPORT creating a method of reimbursement to municipalities for state-owned property.

Standing Policy Recommendations

13. Sale of Tax Deeded Property

To see if NHMA will SUPPORT amending RSA 80:89 to require proof that the municipality sent the required notice of impending tax deed rather than proof that the taxpayer actually received the notice.

14. Local Option Revenue Sources

To see if NHMA will **SUPPORT** creation of enabling legislation that allows cities and towns to create local revenue sources to meet the unique needs of each community in order to help offset the overreliance on the property tax in order to help defray the cost of municipal services, infrastructure improvements and capital needs.

15. Tax Rate Setting

To see if NHMA will **SUPPORT** legislation to improve the overall efficiency and timeliness of the tax rate setting process, and will **OPPOSE** statutory changes to school districts, village districts, trustees of trust funds, utility values or information from other state agencies that may impede or delay the tax rate setting process and/or cause unnecessary borrowing due to late tax rate setting.

16. All Public Real Estate Taxable if Used by Private Occupants

To see if NHMA will **SUPPORT** legislation to clarify that taxation of a private occupant on public land is required by statute, even if an agreement or lease does not include a tax provision or the specific wording of RSA 72:23, I(b).

17. Recording Fees for Elderly and Disabled Deferrals

To see if NHMA will **SUPPORT** legislation to recoup recording fees as part of the payment process in RSA 72:38-a, IV for the elderly and disabled deferrals.

18. Downshifting of State Costs and State Revenue

To see if NHMA will **OPPOSE** legislation which will downshift state costs or state program responsibilities, either directly or indirectly, to municipalities and/or counties, resulting in increased municipal and/or county expenditures, whether in violation of Article 28-a or not, and will **OPPOSE** any reductions, deferrals and/or suspensions of state revenue to political subdivisions, such as revenue sharing, meals and rooms tax distribution, highway block grants, environmental state aid grant programs, adequate education grants, catastrophic aid, or any other state revenues.

19. State Revenue Structure and State Education Funding

To see if NHMA will **SUPPORT** asking the state to use the following principles when addressing the state's revenue structure in response to its responsibility to fund an adequate education:

- a) That revenues are sufficient to meet the state's responsibilities as defined by constitution, statute, and common law;
- b) That revenue sources are predictable, stable and sustainable and will meet the long term needs and financial realities of the state;
- c) That changes to the revenue structure are least disruptive to the long-term economic health of the state;
- d) That the revenue structure is efficient in its administration;
- e) That changes in the revenue structure are fair to people with lower to moderate incomes.

To see if NHMA will **SUPPORT** legislation prohibiting retroactive changes to the distribution formula for adequate education grants after the notice of grant amounts has been given.

20. New Hampshire Retirement System (NHRS)

To see if NHMA will **SUPPORT** the continuing existence of a retirement system for state and local government employees that is strong, secure, solvent, fiscally healthy and sustainable, that both employees and employers can rely on to provide retirement benefits for the foreseeable future. Further, to see if NHMA will **SUPPORT** continuing to work with legislators, employees, and the NHRS to accomplish these goals.

To that end, NHMA:

- a) **SUPPORTS** legislation that will strengthen the health and solvency of the NHRS, ensure the long term financial sustainability of the retirement system for public employers, and consider options and alternatives that provide reasonable changes in contribution rates;
- b) **OPPOSES** any legislation that: 1) expands benefits that would result in increases to municipal employer costs; 2) assesses additional charges beyond NHRS board approved rate changes on employers; or 3) expands the eligibility of NHRS membership to positions not currently covered;
- c) **SUPPORTS** the restoration of the state's 35% share of employer costs for police, teachers, and firefighters in the current defined benefit plan and any successor plan; and
- d) **SUPPORTS** the inclusion of municipal participation on any legislative study committee or commission formed to research alternative retirement system designs and the performance of a complete financial analysis of any alternative plan proposal in order to determine the full impact on employers and employees.

21. Utility Appraisal Method

To see if NHMA will **OPPOSE** mandating the exclusive use of the unit method of valuation in the appraisal of utility property, by either administrative or legislative action, and will **SUPPORT** the continuing right of municipalities to use any method of appraisal upheld by the courts.

22. Management of Trust Funds

To see if NHMA will **SUPPORT** amendments to RSA 292-B:2 to include funds held by a town or other municipality under RSA 31:19, RSA 202-A:23, or a fund created by a town or other municipality under RSA 31:19-a to be included in those institutional funds subject to the Uniform Prudent Management of Institutional Funds Act.

23. Minimum Vote Required for Bond Issues

To see if NHMA will **OPPOSE** legislation to increase the 60% bond vote requirement for official ballot communities.

Infrastructure, Development, and Land Use

Action Policy Recommendations

1. Site Evaluation Committee and Local Input

To see if NHMA will SUPPORT legislation requiring applicants to the Site Evaluation Committee under RSA 162-H to notify and appear before the governing body of each New Hampshire municipality in which a proposed facility will be located or will have a visual or other impact, and to accept comments from the governing body and the public, and further requiring notification to each municipality of any public hearing on the application and giving each municipality and its residents the right to comment at any public hearing.

2. Municipal Cooperation

To see if NHMA will SUPPORT legislation clarifying that municipalities and other political subdivisions may cooperate to perform together any functions that they may perform individually, including but not limited to providing services, raising revenue, constructing and maintaining infrastructure, and engaging in economic development efforts.

3. Waiver of Bond for Projects Under \$150,000

To see if NHMA will SUPPORT amending RSA 447:16 to allow the governing body, in its discretion, to waive the bonding requirement for a public works contract if the contract involves an expenditure of less than \$150,000.

Priority Policy Recommendations

4. Restoration of Full General Revenue Funding for Municipal State Aid Grant (SAG) Programs

To see if NHMA will SUPPORT legislation to restore full general revenue funding of municipal wastewater, public drinking water and landfill closure grants administered by the NH Department of Environmental Services.

5. Transportation Funding

To see if NHMA will SUPPORT a state transportation policy that ensures adequate funding for state and municipal highways and other modes of transportation. The policy should include:

- a) Maintenance of the proportionate share of the state highway fund that is distributed to cities and towns under current law.
- b) Increased funding, which may include the state road toll, local option fees, and other revenue sources as necessary.
- c) No further diversion of state highway funds for non-highway purposes.

6. Solid Waste Revolving Funds

To see if NHMA will SUPPORT legislation to allow municipalities to establish, by vote of the legislative body, revolving funds for their solid waste programs, including but not limited to solid waste collection and disposal, and the operation of any municipally operated transfer station, in addition to recycling.

7. Clarify Establishing Highways

To see if NHMA will SUPPORT legislation clarifying that the dedication and acceptance method of highway creation requires express acceptance by vote of the legislative body, or the board of selectmen if so delegated.

8. Water Fund

To see if NHMA will SUPPORT (1) the establishment of a water trust fund to ensure adequate annual investment in water infrastructure, and (2) sustainable revenue sources for the water trust fund.

9. Utility Infrastructure

To see if NHMA will SUPPORT legislation clarifying that municipalities may incur debt for the purpose of creating or improving broadband and other utility infrastructure.

10. Complete Streets

To see if NHMA will SUPPORT development of a statewide complete streets policy that considers the interests of the state's municipalities.

11. Increase or Elimination of Net Metering Cap

To see if NHMA will SUPPORT increasing or eliminating the statutory cap on net energy metering and group net energy metering, and SUPPORT legislation to increase the maximum allowable capacity for net-metered renewable energy projects to at least 5 megawatts.

12. Severe Weather Events

To see if NHMA will SUPPORT legislation that enables the state and municipalities to mitigate the effects of extreme weather events, including the promotion of resilient infrastructure and practices, and SUPPORT regional and federal policies that work to limit or reverse the increasing frequency and intensity of such events.

Standing Policy Recommendations

13. Oppose Statewide Zoning Mandates

To see if NHMA will SUPPORT a policy recognizing the legislature's authority to establish statewide priorities in zoning and land use regulation, but opposing legislation that does not allow reasonable local control in implementing those priorities, or that mandates specific criteria that municipalities must follow.

14. Municipal Use of Structures in the Right-of-Way

To see if NHMA will SUPPORT legislation to authorize municipalities to use, for any municipal purpose, the space designated for municipal good upon all poles, conduit and other structures within their rights-of-way without paying unreasonable make-ready costs. This includes the right to use that space for data and voice transmission to, from, and by the municipal government, schools, library, and other governmental institutions. It also includes a requirement that the owners of utility poles and conduit do the necessary work for that space to be available.

15. Regional Water Quality

To see if NHMA will **SUPPORT** legislation to encourage the State of New Hampshire and its political subdivisions to work cooperatively on a watershed or regional basis in addition to dealing with all water quality issues as individual communities.

16. Conservation Investment

To see if NHMA will **SUPPORT** permanent funding for the Land and Community Heritage Investment Program and **OPPOSE** any diversion of such funds to other uses.

17. Environmental Regulation and Preemption

To see if NHMA will **SUPPORT** legislation that (a) recognizes municipal authority over land use and environmental matters, (b) limits the establishment of comprehensive statutory schemes that supersede local regulation, and (c) recognizes that even when local environmental regulation is preempted, compliance with other local laws, such as zoning and public health ordinances and regulations, is still required.

18. Energy, Renewable Energy and Energy Conservation

To see if NHMA will **SUPPORT** legislation encouraging state and federal programs that provide incentives and assistance to municipalities to adopt energy use and conservation techniques that will manage energy costs and environmental impacts, promote the use of renewable energy sources, and promote energy conservation, and opposes any legislation that overrides local regulation.

19. Open Space Retention and Sprawl Prevention

To see if NHMA will **SUPPORT** legislation encouraging statewide programs that provide incentives and assistance to municipalities to adopt land use planning and regulatory techniques that will manage growth and development and retain existing tracts of undeveloped open space.

20. Sludge/Biosolids

To see if NHMA will **SUPPORT** reliable enforcement of scientifically based health and environmental standards for the management of sludge, septage, and biosolids; and **OPPOSE** any state legislation that would curtail the ability of municipalities to dispose of municipally-generated biosolids through land spreading, when done in accord with such scientifically based health and environmental standards.

21. Current Use

To see if NHMA will **SUPPORT** any legislative attempt to undermine the basic goals of the current use program and **OPPOSE** any reduction in the 10-acre minimum size requirement for qualification for current use, beyond those exceptions now allowed by the rules of the Current Use Board.



Legislative Principles

In addition to the established Legislative Policy positions adopted by the New Hampshire Municipal Association membership, the following principles should guide staff in setting priorities during any legislative biennium:

1. Consider unfunded mandate issues that violate Part 1, Article 28-a of the New Hampshire Constitution to be paramount. Identify them and oppose them.
2. Work to maintain existing revenue streams to municipalities, (i.e. revenue sharing, meals and rooms tax, highway, and other state aid). Be especially watchful of proposals to reduce local aid in order to meet other funding commitments.
3. Advocate to maintain existing local authority.
4. Support issues which provide greater authority to govern more effectively, efficiently and flexibly at the local level, including local option legislation. If the legislature is considering adopting a program that is particularly controversial at the local level, support a requirement that a local legislative body vote is necessary before full implementation of the measure.
5. Support bills proposed by individual municipal members, except when they conflict with these principles or other NHMA policies. Staff should prioritize time and resources when there are competing demands in order to focus on NHMA's broad agenda first.
6. Encourage exemptions from state taxes rather than local property taxes when legislative intent is to preserve statewide resources.
7. Advocate for municipal representation on all state boards, commissions, and study committees which affect municipal government and have non-legislative members.
8. Work cooperatively with other groups and associations to support efforts to improve the delivery of services at the local level.
9. Support municipal efforts toward effective regional cooperation and delivery of municipal services.
10. Support efforts to develop a statewide technology network that fosters increased communication and greater compatibility among levels of government and within and between agencies in all levels of government.



**New Hampshire Municipal Association
2017-2018 Legislative Policy Process**

Floor Policy Proposal

Submitted by (name) _____ Date _____

City or Town _____ Title of Person Submitting Policy _____

Floor Policy Proposal approved by vote of the governing body on (date) _____

To see if NHMA will SUPPORT/OPPOSE:

Municipal interest to be accomplished by proposal:

Explanation:

A sheet like this should accompany each proposed floor policy and should record the date of the governing body vote approving the proposal. It should include a brief (one or two sentence) policy statement, a statement about the municipal interest served by the proposal, and an explanation which describes the nature of the problem or concern from a municipal perspective and discusses the proposed action which is being advocated to address the problem. Fax to 224-5406; mail to 25 Triangle Park Drive, Concord, NH 03301; or email to governmentaffairs@nhmunicipal.org. **Must be received by August 12, 2016.**

2017-2018 NHMA Legislative Policy Process Questions & Answers

1. What is the purpose of establishing NHMA legislative policy? The New Hampshire Municipal Association (NHMA) is the voice of New Hampshire's cities and towns before the state legislature and state agencies. Adoption of legislative policy allows your municipal voice to be heard through the actions of your organization – NHMA. By adopting legislative policy, local officials can tell elected representatives what they feel are the major concerns of cities and towns.

The NHMA Board of Directors oversees NHMA's advocacy activities. Legislative policy positions direct the board and NHMA staff in representing municipalities before the legislature and state agencies.

2. How are legislative policy recommendations prepared? In the spring of each even-numbered year, NHMA forms legislative policy committees addressing different aspects of municipal government. The three committees this year are:

1. Finance and Revenue;
2. General Administration and Governance; and
3. Infrastructure, Development, and Land Use.

These three policy committees consider issues and problems derived from their own experience as local officials, issues sent in by other members or brought to them by staff, past policy positions, and issues resulting from the most recent legislative session. Each committee holds several meetings during the spring and develops policy recommendations to be voted on by member municipalities at the Legislative Policy Conference.

3. Who votes on adoption, amendment, or rejection of these recommendations, and when? On Friday, September 23, 2016, at 9:00 a.m., the 2017-2018 NHMA Legislative Policy Conference will be held at NHMA offices (25 Triangle Park Drive) in Concord. ***Each member municipality will be asked to appoint a voting delegate to cast its vote at this conference.*** Each member municipality, regardless of size, has one vote on all policy matters.

In the absence of any other designation by the Board of Selectmen, Aldermen, or Council, a voting delegate card will be issued at the door (in order of priority determined by the NHMA Municipal Officials Directory) to:

Mayor/Chair of Board of Selectmen/Council Chair

OR

Mayor Pro Tem/Vice or Assistant Mayor/Council Vice Chair

OR

Selectman/Alderman/Councilor

OR

City or Town Manager/Administrative Assistant

4. Will other policy proposals be voted on at the conference? Yes, municipalities will have the opportunity to submit floor policy proposals for consideration at the conference. Each floor policy proposal must be approved by the governing body of the municipality submitting it, but the

proposals will not be reviewed or recommended by NHMA's legislative policy committees. Floor policy proposals will be voted on separately at the conference.

5. How does our voting delegate determine a position on these recommendations? We urge each municipality's governing body to discuss the recommendations in advance of the Legislative Policy Conference and vote to take a position on each one, in order to give direction to the voting delegate. Otherwise, your voting delegate is free to cast your municipality's vote as he or she desires. *You do not need to notify NHMA of your positions on the policy recommendations; just provide that information to your voting delegate.*

6. How are the policy recommendations presented and voted on at the Legislative Policy Conference? The chair of the board of directors, as the presiding officer of the Legislative Policy Conference, introduces the entire set of recommendations of each policy committee, one committee at a time, as a slate. The chair and vice chair of each committee will be available to address questions. Any voting delegate may ask that a recommendation be set aside to be debated and voted on separately. The remaining recommendations are voted upon as a slate. When the slate from each policy committee has been voted, the voting delegates will then return to those items set aside for separate debate and vote. It is at this time that individual items can be killed, amended, passed over, laid on the table, etc. Votes are by a display of special voting delegate cards.

7. Are policies adopted by a simple majority vote? No. NHMA's by-laws require a two-thirds affirmative vote of those members present and voting for approval of any NHMA legislative policy.

8. Why is the Legislative Policy Conference separate from the November annual meeting? The Legislative Policy Conference must be held before the annual conference in order to meet the legislative deadlines for the filing of new bills. The staff needs time after adoption of policies to draft bills and secure sponsors.

9. How will I know what policies are adopted if I don't go to the Legislative Policy Conference? The final 2017-2018 NHMA Legislative Policies will be printed as a supplement in the November/December 2016 issue of *Town & City* magazine. We will also post them on NHMA's web site at www.nhmunicipal.org.

10. What happens if an issue that is not covered by any of these policies comes before the legislature? The NHMA Board determines the position that the staff will advocate on issues not covered by specific NHMA Legislative Policy. The policy conference also endorses a set of Legislative Principles, which augment the specific legislative policy positions by setting forth general principles that guide staff in their advocacy efforts.

List for Selectmen's meeting September 12, 2016

Abatement

Map/Lot	Location	Refund
47/9/1	40 Industrial Drive	\$23,264.39

List for Selectmen's meeting September 12, 2016

Water / Sewer Department Abatement's

Approval suggestion

<u>Name</u>	<u>Location</u>	<u>Amount</u>
Kristen Petit	205 High St.	\$403.50

Disapproval suggestion

<u>Name</u>	<u>Location</u>	<u>Amount</u>
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Memo

Date: August 4, 2016

To: Russell Dean; Doreen Ravell

From: Michael Jeffers *mj*

RE: 205 High St water & sewer bill (Abatement Request 6/7/16)

We received a request in June 2016, in reference to 205 High Street for high water and sewer usage on the water and sewer bill. The Town of Exeter did not perform a leak check. On March 8, 2016 water usage data was downloaded from the new style meter register head that's able to collect the meter readings to provide data for graphical chart generation. The charts for this new data logging meter *did* show leak flags, and *did* indicate a leak 17 out of 96 days of data collection. There is a leak indicator icon on the meter register that displays a possible leak. The intermittent leak shows a flashing water faucet icon on the digital screen on the meter register, and the continuous leak shows a water faucet icon continuously on the digital screen on the meter register. The charts have indicated intermittent & continuous leaks. An *Intermittent Leak* is when water has been used for at least 50 of the 96 15-minute intervals during a 24-hr period, and a *Continuous Leak* which is when water has been used for all 96 15-minute intervals during a 24-hr period. In July, upon further investigation by the W/S Managing Engineer and W/S Engineer Technician, it was determined that the electrical surge from the power lines could have had adverse effects on the meter register due to the grounding jumpers near the water meter. Other devices just adjacent to the water meter, like the instant hot water unit, needed to be replaced due to the power surge when power was restored to the house. The metal base of the meter was part of the electrical ground system, so the electronic register was likely damaged due to the power surge. We do recommend abatement.

To grant abatement, the problem of excessive usage requires not only identifying the problem but also the documented correction of the problem. The intent of Selectmen's Policy 08-30 is to establish a one-time abatement, during any ten-year period, for up to half of the excess water consumption above normal consumption, due to an accidental, unpreventable water release. Selectmen's Policy 08-30 Line #1 partially states "In order to qualify for abatement, a customer's excess consumption must exceed the greater of 100% or 35,000 gallons above their normal average consumption. The customer must also prove that the deficiency responsible for leakage has been repaired or corrected", which the customer does meet the criteria, and has provided proof of the repair or correction. DPW does recommend abatement due to *Selectmen's Policy 08-30 Adjustment Determination Procedure line #4* which states in the event the abnormally high consumption has

occurred due to "unpredictable leakage" not caused by customer negligence, ignorance or unfortunate circumstances, as determined by Town staff and the Water & Sewer Advisory Committee, the Town shall consider granting a one-time abatement, per account, during any ten-year period, up to half of the water consumption above normal consumption. The abatement calculation may consider compensation from any other sources, including insurance policy claims, etc. Normal consumption will be the average of at least the previous three years' consumption history (for similar billing periods) unless deemed otherwise by the Committee. The Committee reserves the right to grant adjustments on water use or sewer use or both. If an abatement is granted, DPW has calculated the abatement, and the Water & Sewer bill should be reduced by \$403.50 dollars, for a new bill total of \$271.84, according to the Selectmen's Policy 08-30 abatement calculations.

Town of Exeter



Water/Sewer Abatement Request Form

Please Print:

Full Name: KRISTEN PETIT
Mailing Address: 205 HILB ST EXETER NH
Service/Property Address: 03833

Today's Date: 6/7/16
Account Number: 131367300
Route Number:
Phone Number: 8572229736

Utility Abatement Requested for: Water [checked] Sewer
Date of Bill: Billing Period from 2/19 to 5/18
Amount of Bill: \$ 647.34

Owner's reason for the abatement request (Please be as specific as possible):
TREES FELL ON HOUSE WIRES IN FEB. WHEN ELECTRIC BACK ON THE SURGE CAUSED METER TO GO BATTY. HENCE THE DRAMATIC INCREASE.

Signature of Applicant [Handwritten Signature]

Date: 6/7/16

Signature of Billing Office

Date

Do not write below this line

Reviewed by: Date of Review:
Comments:

Total Usage= gallons
-Q -year Average- (+ +) / = gallons
Excess above average- gallons
Half of Excess gets abated- gallons

Due Remaining excess- gal -yr average- gal Billable usage- gal
Tier 1-- rates Tier 3-- rates
water gal * \$ /1000 gal = \$ water gal * \$ /1000 gal = \$
sewer gal * \$ /1000 gal = \$ sewer gal * \$ /1000 gal = \$

Tier 2--rates
water gal * \$ /1000 gal = \$
sewer gal * \$ /1000 gal = \$

Total due=

Recommendation: Disapprove Approve Amount: \$

Approval/Disapproval Signature: Date:

If you disagree with the decision of the Department of Public Works & the Finance Department, you may appeal to the Town of Exeter Board of Selectmen. If you wish to appeal, please sign below and return this form to the Finance Department at 10 Front Street.

Signature of Applicant

Date

205 High Street

Total Usage=102,100 gallons

Previous 4 year 1st-Q usage average- $(53,540 + 7,900 + 7,000 + 6,900) / 4 = 18,835$ gallons

Excess above average- 83,265 gallons

Half of Excess gets abated- 41,633 gallons

What is Due vs Abatement?

Due

Half of excess	41,633	
Prev 4th-Q usage average	18,835	
	<u>60,468</u>	billable gallons

Tier 1--2015 rates

Water	29,999 gal * \$5.72/1000 gal =	<u>\$171.59</u>
		\$171.59

Tier 2--2015 rates

Water	11,634 gal * \$6.21/1000 gal =	<u>\$72.25</u>
		\$72.25

Total due= \$243.84

Abatement

Total water/sewer bill =	\$647.34 - \$28.00	\$619.34 less service fee & certified mailing
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Abate =	\$647.34 - \$243.84=	\$403.50
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Abate =	\$403.50
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New Bill Total with service fees added back

\$243.84 + \$28.00=	\$271.84
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Meter History

Start Date

Town of Exeter

PrintMeterHist

End Date 12/31/2099

Name: PETIT KRISTEN

Acct#: 000131363300

Loc: 205 HIGH STREET

Meter# 17535441

Read Date	Prev Read	Reading	Usage	Est
3/29/2013	490,600	491,160	560	
2/14/2013	482,700	490,600	7,900	N
11/16/2012	475,700	482,700	7,000	N
8/14/2012	457,000	475,700	18,700	N
5/10/2012	447,200	457,000	9,800	N
2/09/2012	440,200	447,200	7,000	N
11/09/2011	429,800	440,200	10,400	N
8/09/2011	419,800	429,800	10,000	N
5/10/2011	411,500	419,800	8,300	N
2/09/2011	404,600	411,500	6,900	N
11/09/2010	393,900	404,600	10,700	N
8/11/2010	376,200	393,900	17,700	N
5/12/2010	365,100	376,200	11,100	N
2/11/2010	353,600	365,100	11,500	N
10/27/2009	342,000	353,600	11,600	N
7/27/2009	334,900	342,000	7,100	N
6/02/2009	323,200	334,900	11,700	N
3/16/2009	309,100	323,200	14,100	
10/31/2008	0	309,100	13,400	
7/31/2008	0	295,700	16,900	
4/30/2008	0	278,800	8,600	
1/31/2008	0	270,200	9,400	
7/30/2007	0	251,200	6,200	
4/30/2007	0	245,000	8,700	
1/31/2007	0	236,300	10,200	
10/31/2006	0	226,100	8,900	
7/31/2006	0	217,200	9,400	
4/30/2006	0	207,800	9,000	
4/30/2006	0	260,800	9,600	
1/31/2006	0	198,800	11,000	
10/31/2005	0	187,800	8,100	
7/30/2005	0	179,700	10,000	
4/30/2005	0	169,700	11,700	
1/11/2005	0	158,000	13,200	
Meter Total:			346,360	

Meter# 1834635798

Read Date	Prev Read	Reading	Usage	Est
5/18/2016	380,870	389,630	8,760	N
2/19/2016	278,770	380,870	102,100	N
11/18/2015	267,890	278,770	10,880	N
8/19/2015	260,650	267,890	7,240	N
5/19/2015	251,380	260,650	9,270	N
2/18/2015	197,840	251,380	53,540	N
11/19/2014	174,320	197,840	23,520	N
8/20/2014	128,590	174,320	45,730	N



Town of Exeter
SIGN PERMIT APPLICATION

NAME OF APPLICANT Exeter Area RFWC (Martha Kirsch, member)

NAME OF BUSINESS _____

BUSINESS ADDRESS P O Box 24

BUSINESS TELEPHONE 772-9334 (home tel - Martha Kirsch)

LAND USE _____ ZONING DISTRICT _____

TYPE OF SIGN yard signs on stakes AREA OF SIGN (s.f.) 12" x 18"

SIGN TEXT: Exeter Area RFWC } Signs would be up
Yuletide Craft Fair } Sunday 11/14/2016 - Sunday 11/20/2016
Cooperative Middle School

- Advertising signs ^{Stratham Saturday 9 AM - 3 PM} not specifically authorized are prohibited.
- Failure to conform to the conditions of this sign permit shall render such permit void.

Martha R Kirsch
APPLICANT'S SIGNATURE

8/24/16
DATE

FOR OFFICE USE ONLY

SIGN ID _____

HDC APPROVAL: (Circle one) YES NO HDC DATE OF APPROVAL: _____

BUILDING PERMIT REQUIRED: (Circle one) YES NO

REGULATION(S): (if applicable) _____

AUTHORIZED BY:

CODE ENFORCENT OFFICER SIGNATURE

DATE



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 4 Location Closest to Bandstand

Signboard Request: Poster Board Week: _____ Plywood Board Week: 26 Nov -3 Dec 2016

Representative:

Name: Darius X Thompson Address: 15 Drinkwater Road
Town/State/Zip: Exeter, NH 03833 Phone: 603.686.8131
Email: darius.thompson@gmail.com

Organization:

Name: Exeter Holiday Parade Committee Address: P.O. Box 164
Town/State/Zip: Exeter, NH 03833 Phone: 603.686.8131

Reservation Details:

Type of Event/Meeting: 59th Annual Exeter Area Holiday Parade Date: 3 December 2016
Times of Event: 3:30 PM ET - 7:45 PM ET Times needed for set-up/clean-up: _____
of tables: N/A # of chairs: N/A Will food/beverages be served? Yes No
Tech/ AV Services Needed: Yes No Details No food/beverages will be served no ~~Tech/AV services needed~~
PAS SYSTEM ONLY

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: 9 Sep 2016

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

Office Use Only:

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



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, Head of School Address: 356 Exeter Road

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

Email: mks@heronfield.org

Organization:

Name: Heronfield Academy Address: 356 Exeter Road

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

Reservation Details:

Type of Event/Meeting: Holiday Concert Date: December 16, 2016

Times of Event: 1:00 p.m. Times needed for set-up/clean-up: 3-5 p.m.

of tables: none # of chairs: 300 Will food/beverages be served? Yes No

Tech/ AV Services Needed: Yes No Details _____

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.

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Applicant signature: Martha Shepardson-Killam Date: July 27, 2016

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

Office Use Only:

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

December

- 14 3:15 - 6:00 p.m. FOL Rehearsal,
- 15 3:15 - 6:00 p.m. FOL Rehearsal,
- 16 Festival of Light 1:00 p.m.



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, Head of School Address: 356 Exeter Road
Town/State/Zip: Hampton Falls, NH 03844 Phone: c: 603-338-0566
Email: mst@heronfield.org

Organization:

Name: Heronfield Academy Address: 356 Exeter Road
Town/State/Zip: Hampton Falls, NH 03844 Phone: 603-772-9083

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.

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Applicant signature: Martha Shepardson-Killam Date: July 27, 2016

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, Head of School 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: Sixth Grade Rehearsal and Sixth Grade Arts Night Date: April 5-7, 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.

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Applicant signature: Martha Shepardson-Killam Date: July 27, 2016

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

Office Use Only:

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

April 2017

- 5 Set up at 2:00 p.m.
Sixth Grade Arts Night Rehearsal: 3:30 - 5:00 p.m.
- 6 Sixth Grade Arts Night: 5:30 p.m. - 8:00 p.m.
- 7 9:00 a.m. 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, Head of School 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: 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.

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Applicant signature: *Martha Shepardson-Killam* Date: July 27, 2016

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:

- 16 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



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 2 SPACES Location BANK SIDE

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

Representative:

Name: DAN CHARTRAND / WATER STREET BOOKSTORE, INC. Address: 125 WATER ST.
Town/State/Zip: EXETER, NH 03833 Phone: (603) 583-1551
Email: dchartrand@exn.com + stef@waterstreetbooks.com

Organization:

Name: WATER STREET BOOKSTORE, INC Address: SAME AS ABOVE
Town/State/Zip: SAME Phone: SAME

Reservation Details:

Type of Event/Meeting: BOOK EVENT WITH MICHAEL HOLLEY Date: 10/15/16
Times of Event: 5:00 P.M. Times needed for set-up/clean-up: NOON - 9 P.M.
of tables: _____ # of chairs: _____ Will food/beverages be served? Yes No
Tech/ AV Services Needed: Yes No Details AUDIO + LIGHTING FROM EXETER IT

Requirements:

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Applicant signature: Dan Charttrand Date: 8/22/16

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

Office Use Only:

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



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: Laura Barker Address: 62 Beech Hill Rd.
Town/State/Zip: Exeter NH 03833 Phone: 603-944-2114
Email: Finders Keepers NH@yahoo.com

Organization:

Name: Finders Keepers Address: 88 Portsmouth Ave
Town/State/Zip: Exeter NH 03833 Phone: 603-944-2114

Reservation Details:

Type of Event/Meeting: Stocking Stuffing for charities Date: _____
Times of Event: 11/10, 11/11, 11/12, 11/13, 11/18-20 Times needed for set-up/clean-up: included
of tables: 0 # of chairs: 0 Will food/beverages be served? Yes No
Tech/ AV Services Needed: Yes No Details _____

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.

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Applicant signature: [Signature] Date: 9/8/16

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

Office Use Only:

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



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: Greg Bisson Address: 32 Court St

Town/State/Zip: Exeter Phone: 773-6151

Email: Gbisson@exeternh.gov

Organization:

Name: Exeter Parks and Recreation Address: 32 Court St

Town/State/Zip: Exeter Phone: 773-6151

Reservation Details:

Type of Event/Meeting: Sweethearts Dance Date: 02/10/17

Times of Event: 6 pm-8 pm Times needed for set-up/clean-up: 2 hours

of tables: 0 # of chairs: 0 Will food/beverages be served? Yes No

Tech/ AV Services Needed: Yes No Details We supply our own

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.

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Applicant signature: Greg Bisson Date: 9/7/16

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

Office Use Only:

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



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: Greg Bisson Address: 32 Court St
Town/State/Zip: Exeter Phone: 773-6151
Email: Gbisson@exeternh.gov

Organization:

Name: Exeter Parks and Recreation Address: 32 Court St
Town/State/Zip: Exeter Phone: 773-6151

Reservation Details:

Type of Event/Meeting: Frozen Experience Date: 12/3/2016
Times of Event: 9 am-4 pm Times needed for set-up/clean-up: _____
of tables: 0 # of chairs: 0 Will food/beverages be served? Yes No
Tech/ AV Services Needed: Yes No Details We supply our own

Requirements:

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Applicant signature: Greg Bisson Date: 9/7/16

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

Office Use Only:

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



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: Todd Deluca Address: 24 Front Street
Town/State/Zip: Exeter, NH 03833 Phone: 772-2411 x111
Email: todd@exeterarea.org

Organization:

Name: Exeter Area Chamber of Commerce Address: _____
Town/State/Zip: _____ Phone: _____

Reservation Details:

Type of Event/Meeting: Tour of entire building (except finance) and presentation Date: September 7, 2016
Times of Event: 6:00 p.m.-8:00 p.m. Times needed for set-up/clean-up: 5:30 p.m.-8:30 p.m.
of tables: _____ # of chairs: _____ Will food/beverages be served? Yes No
Tech/ AV Services Needed: Yes No Details no food or tech required

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.

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Applicant signature: Date: 8/29/16

Authorized by the Board of Selectmen/Designee: Date: 9/1/16

Office Use Only:

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



University of
New Hampshire

Technology Transfer Center

Kingsbury Hall #W220
33 Academic Way
Durham, NH 03824

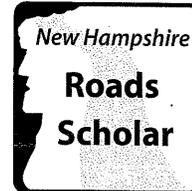
V: 603.862.2826 / 800-423-0060 (NH only)
F: 603.862.0620
TTY: 7.7.7 (Relay NH)

www.t2.unh.edu

August 12, 2016

Select Board
Town of Exeter
10 Front Street
Exeter, NH 03833

Re: Roads Scholar Program



Dear Sirs and Madams:

It is our pleasure to inform you that Jason Rucker has achieved the status of **Master Roads Scholar**. The T2 Center has created the Roads Scholar Program to recognize various achievement levels in our educational program for people who work in public works.

Master Roads Scholar is the **fourth achievement level** of six levels in the Roads Scholar Program. It is distinguished from the other levels by requiring the completion of 100 contact hours, including the requirements for Roads Scholar Two, which are: 25 hours in technical areas, 5 hours in supervision, 5 hours in environmental, and 5 hours in safety. The additional 60 hours required for this level are at the learner's discretion. The typical training session yields five hours of contact, therefore an individual must typically attend **twenty one-day workshops** to reach the level Jason has completed.

On behalf of the Technology Transfer Center, I am pleased to notify you of the extra effort and commitment that Jason has demonstrated in order to achieve this status. He deserves to be congratulated for his persistence and drive to maintain a leading edge in the field of local road maintenance and construction.

Sincerely,

Amy Regnoche
LTAP Director

/acb

cc: Jason Rucker

The UNH Technology Transfer Center is sponsored by the Federal Highway Administration and the New Hampshire Department of Transportation. One of the missions of the Technology Transfer Center is to provide educational support for the people who build and maintain the nation's infrastructure.



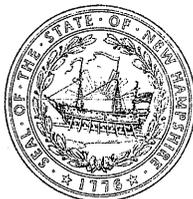
New Hampshire
Technology Transfer Center

State of New Hampshire

Board of Tax and Land Appeals

Michele E. LeBrun, Chair
Albert F. Shamash, Esq., Member
Theresa M. Walker, Member

Anne M. Stelmach, Clerk



Governor Hugh J. Gallen
State Office Park
Johnson Hall
107 Pleasant Street
Concord, New Hampshire
03301-3834

RiverWoods Company at Exeter

v.

Town of Exeter

Docket No. 27690-14PT

ORDER

The Board of Tax and Land Appeals ("Board"), having received a letter on August 9, 2016 stating the Taxpayer wishes to withdraw the above-captioned appeal, the appeal is marked as follows:

"appeal withdrawn; no further action."

SO ORDERED.

BOARD OF TAX AND LAND APPEALS

A handwritten signature in cursive script, appearing to read "Anne M. Stelmach", written over a horizontal line.

Anne M. Stelmach, Clerk
Per Order of the Board

CERTIFICATION

I hereby certify that a copy of the foregoing Order has this date been mailed, postage prepaid, to: Charles F. Tucker, Esq., Donahue, Tucker & Ciandella, PLLC, 225 Water Street, Exeter, NH 03833, counsel for the Taxpayer; Chairman, Board of Selectmen, Town of Exeter, 10 Front Street, Exeter, NH 03833; and, Municipal Resources, Inc., 120 Daniel Webster Highway, Meredith, NH 03253, Contracted Assessing Firm.

Date: August 16, 2016

A handwritten signature in cursive script, appearing to read "Anne M. Stelmach", written over a horizontal line.

Anne M. Stelmach, Clerk