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ADOPTED VERSION BOS POLICIES AND PROCEDURES EXETER NH

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1.0 PURPOSE

The Board of Selectmen of the Town of Exeter (the "Board") recognizing the need to codify the traditional working relationships among the members of the Board, the Board and the Town Manager, and between the Board and other Town Boards, Committees, and Commissions, Officials and Citizens, hereby create operating procedures for the Board of Selectmen.

2.0 NATURE OF POLICIES AND PROCEDURES

These policies and procedures shall address topics that cannot be addressed elsewhere. Subjects that would more appropriately be addressed in a statute, town ordinance, or regulation shall not be addressed in this format.

3.0 AUTHORITY

The Board of Selectmen is an elected Board and derives its authority from NH RSA 41:8, other NH RSA's, and Town Ordinances. The Town Manager derives his/her authority from NH RSA 37.

4.0 ELECTION AND QUALIFICATIONS

In accordance with the Annual Town Meeting vote of March, 1970, the Board shall consist of five duly elected members. Before assuming their official duties, each newly elected or re-elected member shall be sworn to faithful performance of duties by the Town Clerk.

5.0 ORGANIZATION OF THE BOARD AND ELECTION OF OFFICERS

Officers of the Board (Chairman, Vice-Chairman, and Clerk) shall be elected annually at a meeting of the Board to be scheduled for the first regular meeting following the Annual Town Election. The election of officers is by majority vote. If a vacancy occurs among any of the officers of the Board, the Board shall elect a successor at its next regular meeting. Nominations of officers shall require both a nomination and a second. The Board may at any time by majority vote remove the Chairman or any of the officers. In the event that the Chairman is not re-elected, the Vice Chairman shall serve as Chairman Pro Tem until the new officers of the Board are elected. In the absence of both Chairman and Vice-Chairman, the Clerk shall act as Chairman Pro Tem.

6.0 VACANCIES ON THE BOARD

Whenever a vacancy occurs on the Board, the Board's remaining members shall appoint a replacement via a special meeting of the Board.

7.0 RESPONSIBILITIES OF THE OFFICERS OF THE BOARD

The Chairman shall:

1. Preside at all meetings of the Board at which he/she is present. In doing so, he/she shall maintain order in the meeting room, recognize speakers, call for votes, and preside over the discussion of agenda items;
2. Sign official documents that require the signature of the Chairman, following a vote of the Board;
3. Call special meetings of the Board in accordance with the Right-to-Know Law;
4. Prepare meeting agendas with the Town Manager;
5. Represent the Board at meetings, conferences and other gatherings unless otherwise determined by the Board or delegated by the Chairman;
6. Serve as spokesman of the Board at Town Meetings and present the Board's position unless otherwise determined by the Board or delegated by the Chairman;
7. Make liaison assignments, as appropriate, and assign overview responsibilities for projects and tasks to Board members unless otherwise determined by the Board;
8. Maintain open level of communication with the Town Manager and provide information to the Board as necessary;
9. Ensure that Board communication abide by all aspects of the NH Right-to-Know Laws and;
10. Arrange for the orientation of new members, unless otherwise noted.

The Chairman shall have the same rights as other members to offer and second motions and resolutions, to discuss questions, and to vote thereon.

The Vice Chairman shall:

1. Act in the place of the Chairman during his/her absence at Board meetings.
2. Should the Chairman leave office, the Vice chairman shall assume the duties of Chairman until the Board elects a new Chairman.
3. Obtain nominations to the annual slate of officers to be presented to the deliberative session and the Town on the March ballot including the Budget Recommendations Committee, Measurer of Wood and Bark, Weigher, and Fence Viewer.

The Clerk shall:

1. Sign all official documents requiring the signature of the Clerk, with the authorization of the Board;
2. Shall be responsible for recording minutes of meetings held in non-public session for which the Town Manager is not present.
3. Shall assure the coordination of the record of volunteers actively serving in appointed positions and any vacancies thereof.
4.

4. Coordinate the distribution and public accessibility of any written or electronic communication made to the full Board in paper form.

8.0 DUTIES, RESPONSIBILITIES, AND OBLIGATIONS OF BOARD MEMBERS

A member of the Board, in relationship to his/her responsibility to the community, shall:

1. Recognize that his/her primary function is the representation of the citizenry of the Town of Exeter in all matters of municipal governance;
2. Accepts the office of Selectmen as a means of unselfish public service, not to benefit personally or professionally from his/her Board activities;
3. Shall be well informed of the duties of a board member on both state and local levels and abide by all Board decisions, policies, procedures and ordinances;
4. Delegate to the Town Manager day to day administration of municipal governance as provided in NH RSA's.
5. Present the budget to deliberative session as required by RSA 40:13 and fulfill other budgetary responsibilities and financial duties under state law including RSA 41:9.
6. No Board member shall solicit the opinion of more than one other Board member on matters of public business.

As a member of the Board, a Selectman shall:

1. Endeavor to establish sound, clearly defined policies, procedures and ordinances which will direct and support the administration for the benefit of the community;
2. Recognize and support the administrative chain of command taking no action, as an individual, that requires administrative direction or decisions without Board approval;
3. Give the Town Manager full responsibility for discharging decisions and actions directed by the Board;
4. Not make statements of his/her position on matters that will come before the Board until he/she has had an opportunity to hear the issue in full at a Board meeting;
5. Make decisions only after all facts on a question have been presented or discussed;
6. Uphold the intent of non-public sessions and "non-meeting" meetings and respect the privileged communication that exists therein, and;

Treat with respect the rights of all members of the Board despite differences of opinion.

9.0 MEETINGS OF THE BOARD

Meetings of the Board shall be held regularly as scheduled by the Chairman with consensus of the majority of members. The Board shall not hold regular meetings on designated legal holidays. The Town Manager is responsible for the posting of all Board meetings in compliance with the Right to Know Law. Regular Board meetings shall begin at 7:00 p.m. and shall adjourn no later than 10:00 p.m. unless a majority of the Board votes to continue the meeting at that time. A meeting called for any other time other than the regular meetings shall

be known as "special meetings." The same rules as those established for regular meetings shall apply, unless an unforeseen emergency requires a special meeting to be scheduled on a legal holiday. Special meetings shall be called by the Chairman, in consultation with the Town Manager, and with the informal consent of a majority of Board members. The Board may conduct informal "work session" meetings from time to time. Such meetings will be publicly noticed and recorded in accordance with the Right to Know Law.

10.0 BOARD MEETINGS/NON PUBLIC SESSIONS

Where practicable, non-public sessions shall be scheduled at the end of a public meeting of the Board. Only items clearly allowed under the Right to Know Law shall be included in non-public session. Prior to calling for a motion to enter into a non public session, the Chairman shall state the reasons for which the non public session is sought. The Chairman shall also state whether or not the Board will reconvene in open session. A majority of the members present must vote to enter non public session by roll call vote.

11.0 ELECTRONIC COMMUNICATIONS

Recognizing the ease of use of electronic communication the Board shall acknowledge the necessity for full disclosure of such communications:

1. Any communication from a member of the public distributed to a majority of Board members shall be printed on paper and included in meeting materials for public discussion at the next regularly scheduled meeting;
2. Any electronic communication requesting an action or decision by the Board shall be acknowledged by the Chairman/woman or his/her designees and shall be designated to the Town Manager for investigation and resolution;
3. No Board member shall communicate electronically with more than one other Board member except for calling meetings as needed including scheduling meeting times;

12.0 AGENDA PROCEDURES

The Town Manager bears primary responsibility for coordinating and planning the agenda for regular meetings of the Board. The Chairman in consultation with the Town Manager, shall approve the agenda, and schedule a realistic time period for each appointment, interview, conference, or other scheduled item of business. In order for items to be considered for the agenda, they must be submitted to the Town Manager by 4:00 p.m. on the Wednesday of the week preceding the meeting. Items added to the agenda after this time will be by reason of necessity or due to being routine in nature.

Agenda items shall be:

1. Call to Order
2. *Board Interviews – Committees, Commissions*

3. *Public Comment*
4. *Minutes & Proclamations*
5. *Appointments (as required)*
6. *Department Reports*
7. *Discussion/Action Items (New and Old Business)*
8. *Regular Business*
9. *Non-Public Session (if necessary)*
10. *Adjournment*

Each agenda item shall state the action anticipated of the Board, as appropriate. Members of the Board, staff, the Town Manager, or others who prepare background materials for the meeting should have such material available for Board members by Friday evening prior to a Monday meeting. In the case of any special meeting all available materials shall be provided a day in advance. If background information included in the Board's meeting materials is insufficient, any Board member may request that the relevant item be tabled to allow Board members time for careful study of the material. The agenda shall be available to the public and the press at the Town Manager's Office by 12:00 Noon on the Friday before the meeting. Copies of the minutes of previous meetings and all important correspondence, reports and other pertinent background materials shall be included in meeting materials.

13.0 MEETING PROCEDURES

The Board shall operate under "Roberts Rules of Order as Amended", rules established herein and the Right to Know Law. It is the practice that application of said procedure may be on a relatively informal basis. A quorum shall consist of three members of the Board. As a practical courtesy, action on critical or controversial matters, the adoption of policies or appointments shall be taken, whenever practicable, with the full Board in attendance. Actions and decisions shall be by motion, second, and vote. Split votes will be identified by name in the meeting minutes. The Town Manager is expected to be in attendance at all meetings of the Board. The Town Manager's role at Board meetings shall be to keep the Board informed and advised, to make recommendations in all matters that fall within the jurisdiction of his/her office and take such direction from the Board as they relate to the conduct and administration of town affairs under his/her jurisdiction.

14.0 MEETING MINUTES

The Town Manager shall ensure that open meetings of the Board are recorded, *except work sessions*. The Town Manager shall ensure that minutes are drafted and made available to Board members in a timely manner, and in accordance with the NH Right to Know Law. Minutes circulated to members of the Board before the agenda is set for the subsequent meeting shall be considered at that meeting. Changes in the text of minutes shall be reviewed and agreed upon by a majority of voting Board members. The Town Manager shall periodically review and

present for the Board's vote the minutes held in Non-Public Session which may be released to the public. The Board shall release minutes of non-public session at the earliest opportunity without compromising the nature of the matter discussed therein.

15.0 ADMINISTRATIVE POLICIES AND PROCEDURES

Draft ordinances, policies and procedures shall be placed on the agenda for any regularly scheduled meeting of the Board. Draft ordinances must be delegated where applicable by the Town Meeting. The Board of Selectmen have been delegated this authority for certain Town Ordinances.

Drafts shall be in writing, and shall only be introduced by a member of the Board or the Town Manager. Upon receipt of a draft the Board may choose to discuss the policy immediately or schedule the discussion for a future meeting. The Board may schedule hearings or meetings it deems necessary for discussion. The Board may distribute the policy to affected officials for comment as it deems necessary.

The Board shall not vote on a policy at a meeting at which it is first introduced. A majority vote of the Board is necessary for adoption. Policies are effective as of the effective date determined by the Board.

The Town Manager's Office shall be responsible for maintenance of all policies and procedures, for updating the Policy Manual with new and amended policies, and for ensuring the distribution Board members and staff. Copies of the Policy Manual shall be made available to the public at the Town Manager's Office and at the Office of the Town Clerk.

16.0 BOARD APPOINTMENTS TO VOLUNTEER BOARDS, COMMITTEES AND COMMISSIONS

The Board shall make its annual appointments in April. Appointments made in April shall have terms beginning on May 1st and expiring on April 30th. In addition, as the need arises, the Board may make appointments throughout the year for terms to take immediate effect, with expiration dates of April 30th. Terms shall not exceed three years, unless specifically allowed by the NH RSA's. Ad-Hoc Committees appointed for a specific purpose may serve without terms but shall be subject to annual review by the Board of Selectmen. The Board shall vote annually in May to review or disband each Board and Committee of their creation.

Appointments shall be based on merit and qualifications. Where possible the Board will seek variety in backgrounds, interests, ages, genders, and geographic areas of residents to reflect a true cross section of the community. In order to attract qualified and interested persons, vacancies will be made public as much in advance of the appointment as practicable. The Town Manager will ensure the up-to-date forms are available in the Town Office and other public buildings. He/she will ensure that completed appointment application forms are maintained in an organized and easily retrievable manner. Receipt of a completed form shall be

acknowledged and the resident be given instruction on the appointment process. As Board-appointed vacancies occur, the Town Manager will ensure that local newspapers are advised of the vacancies, and that vacancy notices are posted on town bulletin boards inside and outside of the Town Offices (outside at the Town Hall, 4 Front Street) and advertised on the local cable access television channel. Vacancies shall be advertised for no less than fifteen (15) days. The Town Manager will ensure that the Chairman of the board on which a vacancy occurs is advised of the vacancy (or vice-versa), and will seek nomination recommendations of a majority of the relevant committee. Applicants for all Board appointments shall complete a questionnaire, to be considered as candidates. The Board will act to fill all vacancies within sixty (60) days of occurrence whenever possible. When a vacancy occurs, after advertising the vacancy for a limited period, the Selectmen's Office sends the relevant appointment application forms to the committee with the vacancy. They may choose to make a recommendation to the Board from that list. The Board then conducts brief interviews at the next available meeting to make the appointment. As part of the annual appointment process, the Town Manager will ask incumbents whose terms will expire on April 30 about their availability for reappointment. The Town Manager will ensure that the Selectmen receive a list of appointment vacancies to be filled by the Board. The Board may from time to time appoint standing or advisory committees to aid on matters under the Board's jurisdiction. The use of such committees provides greater expertise and more widespread citizen participation in the operation of government. The Board will give each advisory committee a written charge, which shall include the work to be undertaken, the time in which it is to be accomplished, and the procedures for reporting to the Selectmen. Each committee must report in writing at least annually to the Selectmen. The Selectmen's Office shall be sent copies of all committee agendas and minutes. The Board will discharge committees upon completion of their work. In addition, each committee shall be provided with information on parliamentary procedures and the conduct of meetings under the Right to Know Law. The charges and membership of advisory committees shall be reviewed at least annually to assess the necessity and desirability of continuing the committee.

Adopted: August 30, 2010

Effective: August 30, 2010

_____
Julie Gilman, Chairwoman

_____
Robert Aldrich, Vice-Chairman

_____
Don Clement, Clerk of the Board

_____
William Campbell, Selectman

_____
Matt Quandt, Selectman

Town of Exeter	Policy Number: **2012-01**	Adopted by: Board of Selectmen
Subject: **Appointed Town Committees**	Adoption Date: 1989 Revision Date: 5/7/12 Effective Date: 5/7/12	Supersedes: 89-19

1.0 Purpose of the Policy:

The purpose of this policy is to define the general rules of organization and protocols associated with Town Boards and Committees established and appointed by the Selectmen.

2.0 Departments Affected: None. Committees Affected: All boards and committees appointed by the Board of Selectmen except where in contradiction with NH law (i.e., Planning Board, Heritage Commission, and Conservation Commission) where NH RSA's provide for the method of appointment and composition.

3.0 Definitions:

4.0 Policy:

5.0 Procedures:

1. All appointed Town Committees will elect from their membership, a Chairperson, Vice Chairperson and Clerk. The Committee may elect other officers as appropriate.
2. Each Committee will maintain a written charge, approved by the Board of Selectmen, describing the role and function(s) of the Committee.
3. Official, written minutes will be kept of all committee and sub-committee meetings in accordance with RSA 91-A. Draft minutes shall be filed with the Town manager's Office within five (5) business days following the meeting so that they are available for review and release in compliance with state law. Once meeting minutes are approved, copies shall be forwarded and filed with the Board of Selectmen, the Town Manager's Office and the Town Clerk. Minutes should be approved within thirty (30) business days. Final minutes are not required by state law.

4. All meetings will be open to the public, with notice posted at least 24 hours in advance of each meeting.
5. Committees will report their findings to the Board of Selectmen, along with recommendations for subsequent action as appropriate.
6. Public statements regarding Committee recommendations and policy positions will be prefaced with note of the Committee's role as advisor of the Board of Selectmen.
7. Committee members that fail to attend at least 60% of the meetings in any calendar year may forfeit their membership and be subject to removal by the Board of Selectmen. The Chairperson of each committee shall, in January, forward an annual report of member attendance to the Board of Selectmen for review.
8. Members of committees serve at the pleasure of the Board of Selectmen. Vacancies shall be filled, addition to committees may be made and member removal shall be done by vote of the Board of Selectmen.
9. The Board of Selectmen shall review the list of committees annually in April, and may vote to disband any committee of their creation.
10. Upon termination, all committees will turn over their files, records and notes to the Town Clerk for permanent filing.
11. The Board or Committee may vote to recommend to the Selectmen that an alternate member be appointed to full Board/Committee status.

6.0 Severability:

To the extent that any portion of this policy conflict with State law, State law will prevail.

Amended: 5/7/12

Town of Exeter	Policy Number **94-14**	Adopted by Board of Selectmen
Subject: **Rules of Conduct for Selectmen's Meetings**	Adoption Date: 1987 Revision Date: **6/27/94** Effective Date:	Supersedes:

1.0 Purpose of the Policy:

In the interest of promoting orderly and meaningful selectmen's meetings, the following rules of conduct are hereby adopted:

2.0 Departments Affected:

All Departments

3.0 Definitions:

4.0 Policy:

5.0 Procedures:

1. With the exception of "Public Comments", all items to be discussed at the Selectmen's meeting shall be placed on the agenda on or before 12:00 noon on the Wednesday prior to any meeting of the Board.

2. With the exception of "Public Comments", items required to be placed on the agenda by the public shall be submitted in writing in the same basic form that is required on a Town Meeting warrant article.

3. All items so submitted will be accepted subject to available space and time after the make-up of the regular selectmen's agenda.

4. The placing of non-Exeter residents on the agenda shall be approved in advance by a majority of the selectmen.

5. Debate on any subject may be limited to five (5) minutes per person and a one-time allocation to each person speaking. Five (5) minutes of rebuttal time will also be allowed for an opposing view to be expressed.

6. Debate may be closed out at any time by the presiding officer of the meeting in order to maintain order and control of the meeting.

7. The final item on the agenda will be the Town Manager's time to report to the Selectmen and to present items to the Board which have arisen subsequent to the preparation of the agenda or that have assumed sufficient importance to the Manager in his role of managing departmental affairs on an on-going basis.

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.

The above statement, with appropriate reference to Chairman, Moderator or staff, shall be shown on all public meeting agendas for Town Board and Committees.

6.0 Severability:

To the extent this policy is in conflict with State law, State law will prevail.

Town of Exeter	Policy Number **2012-02**	Adopted by **Board of Selectmen**
Subject: **Appointments to Boards and Commissions**	Adoption Date: **5/5/86** Revision Date: **9/9/92, 3/29/10, 5/7/12** Effective Date: **5/7/12**	Supersedes: **92-13**

1.0 Purpose of the Policy:

The purpose of this policy is to define the procedure used by the Board of Selectmen to make appointments to public boards, committees and commissions within the authority of the selectmen.

2.0 Departments Affected:

None. All committees referred to in 1.0 of this policy.

3.0 Definitions:

4.0 Policy:

5.0 Procedures:

Authority: The Board of Selectmen has appointment authority for Boards and Commissions as specified in NH Revised Statutes Annotated and Town Ordinances. The Board may, at its discretion, establish other local committees and make appointments thereto.

Term of Office: All terms of office created by such appointments shall be consistent with the length of office determined by the Statutes, ordinance or action of the Board of Selectmen.

Consecutive Terms: Consecutive terms shall be consistent with the Statutes, ordinance or action of the Board of Selectmen.

Appointment Date: Applicants to a Board or Committee shall apply for appointment using an application provided by the Town Manager's Office.

Current regular and alternate members wishing to continue their membership shall, in March of the year in which their term ends, submit a written request to the Board of Selectmen for the re-appointment.

Terms of office shall begin on May 1st, unless a person is appointed to fill an unexpired term.

Multiple Positions: A person may serve on up to two Town Boards and Committees provided that he/she can only serve on one land use board (defined as Planning Board, Zoning Board of Adjustment, Heritage Commission, and Historic District Commission).

Disbanding Boards & Commissions: The Board of Selectmen shall vote annually in May to review or disband each Board and Committee of their creation.

6.0 Severability:

To the extent this policy is in conflict with State law, State law will prevail.

Amended: 5/7/12

Town of Exeter	Policy Number **99-11**	Adopted by Board of Selectmen
Subject: **Recording of Minutes**	Adoption Date: Revision Date: Effective Date:	Supersedes:

1.0 Purpose of the Policy:

The purpose of this policy is to establish a uniform method of recording the official minutes of Boards and Commissions pursuant to RSA 91-A.

2.0 Departments Affected:

Boards and Commissions covered by this policy:

a. Board of Selectmen

b. Planning Board

c. Zoning Board of Adjustment

d Historic District Commission

e. Conservation Commission

f. Exeter Housing Authority

g. Council on Aging

h. Recreation Advisory Board

i. any other Board, Commission or Committee established by the Selectmen.

3.0 Definitions:

4.0 Policy:

5.0 Procedures:

Minutes Required:

A. Minutes of meetings to include the names of members present, persons appearing before the boards or committees, a brief description of the subject matter discussed and final decisions shall be promptly recorded and open to public inspection within seventy-two (72) hours of the public meeting, except as noted in 2b below, and shall be treated as permanent records.

B. Exemptions:

Records pertaining to internal personnel practices, confidential, commercial, or financial information, personnel, medical, welfare and other files whose disclosure would constitute invasion of privacy (see RSA 91-A:3 "Non-Public Sessions" for description of purposes for such meetings). Minutes of proceedings in non-public session shall be kept and the record of all actions shall be promptly made available for public inspection within seventy-two (72) hours of the meeting unless, by recorded vote of 2/3 of the members present, it is determined that divulgence of the information would affect adversely the reputation of any person other than a member of the body or agency itself or render the proposed action ineffective. In the event of such circumstances, information may be withheld until, in the opinion of a majority of members, the circumstances no longer apply. This action is referred to "Sealed Minutes" and copies of these minutes shall be entitled as such.

Filing Required:

Copies of the minutes of the meetings held by the groups listed above shall be filed with the Town Clerk and the Board of Selectmen (reference SOP A-94-07, section 5b), within five (5) days after the meeting.

Working Copy:

Each Board or Commission shall keep copies of the minutes of their meetings in an appropriate binder or file for use by staff, employees and the general public.

6.0 Severability:

To the extent this policy is in conflict with State law, State law will prevail.

Town of Exeter	Policy Number **85-07**	Adopted by **Board of Selectmen**
Subject: **Ordinance and Policy Development**	Adoption Date: Revision Date: Effective Date:	Supersedes:

1.0 Purpose of the Policy:

The purpose of this policy is to develop a standard procedure for the implementation of Selectmen's Ordinances (Violations in accordance with RSA 47:19) and Selectmen's Policies.

2.0 Departments Affected:

All Departments

3.0 Definitions:

4.0 Policy:

Ordinance: An ordinance, as established by the Board of Selectmen, has the effect of a law and is punishable by the fine of up to $100.00 as imposed by the Justice in the District Court.

Establishment: Ordinances may be established when, in the judgment of the Board of Selectmen, sufficient needs exists to require judicial means to rectify existing or future situations. Members of the Public may request that the Selectmen establish ordinances.

Hearing: The Board of Selectmen will initially hear the request for an ordinance in a regular session of the Board. If, in the opinion of a majority of the Board, there is sufficient need for the ordinance, additional readings of the proposal will be scheduled in which public input will be accepted.

Passage: The Board will accept the ordinance for passage if, in the judgment of the Board, it is in the "Best Interest of the Town" and schedule the signing of the ordinance for a third reading. All readings will be at regular sessions of the Board.

Effective Date: The ordinance shall become effective seven days after formal acceptance and signing by the Board of Selectmen.

Policy: A policy, as established by the Board of Selectmen, is an operating procedure for all town departments and employees.

Establishment: A policy may be established by the Board when, in the judgment of the Board, there is a need to have a regulating procedure that has the force of the Board.

Hearing and Passage: The Board will consider the policy at a regular session of the Board and act on the policy if, in the judgment of the Board, the policy is needed. The policy will be passed at the next regular session of the board.

5.0 Procedures:

Effective Date: The policy shall become effective seven days after formal acceptance by the Board.

6.0 Severability:

To the extent this policy is in conflict with State law, State law will prevail.

Town of Exeter	Policy Number: **05-32**	Adopted by Board of Selectmen
Subject: **Religious Holidays**	Adoption Date: Revision Date: Effective Date:	Supersedes:

1.0 Purpose of the Policy:

With the growth of our community and the number of programs that we offer comes a need to recognize that scheduling of activities can easily conflict with religious holidays. It is recognized that not all events can be scheduled around such holidays, but it is important to be sensitive to the existence of the holiday and the impact the holiday may have on attendance and participation.

2.0 Departments Affected:

All Departments

3.0 Definitions:

4.0 Policy:

As a consequence, please keep in mind the following dates** and avoid them, if possible, when scheduling activities and events: (Sample dates below are for 2004 – days & dates change yearly)

Approx. Date	Occasion	Religion
February 9	Ash Wednesday	Christian
March 20	Palm Sunday	Christian
March 24*	Purim*	Jewish
March 25	Good Friday	Christian
March 27	Easter	Christian/ Orthodox
April 23*	Passover	Jewish
April 29	Holy Friday	Orthodox Christian
October 3*	Rosh Hashanah	Jewish
October 4	Ramadan begins	Islam

Approx. Date	Occasion	Religion
October 12*	Yom Kippur	Jewish
November 1	Diwali	Hindu
November 2	Ramadan ends	Islam
December 25*	Hanukkah	Jewish
December 25	Christmas	Christian

* Usually begins at sundown the day before this date

** List is updated yearly through Town Manager's Office. Check the most current dates through that office.

5.0 Procedures:

Some examples of how to apply the policy are as follow.

- The Planning Department is organizing a meeting to get input on development in the Oakland's. Good days for the event are Saturday September 27 and October 4. September 27 would be avoided since it is the first day of Rosh Hashanah.
- The Recreation Department is planning a basketball coaches training session for a Saturday morning in the fall. October 25th would be avoided since it is Diwali.
- The Historic District Commission meets the first Wednesday of the month. While this conflicts with Ash Wednesday, the legal nature of the meetings and the long established date makes the meeting appropriate.

Questions on the policy may be directed to the Human Resources Director or the Town Manager.

6.0 Severability:

To the extent this policy is in conflict with State law, State law will prevail.

Town of Exeter	Policy Number **06-01**	Adopted by **Board of Selectmen**
Subject: **Delegating to the Town Manager the authority to Issue Certain Permits**	Adoption Date: **September 18, 2006** Revision Date: Effective Date:	Supersedes:

1.0 Purpose of the Policy:

2.0 Departments Affected:

All Departments

3.0 Definitions:

4.0 Policy:

1. It is recognized that the Board of Selectmen are responsible for the issuance of certain permits under the New Hampshire state statutes.
2. As a practical matter, the Town Manager may issue temporary approval for permits for the following activities, and in the absence of the Town Manager, the ranking member of the Board of Selectmen shall have approval authority pursuant to this policy. The Board of Selectmen will be notified of the temporary approval at their next regular meeting under the permits section of the agenda:
   - Banners across Water Street
   - Plywood Signs and Poster Board Signs
   - Structures on Sidewalk, Blocking Off Streets, and Blocking Off Parking Spaces
   - Road Races, Raffles, Walkathons, and Parades
   - Pyrotechnics (Fireworks)
   - Auctions
   - Block Parties

3. Permit requests for the following must be approved at regular meetings of the Board:

   Use of Town Hall or Town Office (NOTE in extreme circumstances the Town Manager is authorized to approve these permits).

4. Prior to approval, the Town Manager will make certain all conditions have been met for any permit, such as a fee being paid, certificate of insurance provided, and that any necessary department approvals are obtained, such as the Police Department for road races/walkathons, etc..

5. If an issue has been raised regarding a permit, the Town Manager shall not issue the permit but it shall be referred back to the Board of Selectmen for their review and action.

5.0 Procedures:

6.0 Severability:

To the extent this policy is in conflict with State law, State law will prevail.

Town of Exeter	Policy Number	Adopted by **Board of Selectmen**
Subject: **Rules for Renters of Town Hall**	Adoption Date: Revision Date: 10-7-2013 Effective Date:	Supersedes:

1.0 Purpose of the Policy:

The following policy shall serve as the rules and regulations for the persons, groups or corporations who rent the Exeter Town Hall for various events.

2.0 Departments Affected: All Departments

3.0 Definitions:

4.0 Policy:

1. All users of the Town Hall must obtain a permit from the Town Manager's Assistant at the Town Office for each use (per Selectmen's policy 04-01).
2. A separate permit is required for each use of the Hall.
3. Each permit will state, in specific terms, what use is to be made of the Hall (i.e. play, dance, lecture, etc.), and will list all modifications required to the existing condition of the Hall.
4. The user will be responsible for seeing that ALL of the following conditions are met:

   A. No smoking anywhere in the building - this applies also to characters in a play;

   B. No alcoholic beverages anywhere in the building; with exception of a special permit;

   C. No open flame allowed - also applies to scenes in plays;

   D. No firearm capable of firing live ammunition may be used, even as a set decoration or unused prop;

   E. No nails or screws are to be used to secure scenery to walls or floors. No alteration to drapes or walls allowed without prior written permission;

   F. No spray paints are to be used;

G. Any other paints used within the rooms must be used with extreme caution, proper ventilation and use of proper protective measure to ensure against damage to the buildings floors/walls;

H. The renter is responsible for any and all damages from use of the building and will be billed for same if damage cannot be considered as a normal maintenance item. Items such as damaged furniture, chipped or marred paint on floors or walls will NOT be considered as normal maintenance items.

I. The user will be responsible for locking all doors and windows and will clean the hall in a totally acceptable manner within 24 hours of use. (Unless renter opts to pay for custodial services through the Town of Exeter. Rates/terms listed on application form).

J. The Town of Exeter may request of any user a $100.00 deposit fee. If the Town of Exeter agrees after use that the building was cleaned in a totally acceptable manner, the $100.00 deposit fee will be returned to user.

5. Any user may be requested to post a bond in an amount determined by the Board of Selectmen to protect the Town from damage arising from and caused by said user.

These rules are a part of any agreement to rent out or otherwise allow the use of the Town Hall and a copy of these rules should become a part of and attachment to the permit application.

The permit application should indicate that the applicant has read these rules, understands these rules and agrees to abide by them, which will be indicated by the applicant's signature on the permit application.

The use of Town buildings by any non-municipal group or organization for any activity or the expression of any view point does not constitute an endorsement of the activity or view point by the Town of Exeter.

NO signs allowed on or adjacent to Town Hall property without separate permit approved by the Town Manager and/or Board of Selectmen. Signboards to the left and right of the Town Hall may be used upon proper application and approval by the Town Manager. [Refer to Selectmen's Policy 04-01 regarding the use of free standing signs on Town property.]

The Town of Exeter maintains an "open forum policy". This policy allows any group or organization to use Town building so long as the group or organization does not sell goods and/ or ser-vices for profit. When non-municipal groups use Town buildings, they do so under this "open forum policy".

5.0 Procedures: **Fire Alarm Activations:** Per the Board of Selectmen and the Fire Chief, all occupants of the Town Hall are required to evacuate the building when the fire alarm system sounds. Failure to evacuate the Town Hall is a violation to the NH State Fire Code.

6.0 Severability:

To the extent this policy is in conflict with State law, State law will prevail.

Town of Exeter	Policy Number **93-08**	Adopted by **Board of Selectmen**
Subject: **Rules for Use of the Senior Citizen's Center**	Adoption Date: Revision Date: Effective Date:	Supersedes:

1.0 Purpose of the Policy:

The purpose of this policy is to establish a uniform method of authorizing use of the Exeter Senior Citizen's Center by the general public.

2.0 Departments Affected: All Departments

3.0 Definitions:

4.0 Policy:

5.0 Procedures:

1. In a cooperative agreement, the Town has made the Center available as a site for serving noon meals as part of the Rockingham Nutrition Program.
2. The Center shall be available from 8AM to 4PM for leisure time or organized activities of senior citizens who are members of the Council on Aging, except that no event shall effectively interfere with meal serving.
3. The Center shall be available for meetings of any Senior Citizen or Council on Aging-recognized groups at hours other than those assigned to items 1 & 2 above.
4. Events scheduled shall not require the services of a Custodian and events shall not be for profit or be of the nature that would subject the building to damage or abuse. Scheduling of events shall be accomplished by the Recreation Department.
5. Groups other than those listed above shall obtain a permit for use in accordance with Selectmen's Policy #04-01 (as amended from time to time).
6. General Rules:

    a) No smoking will be allowed:

b) No alcoholic beverages will be allowed;

c) No machinery or equipment of a hazardous nature shall be used or placed in the Center.

7. Specific Rules:

   Specific regulations concerning operation, internal equipment and staff functions shall be developed by the Recreation Department and approved by the Town Manager.

6.0 Severability:

To the extent this policy is in conflict with State law, State law will prevail.

Town of Exeter	Policy Number **04-01**	Adopted by **Board of Selectmen**
Subject: **Use of Town Property**	Adoption Date: Revision Date: Effective Date:	Supersedes:

1.0 Purpose of the Policy:

The purpose of this policy is to define the approved uses of Town buildings and equipment.

2.0 Departments Affected: All Departments

3.0 Definitions:

4.0 Policy:

1. Town Buildings:

All Town buildings shall be used solely for the public business functions that they were intended. Use of the buildings for any other purpose requires prior approval by the Board of Selectmen. Application for public uses of Town buildings may be made at the Town Manager's office on the applicable form. Liability insurance must be provided by the petitioner and a fee for rental and custodial services may be assessed. Approval of applications for use will normally take place at the regularly scheduled meeting of the Board of Selectmen. The Board of Selectmen may authorize the Town Manager to execute applications for use of Town buildings.

The Town of Exeter maintains an open forum policy. This policy allows any group or organization to use Town buildings, so long as the group or organization does not sell goods or services for profit. When non-municipal groups use Town buildings, they do so under this open forum policy.

The use of Town buildings by any non-municipal group or organization for any activity or expression of any viewpoint does not constitute an endorsement of that activity or viewpoint(s) by the Town.

A. Criteria for Approval:

1. Applications for building use are approved on a first come-first served basis;

2. First preference should be given to events that are of interest to the largest number of people;

3. Second preference should be given to events that would benefit the greatest number of participants.

B. Specific Listing of Priorities:

1. Any and all regular or special Town Meetings; any regular or special elections; any meeting of a duly constituted Town board;

2. Any use by a school group for plays or other such activities; any bona fide state or federal agency meeting for Town purposes;

3. Use by lecture groups (i.e. Merrill Lectures Series); use by players groups (i.e. Exeter Area Art Association);

4. Any other group of Exeter residents.

C. There shall be no use of Town buildings allowed for the purpose of sales of goods or services for profit.

D. Application for building use shall be limited to four uses by the same user. Reapplication for subsequent use is permitted.

2. Loan of Town Equipment

Town equipment shall only be used by authorized personnel for Town functions. No Town equipment shall be loaned for personal or commercial use unless:

A. authorized by the Board of Selectmen;

B. in the event of an emergency or a compelling need, the Town Manager or a Department Head finds it appropriate to honor a request for loan or exchange from another municipality or vendor;

C. small hand equipment may be loaned by department heads to other municipalities or a vendor if the equipment is used for an appropriate public function.

All loans shall be subject to the following criteria:

the equipment is subject to immediate recall by the Town of Exeter if needed for an appropriate Town function;

1. insurance coverage is in effect by the borrower;

2. an inventory and receipt exchange is made on the equipment;

3. damages, if they occur, are paid by the party borrowing the equipment.

3. Solicitation

Solicitations in Town of Exeter buildings shall be prohibited unless authorized by the Board of Selectmen or conducted in compliance with ordinary business or personal function of Town Government. Exceptions to this section may be granted under the following conditions:

A. solicitation is conducted for or by town-related subjects and specifically authorized by the Town Manager;

B. specific instances with the approval of a department head, when such action is in the best interest of personnel and/or the department, provided the activity does not disrupt the work site.

4. Use of Swasey Bandstand

The Swasey Bandstand shall not be used for any function without the approval of the Board of Selectmen. Applications for use may be made at the office of the Town Manager on the applicable form. Liability insurance must be provided by the petitioner and a fee for custodial services may be assessed. Approval of the application for use will normally take place at a regularly scheduled meeting of the Board of Selectmen.

5. Signs on Swasey Bandstand

No signs, banners, hangers or other devices may be attached to the Swasey Bandstand. Two sign boards for the use of public groups are available adjacent to the Town Hall.

Sign Board Case (right of Town Hall):

a. signs shall be limited to 35" x 47" in size, poster board only;

b. shall be placed in the sign case for no longer than seven (7) days;

c. shall not be placed without proper written approval of the Town Manager on the applicable form;

d. sign will be available to be picked up at the Town Office for one week after it is removed from the sign case, then it will be destroyed.

Sign board (to left of Town Hall):

a. Sign insert material must be 1/4" or 3/8" waterproof plywood or hardboard;

b. Drill four 1/2" holes in locations shown (on available sheet with application);

c. Lettered insert attaches to sign w/existing wing nuts and 3/8" bolts;

d. User is responsible for putting up and taking down sign.

Application for placement of signs at the Town Hall may be made at the Office of the Town Manager on the applicable form.

The following language was approved by the Board of Selectmen at their regular meeting of January 5, 2004 concerning the use of free standing signs for events held in Town facilities:

"Free standing signs are permitted advertising an event to be held in a Town facility.

Such signs may only be placed immediately in front of the facility or the entrance to the Bandstand. In the case of the Town Hall, signs may be placed on the porch and/or steps. Event signs may not be placed off site or to the side of the facility being used. Such signs will be limited to a total of 72 square feet per event, regardless of the number of Town facilities being used.

All signs will be free standing and in **no** case will signs be affixed to any Town property.

A sign is defined as any device providing identification, advertising or directional information for a specific business, service, product, person, organization, place or building. Included in this definition are graphic devices such as logos, attention-attracting media such as banners, pennants, flags or logo sculpture, and obtrusive colored fascia or architectural elements."

Political campaigns are reminded that New Hampshire Revised Statute Annotated 664:17 provides in pertinent part: "No political advertising shall be placed on or affixed to any public property including highway rights-of-way or private property without the owner's consent." In general, the public right-of-way runs from the street to the building side of the sidewalk or telephone poles.

5.0 Procedures:

6.0 Severability:

To the extent this policy is in conflict with State law, State law will prevail.

Town of Exeter	Policy Number **200.03**	Adopted by **Board of Selectmen**
Subject: **Budgetary Transfer Policy**	Adoption Date: **November 5, 2007** Revision Date: Effective Date:	Supersedes: Policy 98-08

1.0 Purpose of the Policy:

The purpose of this policy is to clarify the roles of the governing body, town manager and municipal departments with respect to budgetary transfers.

2.0 Departments Affected:

All Municipal Departments

3.0 Definitions:

4.0 Policy:

Each year the Town votes a budget under the provisions of RSA 40:13. The budget format will reflect that required by state law. The Department of Revenue form MS-6 will reflect the official Town budget.

Funds may be transferred by the Town Manager between accounts in the budget over the course of the year if the need arises as budgetary plans are modified or require modification. The governing body, in accordance with RSA 32, shall approve any expenditure transfer requests between functions identified in the MS-6 report promulgated by the Department of Revenue, in accordance with RSA 32:10. Line items may be over expended and under expended by the Town Manager so long as the bottom line appropriation amount is not exceeded. However, under certain provisions of New Hampshire law the total appropriation amount may be exceeded, such as in accordance with RSA 32:11. Monthly financial reports will be produced by the Finance Department and distributed to municipal departments, the Town Manager, and the governing body. These reports are public documents.

No Department Manager may transfer money between appropriations within a Department without written approval of the Town Manager. This approval will only be given after a written recommendation from the Finance Director.

Any amount appropriated under a special warrant article may be used only for the purpose specified in that article and shall not be transferred.

Purpose means a goal or aim to be accomplished through the expenditure of public funds. In addition, as used in RSA 32:8 and RSA 32:10 I(e), concerning the limitation on expenditures, a line on the budget form posted with the warrant, or form submitted to the department of revenue administration, or an appropriation contained in a special warrant article, shall be considered a single "purpose."

5.0 Procedures:

Procedures that are consistent with this policy may be promulgated by the Town Manager.

6.0 Severability:

To the extent this policy is in conflict with State law, State law will prevail.

Town of Exeter	Policy Number **200.02**	Adopted by Board of Selectmen
Subject: **Fixed Asset Policy**	Adoption Date: **7/30/07** Revision Date: Effective Date: **8/6/07**	Supersedes:

1.0 Purpose of the Policy:

This sets forth the policy and procedure pertaining to Fixed Assets and in accordance with GASB 34.

2.0 Departments Affected:

All Departments

3.0 Definitions:

4.0 Policy:

a) Controlling Fixed Assets:

All fixed assets as outlined in the Fixed Asset policy should be appropriately marked and numbered by a permanent method of identification. The Finance Department is responsible for maintaining the fixed asset inventory of the Town.

b) Fixed Assets Inventory:

Failure to install and maintain a fixed asset management system may result in a qualification in the independent auditor's report on the Town. This occurs when the auditor in unable to establish that the Town's accounting records properly summarize fixed asset expenditure transactions, that physical safeguards over assets are absent or fall short of controlling such assets or that records are absent or fall short of controlling such assets or that records are absent to substantiate that assets used the by Town are actually owned.

5.0 Procedures:

The Town's fixed asset system will be maintained with the use of one form, the Fixed "Asset Data Sheet". This form covers additions, disposals and transfers between departments and funds. (See Exhibit I) Copies of invoices, appraisals or bill of sale(s) must be attached to the Asset Data Sheet by the Department Head when turned in to the Finance Department as back up documentation. Each Asset Data Sheet must be signed off by the Department Head as the best

estimate value, with a description of the item valued, the item's serial number, if available, where and for what department the item will be used, the estimated life cycle of the asset and the estimate value at the end of it's life cycle, if applicable.

PURCHASES: When a purchase order is issued for an item that has a specified cost in an amount of $10,000 or more, the Department Head will attach a Data Sheet for each qualifying item for said purchase order. Upon receipt of the goods the originating department will complete the Data Sheet(s), attach copies of backup documentation, and forward it to the Finance Department. The Finance Department will verify the data, adjust the fixed assets schedule and issue an Equipment Tag to be attached to the asset, if applicable.

DONATIONS: The Board of Selectmen may accept any item(s) equaling or exceeding the $10,000 as a donation to the Town. Once accepted by the Selectmen, the department receiving the donated item(s), e.g., land, buildings, works of art, vehicles, etc., having an estimated fair market value exceeding the capitalization threshold of $10,000, will complete the Data Sheet(s) upon the receipt of these items, attach back up documentation, and forward it to the Finance Department. Any problems occurring with establishing a fair market value should be referred to the Finance Director. The Finance Department will verify the data, adjust the fixed asset schedule and issue an Equipment Tag to attach to the asset, if applicable.

VEHICLES AND MOTORIZED EQUIPMENT: The responsibility for recordkeeping and inventory for all new and donated vehicles and equipment is the Finance department. Items will be received by the respective operating department involved in order for the department to complete required inspections and procedures before placing equipment in operation. Any additions/modifications that are necessary to place the vehicle or equipment in service that add to its asset cost/value such as body installation, mounting of a crane, etc., will be done at the direction of each department. The operating department will fill out an Asset Data Sheet for each qualifying item attaching it to a copy of the purchase order(s), along with back up documentation, and forward to the Finance Department. The Finance Department will verify the data and adjust the fixed asset schedule.

OTHER EQUIPMENT: Upon receipt of the equipment (not before), the receiving department will complete the Data Sheet(s) identifying qualifying additions/modifications, attach a copy of back up documentation, and forward it to the Finance Department. The Finance Department will verify the data, adjust the fixed asset schedule and issue an Equipment Tag to attach to the asset, if applicable. Additions/modifications include any equipment that may be attached to or placed in the Asset.

INVENTORY NUMBER: In all cases, the Finance Department will assign an inventory number to assets.

1. Leases

a) Fixed assets do not always have to be constructed or purchased outright in order to be of benefit to a local government. Fixed assets may be temporarily utilized through a rental agreement, known as an *operating lease*. In other situations, the utilization of leased fixed assets may be such that the unit has in effect purchased the asset by virtue of the length of its

use of the asset, or the amount of payments it has made to use the asset. This type of lease is known as *capital lease*.

b) A lease is an *operating lease* if it does not transfer the benefits, ownership and risk of ownership to the Town. Operating lease payments are recognized as expenses/expenditures to the Town when they become payable. The fixed assets leased through operating leases are not capitalized; however, they may be inventoried and/or tagged for control purposes. According to Governmental Accounting Standards Statement 13, lease payments will generally be recognized as expenses/expenditures as specified in the lease contract unless the lease terms are designed so that the lesser is subsidizing the lessee and part of the lease payments are actually interest charges. A sample of this type of lease could be a parking lease, where the land is owned by another entity and the Town is essentially renting the parking spaces.

c) A lease is a *capital lease* if at the inception of the lease it meets any one of the following criteria:

1. The lease transfers ownership of the property to the Town by the end of the lease term.

2. The lease contains a bargain purchase option (an option extending to the lease right to purchase the leased property at a price so favorable that the exercise of option appears, at the inception of the lease, to be reasonably assured).

d) For leases involving land, either condition (a) or (b) must be met. If title to the land will not be transferred to the lessee at some point, the lease is not a capital lease.

e) Once a lease has been determined to be a capital lease, the Finance Department should record the asset acquired.

2. Transfers

a) From time to time, the responsibility for a fixed asset will be transferred from one department to another. The transferring department must initiate the preparation of a Data Sheet(s) in this type of transaction. The Transferring department must identify the asset; indicate the receiving department and forward a Data Sheet with back up documentation if any, to the Finance Department with the estimated value upon the date of transfer. The Finance Department will verify the receipt of the asset with the receiving department and make the required changes in the fixed asset schedule. Both departments may verify the asset has been changed on their department's inventory.

b) When a vehicle or motorized piece of equipment is to be transferred, the transferring department will deliver the vehicle to the receiving department. The receiving department will verify the transaction, adjust its records, and prepare a Data Sheet(s) describing the details of the transfer and attach back up documentation. The completed Data Sheet will be forwarded to the Finance Department.

3. **Removals:** Fixed Assets will be removed from a department's fixed asset inventory as follows:

a) **SURPLUS ITEMS**: Items that have been replaced, are not worth repairing, or are obsolete and identified as having no further use or value are surplus. These items will be disposed of under the direction of the Finance Director. The responsibility for surplus items other than those following will remain with the department until they are sold or otherwise disposed of. Department heads will identify an item as surplus on a copy of the Data Sheet(s), along with current estimated value and submit it to the Finance Director for action. The Finance Director file the copy of the Data Sheet(s) once the item has been disposed of. The Finance Department will make the necessary adjustments to the fixed asset schedule.

b) **EXCESS ITEMS**: Some items may be considered for re-use and transferred to another department for further service. Other than those items listed below, this may be done directly by using the procedure in Section (3) above. Otherwise, the department will identify any excess item as re-usable on a copy of the Data Sheet(s) and submit it to the Finance Department. Periodically, a list of re-usable excess items will be circulated to department heads for their consideration. The responsibility for these items will be the same as with surplus items until transferred or otherwise disposed. The Finance Department will make the necessary adjustments to the fixed asset schedule.

c) **LOST OR STOLEN ITEMS:** When theft of an item is suspected, the incident must be reported to the Police Department as soon as possible. A copy of the Police Report must be attached to the Data Sheet(s) and forwarded to the Finance Department to make the necessary adjustments to the fixed asset schedule.

d) **TRADE-INS:** The department head will be responsible for handling any trade-in arrangements that result from the purchase of new equipment or vehicles. The new asset will be added and the old asset will be removed according to governmental accounting procedures. A copy of back up documentation must be attached to the Data Sheet(s) and forwarded to the Finance Department to make the necessary adjustments to the fixed asset schedule.

4. **Inventory:** The existence, location, and condition of all fixed assets should be verified by taking an annual inventory. Each department head has the responsibility to complete an annual year-end physical inventory of its assigned fixed assets. A Fixed Asset Schedule by department reporting the current status of the department's inventory will be distributed to appropriate department heads in the fourth quarter of the fiscal year.

This Inventory should be coordinated with the Finance Department and performed prior to fiscal year end. All discrepancies should be reported to the Finance Director as soon as possible.

All inventories will be subject to unannounced audits by the Finance Department. Periodically, the Finance Department will actively participate in each department's physical inventory on a random basis.

5. **Reports:** Year-end reports will be processed and maintained by the Finance Department. The Finance Department should be notified of any discrepancies found in these reports without delay.

6. **Items not Considered Fixed Assets:** In order to clarify the question of asset classification, the following list of specific examples is provided.

   a) **COMPUTER SOFTWARE:** Computer software, regardless of cost, is not regarded as a fixed asset because it is not a tangible item. Most of the purchase price of software consists of a one-time license fee to use the product only.

   b) **MAINTENANCE AND REPAIR REPLACEMENTS:** The replacement costs of component part(s) of a fixed asset, not the entire asset itself, during maintenance and repair operation which also enhances the performance or life of the asset are not generally considered to be capital asset additions or modifications. For example, replacing an original disk drive with a higher capacity disk drive in a microcomputer or a more powerful engine in a leaf vacuum machine is considered maintenance and repair expense.

   c) **SUPPLIES:** Any supply, regardless of costs, that is not permanent and will be consumed within a year is not considered a fixed asset.

   d) **AGGREGATE PURCHASES:** A purchase of items in quantity with an extended cost equal to, or more that the fixed asset limit of $10,000, are not considered fixed assets-example, 100 chairs at $100 each purchased on a single purchase order for a total of $10,000 would not be listed. Even though the total is at the policy limit, the chairs are not considered as fixed assets since the individual cost does not qualify.

7. **Recommended Life Cycle of Fixed Assets:** The following are recommended life cycles of named fixed assets stated in years. Where necessary other criteria are listed as additional criteria to determine the life of certain fixed assets. The Finance Director will assign life cycles other than described below. All Life Cycles will be written on the Data Sheet and any adjustments will be noted with comments addressing the modification.

Other:

Description	**Useful Life**
Land	Unlimited
Buildings	30
Improvements	20
Water Treatment & Distribution System	25
Water Capital Project	25
Sewer Collection System	25
Sewer Capital Project	25
Works or Art, Historical Artifacts, etc.	Unlimited

*Other criteria may be determined at a later date in order to accumulate historical information to provide accurate figures.

Vehicles – License Tags and Titles Required:

Vehicles are those items classified as requiring a license to use the roads. Titling does not necessarily classify an item as a vehicle. Only licensed vehicles should appear in these categories.

Description	**Useful Life (see Note 1)**	**Other Criteria***
Trailers	10	
Refuse Collectors	7	
Auto (Sedans-Administrative-Other than Police)	10	Or Miles
Auto (Sedans-Police Cruisers)	5	Or Miles
Sports Vehicle – 2WD	5	Or Miles
Sports Vehicle - 4WD	7	Or Miles
Trucks – Pickups	7	Or Miles
Trucks – Utility 2WD	5	Or Miles
Trucks – Utility 4WD	7	Or Miles
Trucks – Dump	7	Or Miles
Trucks – Packer	7	Or Miles
Trucks – Recycle	7	Or Miles
Trucks – Fire Engines	15	Or Hours
Trucks – Special Equipment, includes cranes, sewer-jets, street sweepers, flushers, tractor-trailer	15	Or Hours
Vans	5	Or Miles
All other vehicles	7	Or Miles

NOTE 1: The useful life is intended as a financial guide only, and is representative of a depreciation period reflecting generally accepted accounting practices.

Heavy Equipment

Mobile motorized equipment that may travel the public streets that is either rider operated, self-propelled, and not licensed as a motor vehicle; or is trailer mounted. Generally described as contractor's equipment.

Description	Useful Life (see Note 2)	Other Criteria*
Backhoes/Front Loaders	8	Or Hours
Excavators	10	Or Hours
Loaders/Fork Lifts	8	Or Hours
Tractors/Bush Hogs/Tillers	8	Or Hours
Riding Mowers/Tractors w/ mowers-tillers	7	Or Hours
Rollers	8	Or Hours
Other Rider Operated, Self-Propelled Equipment	5	Or Hours
Other Equipment	Various	Or Hours

NOTE 2: The useful life is intended as a financial guide only, and is representative of a depreciation period reflecting generally accepted accounting practices.

Operating & Maintenance Equipment, Computer Communications Equipment, Office Furniture & Equipment, and Protective Equipment: As assigned by the Finance Director.

The useful life described above does not necessarily indicate vehicles will be automatically scheduled for replacement within the Town's Capital Improvement program. The Town's CIP guidelines should be consulted for further reference.

6.0 Severability

To the extent this policy is in conflict with State law, State law will prevail.

Town of Exeter	Policy Number **99-04**	Adopted by **Board of Selectmen**
Subject: **Sale of Town Property**	Adoption Date: Revision Date: Effective Date:	Supersedes:

1.0 Purpose of the Policy:

The purpose of this procedure is to establish a uniform method for the sale of excess, surplus or non-serviceable Town equipment (not buildings or land).

2.0 Departments Affected:

All Departments

3.0 Definitions:

4.0 Policy:

5.0 Procedures:

1. *Authorization*: The Selectmen shall authorize the sale of any items under this section. Under normal circumstances, all sales shall be by sealed bid. A public auction of certain items may be authorized, if conditions warrant.

2. *Request for Bid Offering*: Department Heads shall petition the Town Manager for authorization to advertise excess surplus or non-serviceable Town equipment. The Town Manager shall offer the item for use by another Town department if such use is reasonable, expedient and in the best interest of the Town.

3. *Sale Process:* In the event the item is not of use to the Town and it is saleable through a bidding process, the Town Manager shall publicly advertise the item(s) to be sold and seek competitive sealed bids for the item(s). Item(s) are to be advertised for sale as is, no warranties are to be implied or granted and sale is to be to the highest bidder.

4. *Award of Bid:* Bids shall be sealed and delivered to the Office of the Town Manager no later than 4PM on the date specified, clearly marked "Bid for 'Described Equipment'". The bids shall be opened in a public session of the Board, normally the same evening, at which time the Board may recommend an evaluation of the bids by the Town Manager and Department Head. If an award is to be made at a later date, it shall be in a public session of the Board.

5. *Rejection:* The Town reserves the right to reject any and all bids not deemed in the best interest of the Town of Exeter.

6. D*isclaimer:* The Town makes no warrantee, assumes no liability nor ensures maximum utilization of any equipment sold at auction or public bid. A disclaimer form shall be provided at the time of sale.

(For property consisting of buildings and/or land, all to be considered for sale shall be done through the Town Manager.)

6.0 Severability:

To the extent this policy is in conflict with State law, State law will prevail.

Town of Exeter	Policy Number **2010-**	Adopted by **Board of Selectmen**
Subject: **Human Services Funding Policy**	Adoption Date: **August 30, 2010** Revision Date: Effective Date: **August 30, 2010**	Supersedes: New

1.0 Purpose of the Policy:

The purpose of this policy is to codify practices with respect to the funding of human service agencies by the Town.

2.0 Departments Affected:

Board of Selectmen and Town Manager

3.0 Definitions: None.

4.0 Policy:

It is the policy of the Board of Selectmen to make the human service funding process clear for both the requesting agency and the Town.

5.0 Procedures:

5.1 The Town Manager's Office shall, in July of each year, distribute application forms to all agencies who have requested funding in the prior budget year for the subsequent year, unless otherwise notified by the agency they will not be participating in the funding process.

5.2 Submittals will be accepted as part of the regular budget process and will be reviewed by the Board and/or their designee, and the Budget Recommendations Committee. Any agency not submitting a timely application may be denied funding at the discretion of the Board of Selectmen. If so denied, the agency will be made aware of the petition article process described in Section 5.5.

5.3 Each agency that has received funding in the past will go onto the Town Arrant for funding every third year, so voters will have a direct say in their continued funding. The remaining

two-thirds of agencies will be part of the operating budget recommendation made by the Board of Selectmen, unless otherwise determined by the Board.

5.4 All new agencies (those that have not requested Town funding in the past or have not been considered for funding through placement on the warrant) requesting funding will go onto the Town Warrant for initial review by deliberative session and a vote as to whether the agency will be funded, if so recommended by the Board of Selectmen.

5.5 In order to qualify for placement on the warrant for possible funding by the Town, any agency must demonstrate the extent of service to Exeter residents.

5.6 The Board of Selectmen or its designee may explain the petition article process to prospective agencies that are not included in the final recommended list of agencies to be funded.

5.7 All agencies receiving funding will be required to sign an Agreement with the Town of that the funds being allocated by Exeter will be used for the benefit of Exeter residents.

6.0 Severability:

To the extent that any provisions of this policy conflict with NH Law, then State Law shall prevail.

Town of Exeter	Policy Number: **2.1.f**	Adopted by: Board of Selectmen
Subject: **Fund Balance Policy**	Adoption Date: October 21, 2013 Effective Date: **October 21, 2013**	Supersedes: None

1.0 Purpose of the Policy:

The Town of Exeter ("Town") through its Board of Selectmen establishes and will maintain reservation of Fund Balance, as defined herein, in accordance with Governmental Accounting Standards Board ("GASB") Statement No. 54, Fund Balance reporting and Governmental Fund Type Definitions. This policy shall only apply to the Town's governmental funds. In accordance with GASB 54, fund balance shall be composed of non-spendable, restricted, committed, assigned, and unassigned amounts.

The purpose of this policy is to establish a key element of the financial stability of the Town by setting guidelines for fund balance. Unassigned fund balance is an important measure of economic stability. It is essential that the Town maintain adequate levels of unassigned fund balance to mitigate financial risks that can occur from unforeseen revenue fluctuations, unanticipated expenditures, emergencies, and similar circumstances. The fund balance also provides cash flow liquidity for the Town's general operations.

2.0 Definitions:

1. Non-spendable Fund Balance - includes amounts that are not in spendable form (such as inventory or prepaid expenses or assets held for future sale such as tax deeded properties) or are required to be maintained intact (such as principal of an endowment fund).

2. Restricted Fund Balance – includes amounts that can only be spent for the specific purposes stipulated by external resource providers (such as grantors, creditors, contributors) or enabling legislation (Town Meeting or BOS action). Restrictions may be changed or lifted only with the consent of the resource providers or enabling legislation.

3. Committed Fund Balance – includes amounts that can be used only for specific purposes imposed by a formal action of the Town's highest level of decision making authority. Commitments may be changed or lifted only by taking the same formal action that imposed the constraint originally. The action must be approved or rescinded, as applicable, prior to the last day of the fiscal year for which the commitment is made. The amount subject to the constraint may be determined in a subsequent period.

4. Assigned Fund Balance: - includes amounts the Town intends to use for a specific purpose. For all governmental funds, other than the General Fund, any remaining positive amounts are to be classified as "assigned." Items that fall under this classification for the General Fund would be encumbrances properly approved by contract, purchase order, or other such action as required.

5. Unassigned Fund Balance – includes amounts that are not obligated or specifically designated for a specified use and are available for any purpose. The residual classification of any General Fund balance is to be reported here. Any deficit fund balance of another fund is also classified as unassigned.

3.0 Policy:

Spending Prioritizations

When expenditures are incurred for purposes for which both restricted and unrestricted fund balance is available, restricted fund balance is considered to have been spent first.

When expenditures are incurred for the purposes for which amounts in any of the unrestricted fund balance classifications can be used, committed amounts should be reduced first, followed by assigned amounts and the unassigned amounts.

Minimum Level of Unassigned Fund Balance

The Town will strive to maintain an unassigned fund balance in its General Fund equal to 5-17% of the total appropriations of the community (this is calculated by adding the municipality's appropriations, the statewide enhanced education amount, the local school net tax commitment, and the county appropriation). The Board of Selectmen will review this information each year in order to determine the amount, if any, of unassigned fund balance to use to balance the budget and to reduce the property tax rate.

Annual Review

Compliance with the provisions of this policy should be reviewed as part of the annual budget adoption process.

4.0 Severability:

To the extent that any provisions of this policy conflict with NH Law, then State law shall prevail.

1.0 **Purpose of the Policy**:

Town of Exeter	Policy Number **3.1.e**	Adopted by **Board of Selectmen**
Subject: **Investment Policy**	Adoption Date: **10/7/13** Revision Date: None Effective Date: **10/7/13**	Supersedes: None

1. The purpose of this policy is to meet requirements set forth in RSA 41:9 VII, which requires the Board of Selectmen (the "Board") to annually review and adopt an investment policy for the investment of public funds, and to provide a framework for the Town Treasurer (the "Treasurer") to carry out the policy objectives.

2.0 **Scope:**

This investment policy applies to all public funds in the custody of the treasurer of the Town of Exeter, New Hampshire. These funds are accounted for in the Town's annual audited financial reports and include:

- General Fund
- Special Revenue Funds
- Capital Projects Funds
- Enterprise Funds
- Agency and Escrow Funds
- Any new funds created by the Town, unless specifically exempted by the governing body, in accordance with law, or by law

Furthermore, the investment policy applies to all transactions involving the financial assets and related activity of all the foregoing funds. This investment policy does not apply to the Town of Exeter Trust Funds.

Delegation of Authority

The investment policy delegation of authority is stated below:

- In accordance with RSA 41:29 VI, the responsibility for conducting investment transactions resides with the Treasurer, with the approval of the Board. However, the Treasurer may delegate investment functions to other town officials or employees provided such delegation is in writing and includes written procedures acceptable to the Board, and is agreeable to all parties involved. Any such delegation shall only be made to a town official or employee bonded in accordance with RSA 41:6 and rules adopted by the Commissioner of Revenue Administration under RSA 541-A.

Such delegation shall not eliminate the responsibility of the Treasurer to comply with all statutory duties required by law, and

- No person may engage in an investment transaction except as provided under the terms of this policy and the internal procedures and controls hereby established.

3.0 **Investment Policy**:

a) Legal basis: New Hampshire RSA 41:29 is the legal authority under which the Town Treasurer operates.

b) "Prudent Person" Standard

The investment policy shall be conducted in accordance with the "prudent person" standard, which requires that:

> *Investments shall be made with judgment and care, under circumstances then prevailing, which persons of prudence, discretion and intelligence exercise in the management of their own affairs, not for speculation, but for investment, considering the probable safety of their capital as well as the probable income to be derived.*

<u>Instruments of Investment</u>

In accordance with RSA 41:29 IV, excess funds of the Town of Exeter shall be invested in:

- United States Treasury securities maturing in less than one year; or
- Savings bank deposits of banks incorporated under the laws of the State of New Hampshire; or
- Fully insured or collateralized certificates of deposits of banks incorporated under the laws of the State of New Hampshire; or
- Fully insured or collateralized certificates of deposits of national banks located within the State of New Hampshire, or in banks recognized by the State Treasurer; or
- New Hampshire Public Deposit Investment Pool established pursuant to RSA 383:22; or
- Short-term obligations of United States Government agencies; or
- Repurchase agreements with banks chartered by the State of New Hampshire and fully collateralized by United States Treasury Bills and such other instruments as may be specifically authorized by the Revised Statutes of the State of New Hampshire.

Investment maturities for operating funds shall be scheduled to coincide with projected cash flow needs, taking into account large routine expenditures (payroll and accounts payable) as well as anticipated revenue inflows. At no time shall any investment be made exceeding a maturity date in excess of one year.

d) Diversification

The Town's investment portfolio shall be diversified. Overconcentration in a maturity, an instrument, or institution/issuer shall be avoided. The table below sets out the maximum percentage of the portfolio that may consist of investments within the listed classes of instruments.

	Maximum Percent of Portfolio Permitted
Overnight Investments	100%
U.S. Treasury Obligations	90%
NH Public Deposit Investment Pool	50%
Certificates of Deposit	75%

e) Depositories and Dealers

Unless otherwise in the best interest of the Town, the Town shall solicit cash management and banking services every three to five years. Proposals, therefore, will be accepted through a competitive bidding process.

Short-term investment of surplus funds may be made by contacting credible institutions to establish the best available instrument at that time. All investments must be backed by full third party collateral and consider cash flow needs prior to considering the return on that investment. Also, no investment shall be made that contradicts the section titled "instruments" in this policy.

f) Safekeeping and Collateralization

Deposits shall be fully collateralized with the delivery of US government obligations, US government agency obligations, or obligations of the State of New Hampshire in market value at least equal to 102% of the cash deposit in each case. Collateral shall be wired to the municipality's joint custody account at the Federal Reserve Bank of Boston or Federal Reserve Bank of New York no later than the day cash deposits and/or investments are wired/transferred.

Internal Controls

- The internal controls for the Town of Exeter shall be designed to prevent losses of public funds arising from fraud, employee error, misrepresentation by third parties, unanticipated changes in financial markets, and imprudent actions by employees and officers of the Town.
- The Treasurer will be responsible for establishing and maintaining an internal control policy designed to provide reasonable assurances that these objectives are met. The internal control policy shall address the following:

- Control of collusion
- Separation of transaction authority
- Custodial safekeeping of assets
- Written confirmation of transactions for investments and wire transfers
- Dual authorizations of wire transfers
- This policy will be reviewed annually by the Town's independent auditors.

4.0 **Procedures**:

REPORTING: The Town Treasurer shall submit semi-annually to the Town Manager and Board of Selectmen an investment report that summarizes recent market conditions and anticipated investment conditions. The report shall summarize the investment strategies employed in the most recent quarter, and describe the portfolio in terms of investment securities, maturities, risk characteristics and other features. The report shall explain the quarter's total investment return and compare the return with budgetary expectations. The report shall include an appendix that discloses all transactions during the past quarter.

ETHICS AND CONFLICT OF INTEREST: Officers and employees involved in the investment process shall refrain from personal business activity that could conflict with proper execution of the investment program, or which could impair their ability to make impartial investment decisions. Officers and employees involved in the investment process shall disclose to the Town Manager and Board of Selectmen any material financial interest in financial institutions that conducts business with the Town. Further, they shall report to the Town Manager any large personal financial investment position that could be related to the performance of the Town portfolio. Officers and employees involved in the investment process shall subordinate their personal investment transactions to those of this Town, particularly with regard to the timing of purchases and sales.

PERFORMANCE EVALUATION: The Town shall require, from any institution in which investing activity is conducted, sufficient routine reports/documentation to enable an accurate evaluation to be made as to the results of the Town's investment program as it relates to the Town's stated objectives, guidelines and policies, and to assist in revealing areas for potential improvement.

OTHER: The Board of Selectmen shall review this policy annually, with changes made as warranted, followed by re-adoption by the Board of Selectman.

The Board of Selectmen reserves the right to implement changes to this policy without prior notice if it is deemed in the Town's best interest.

This policy is available for public review and inspection. A copy may be obtained by contacting the Finance Director.

5.0 **Severability**

To the extent this policy is in conflict with State law, State law will prevail.

Original adopted by the Board of Selectmen at the meeting of October 7, 2013.

Town of Exeter	Policy Number **97-27**	Adopted by **Board of Selectmen**
Subject: **Electronic Data**	Adoption Date: Revision Date: Effective Date:	Supersedes:

1. Purpose of the Policy:

In conformance with the 'Right-to-Know' Law (NH RSA 91-A), it is the Town's understanding that this also includes public records that may be stored in electronic form. Because electronically-stored information is just as much a public record as hard copy, and if the electronic format is more convenient for a member of the public, the Town cannot limit the access to hard copy only. Menge v. City of Manchester, 113 N.H. 533 (1973). However, the Town is not required to create new formats for existing public records merely because it would be more convenient for the type of computer owned by the citizen. Brent v. Paquette, 132 N.H. 415 (1989). The Right-to-Know law does not require the Town to serve as a citizen's computer troubleshooter.

2. Departments Affected:

All Departments

3. Definitions:

Liability:

As with any other public record, it is noted that the motives and purposes of the person requesting the data are irrelevant and should not be inquired about. However, because electronically-stored data is not only easily susceptible to intentional falsification, but is also susceptible to citizens' perfectly innocent but misguided attempts to recombine and apply data for purposes for which it was never intended and for which it is neither appropriate nor accurate enough, use of a special Electronic Records Release Acknowledgment is warranted in connection with responding to any request for release of such records.

4. Policy:

5. Procedures:

Release Form:

Prior to release of the information on disk, an 'Acknowledgement' form, as represented by attachment A, must be completed by the citizen or group representative.

Citizen's Requests:

Once a request for electronic data is received in writing from a citizen or group, that request should be forwarded to the appropriate department. The data will then be made available to the citizen or group within a two business-day time period, unless the schedule for that department is at a critical time of year, in which case the request will be completed within a five business-day time period.

Charges:

The charge for the particular information requested will be that as noted in the current Fee Schedule for the Town and made payable to the Town of Exeter. The money generated from the 'sale' of the electronic data will be deposited as 'general town revenue'.

6. Severability:

To the extent this policy is in conflict with State Law, State Law will prevail.

Town of Exeter	Policy Number: **3.2.a**	Adopted by: **Board of Selectmen**
Subject: **Social Media Policy**	Adoption Date: **July 29, 2013** Effective Date: **August 5, 2013**	Supersedes: None

1.0 **Purpose of the Policy**:

The purpose of this policy is to set policy guidelines related to Town of Exeter social media sites and applications.

2.0 **Departments Affected**: All Town Departments, Boards and Committees, except the Exeter Public Library.

3.0 **Definitions**: None.

4.0 **Policy**:

It is the policy of the Town of Exeter to ensure that certain standards are set with respect to social media to serve all its constituents in a positive, productive manner. The Town supports the use of social media as a method to communicate information to its citizens regarding its Town government.

5.0 **Procedures**:

5.1 The primary mission of the Town's social media efforts will be focused on providing information on Town services and programs to the general public. Citizens are encouraged to use social media avenues to communicate with Town Departments on service related issues.

5.2 Town Departments will assign appropriate personnel to manage individual department social media sites. Service or information requests generated through social media will be referred to the appropriate department for a response.

5.3 Comments. Comments containing any of the following inappropriate forms of content shall not be permitted on Town of Exeter social media sites and are subject to removal by the Town Manager or his/her designees.

a. Comments not related to the original topic, including random or unintelligible comments.
b. Profane, obscene, or pornographic content and/or language;

c. Content that promotes, fosters or perpetuates discrimination on the basis of race, creed, color, age, religion, gender, or national origin;
d. Defamatory or personal attacks;
e. Threats to any person or organization.
f. Comments in support of, or in opposition to, any political campaigns or ballot measures;
g. Conduct in violation of any federal, state or local law;
i. Encouragement of illegal activity;
j. Information that may tend to compromise the safety and security of public systems; or
k. Content that violates a legal ownership interest, such as a copyright, of any party;
l. Redundant or repetitive comments, with the same or similar content posted multiple times under various posts.

5.4 A comment stating an opinion, posted by a member of the public on any Town of Exeter social media site, is the opinion of the commentator or poster only, and publication of a comment does not imply endorsement of, or agreement by, the Town of Exeter, nor do such comments necessarily reflect the opinions or policies of the Town of Exeter.

5.5 The Town of Exeter reserves the right to deny access to Town of Exeter social media sites for any individual who violates the Town of Exeter's Social Media Policy at any time and without prior notice.

5.6 Town of Exeter Department Managers shall monitor their social media sites periodically during normal business hours for comments requesting responses from the Town and for comments in violation of this policy.

5.7 Town of Exeter Department Heads, employees and officials may post content on their respective department pages in their official capacity, if authorized to do so by their Department Head. Comments made by individual employees from their personal accounts are personal expressions and not Town representations.

5.8 Multiple member Boards, Committees, and Commissions should be sensitive to the use of social media in such a way so as not to inadvertently violate the spirit and intent of RSA 91-A, the State's Right to Know Law, particularly as it pertains to public meetings.

5.9 All comments posted to any Town of Exeter social media sites are bound by the respective statements of rights and responsibilities associated with those sites and the Town of Exeter reserves the right to report any violation of these statements to the appropriate social media site with the intent of the site taking appropriate and reasonable responsive action. This provision includes Twitter and similar services utilized by the Town.

5.10 This policy shall be administered through the Town Manager's Office. Specific questions regarding this policy may be directed to the Town's Information Technology Department through the Technology Coordinator, or to the Town Manager's Office.

6.0 Severability:

To the extent that any provisions of this policy conflict with State law, then State law shall prevail.

Approved this 29th day of July, 2013

Don Clement, Chairman

Dan Chartrand, Vice Chairman

Julie Gilman, Clerk

Matt Quandt

Frank Ferraro

Town of Exeter	Policy Number **200.01**	Adopted by: Board of Selectmen
Subject: **Purchasing Policy**	Adoption Date: **August 27, 2007** Revision Date: Effective Date: **September 4, 2007**	Supersedes: Policy 98-03

1.0 Purpose of the Policy:

1. This policy is intended to provide the policies and procedures necessary for the conduct of purchasing activities for the Town of Exeter. This policy is designed to:
2. Encourage maximum competition through fair and equal opportunity to those qualified and interested bidders.
3. Provide a uniform procedure for the procurement of material, equipment, supplies, and services.
4. Ensure that the taxpayers are getting the "best overall value" for their dollars.
5. Apply to all Town Departments under the authority of the Town Manager.

2.0 Departments Affected:

All Departments

3.0 Definitions:

4.0 Policy:

a) All purchases require prior approval by the Department Manager.

b) All purchases and expenditures for service shall have a purchase order. The only exception is if the finance director has a written contract or agreement on file.

c) Purchase orders shall be issued prior to purchase.

d) Some of the factors considered when determining the "best overall value" are:

i Price

ii Quality

iii Warranty

iv Service

v Availability

vi Past Performance with Town of Exeter

vii References

5.0 Procedures:

I. For Purchases:

a) **Under $500:** Employees are encouraged to do whatever is practical to secure competitive pricing from multiple sources. The telephone quotation form may be utilized to document pricing.

b) **Between $500 and $2,999.99:** Informal bids from at least three sources must be obtained. Bids should be documented on the "telephone quotation form" or may be supported by written quotations from vendors. This documentation should be attached to the purchase order. The Town Manager or where applicable, the Department Manager, must approve the purchase prior to the issuance of a P.O.

c) **Between $3,000 and $24,999.99**: Informal written bids from at least three sources must be obtained. Faxed quotations are acceptable. Purchases must be supported by written quotations from vendors. Direct solicitation is allowed. Award of purchase requires the approval of the Town Manager or the Department Manager.

d) **Over $25,000:** The formal sealed bid is used for major purchases. An invitation to bid must be publicly advertised in the legal paper of record at least fourteen (14) days prior to the date set for opening. Bid specifications require the approval of the Town Manager. Formal bids must be received sealed and in writing by a posted deadline. Bid openings under this section will take place at a regular Selectmen's meeting.

All bids shall be opened before the public at a date, time and place designated in the bid request. Late bids will not be accepted. Award of purchase or contract requires the approval of the Town Manager and Board of Selectmen.

If at least three bids are not received the Town Manager may require a re-bid. In order to facilitate this process, any bid process where three bids are not received will be brought before the Board with a recommendation from the Town Manager whether or not to conduct a re-bid.

II. Professional Service Contracts

Either the Request for Proposal (RFP) or the Request for Qualifications (RFQ) process (or a combination) may be used. The primary difference between the two processes is that in the RFP process a specific proposal is received and evaluated. The proposal includes a scope of

work and a cost proposal. In the RFQ process, Statements of Qualifications (SOQs) are received and selection is made upon those qualifications. In this process, a mutually acceptable scope of work and contract amount is negotiated with the successful bidder.

The RFP/RFQ must be approved by the Town Manager, must be in writing and must be posted in the town's official posting place, and publicly advertised in the legal paper of record at least fourteen (14) days prior to the date set for opening. Proposals or SOQs must be submitted to the town in a sealed envelope marked with the name of the request as indicated in the instructions.

Proposals shall be opened before the public at a date, time and place designated in the RFP. All proposals shall be opened under dual control by the Town Manager, Public Works Director, Finance Director (or their designee) and other pertinent Town staff, except those exceeding $25,000 in value, which will be opened at a regular Board meeting. The proposals shall be analyzed (based upon the "best overall value" to the town) and documented including staff recommendation. Award shall be made by the Town Manager. Professional service contracts in excess of $25,000 also require approval of the Board of Selectmen.

III. Public Auction

With the approval of the Town Manager, purchases may be made through public auction. The department must provide to the Town Manager in writing, quotes from like products in order to provide a realistic price comparison. Upon receiving this information, and verifying budget availability, written authorization indicating the amount "not to exceed" may be granted allowing the Department Manager or their designee to attend the auction and bid on that particular product.

If a purchase is made through a public auction, all documentation must be retained and submitted to the Finance Department.

IV. Cases not Requiring Bidding Procedure

The Town Manager may approve a purchase order without bid under the following conditions:

a) Item is to be purchased under State or Federal Bid lists

b) Only one known source of purchase, and there is no comparable substitute product or service; Written documentation supporting the sole source must be provided

c) Specific type or brand of supply or part necessary for acceptable operation of a machine or device, or as required by warranty or contract on the machine or device; written documentation supporting the purchase of a specific brand or part necessary for acceptable operation of a machine or device must be provided.

d) An item or service that is required on an emergency basis

e) An item previously awarded within the past twelve (12) months, subject to approval of the Board of Selectmen.

V. Emergency Procurements

Emergency Procurements Definition: Emergency procurements may be made when there is a threat to public health, welfare or safety, provided that such emergency procurement shall be made with such competition as is practical under the circumstances.

Examples of emergency procurements include repair of a water or sewer line break, storm damage to town infrastructure requiring immediate repair, structural repairs to municipal buildings that would otherwise cause the building to be closed to the public, etc.

In case of an emergency requiring immediate purchase of materials, supplies, equipment or services, the Town Manager hereby authorizes the Department Managers to approve such emergency purchase if the situation permits. The Town Manager shall be notified as soon as possible as to the emergency and the associated purchases. A written determination for the basis of the emergency and for the selection of the particular contractor or vendor shall accompany the purchase order and voucher. As soon as is practicable, standard purchasing procedures will be reinstated. Records of each emergency procurement shall be placed on file with the Finance Department.

VI. Artificial Division Prohibited

Purchases shall not be artificially divided so as to create lower purchase amounts and therefore avoid some requirements of this policy. Whether or not a proposed purchase constitutes artificial division shall be determined by the Town Manager.

VII. Local Advantage

The Town of Exeter will make every effort to purchase from businesses located within the Exeter area if the purchase fits into the category of "best overall value." It must be noted that The Town of Exeter employees have a responsibility to the taxpayers of the Town to ensure that bids are awarded to vendors offering their products or services at the "best overall value" to the Town.

VIII. Cancellation and Rejection of Bids

An invitation to bid, request for proposal, or other solicitation may be canceled, or any or all bids or proposals may be rejected, in whole or part, as may be specified in the solicitation when it is in the best interest of the Town. The reasons shall be made part of the formal bid file.

IX. Pre-qualifications of Suppliers

Prospective suppliers may be pre-qualified for particular types of supplies and technical and construction services.

A "Request for Qualifications" will be solicited and advertised in order to establish a pre-qualified vendors list. Upon establishment of a pre-qualified vendors list, requests for proposals or requests for quotations may be submitted to individuals or companies on the list.

X. Ethics in Public Purchasing and Contracting

It shall be unethical for any Town employee involved in making procurement decisions to have personal investments in any business entity that will create a substantial conflict between their private interests and their public duties.

It shall be unethical for any person to offer, give, or agree to give any Town of Exeter employee, or for any Town of Exeter employee to solicit, demand, accept, or agree to accept from any vendor or business, a gift or gratuity in any amount in connection with any decision, approval, disapproval, or recommendation concerning a solicitation.

Inexpensive advertising items, bearing the name of a vendor, such as pens, pencils, paper weights, cups, candy, calendars, etc., are not considered articles of value or gifts in relation to this policy.

Failure to comply with the provisions of this policy will result in disciplinary action.

XI. Authority

These policies are adopted by the Board of Selectmen in accordance with RSA 41:8 as it relates to their management of the Town's prudential affairs and their authority over expenditures.

6.0 Severability:

To the extent this policy is in conflict with State law, State law will prevail.

7.0

[Attachment A]

ELECTRONIC RECORDS RELEASE ACKNOWLEDGEMENT

The undersigned, being in receipt of electronic copies of public records of the Town of Exeter stored in electronic data form, understands and hereby recognizes and acknowledges that:

1. Although the data being delivered does constitute a genuine copy of public records of the Town, the Town has not made and does not make any representation or warranty, express or implied, about the truth, accuracy or margin of error of any information or facts contained in or derivable from such public records;
2. (The data being delivered does constitute a genuine copy of public records of the Town, the Town has not made and does not make any representation or warranty, express or implied as to its accuracy, appropriateness or suitability for any other purpose, use of application; and
3. The Town has not made, and does not make, any representation or warranty, express or implied, about whether the electronic data being delivered will continue to constitute a genuine copy of public records of the Town when it is read by, run upon, translated into, modified by, manipulated by or amalgamated with any particular electronic hardware, software, system, program, application or data base.

_____ _____

Signature Witness/Employee

_____ _____

Printed Name Phone

_____ _____

Address Date

Data Requested: _____

Payment (refer to Fee Schedule): Ck. #_____ Cash: _____ Amt: _____

Town of Exeter	Policy Number	Adopted by
Subject: **Performance & Maintenance Guarantees**	Adoption Date: **3/25/92** Revision Date: Effective Date: **3/25/92**	Supersedes:

1.0 Purpose of the Policy:

The purpose of this policy is to establish a uniform method of performance guarantees for contracts and work performed for the Town and maintenance guarantees to ensure work and/or projects accepted by the Town meet specifications.

2.0 Departments Affected:

All Departments

3.0 Definitions:

4.0 Policy:

1. Requirements

The Town of Exeter requires independent contractors, vendors and developers to furnish warranty and performance Letters of Credit or other suitable guarantees, for certain work performed on Town property, building and equipment, as well as public improvements on property conveyed to the Town.

2. Amount/Duration

The Irrevocable Letter of Credit or bond for (a) performance shall be for the contract amount and term shall be for the length of the contract; (b) maintenance shall be for 15% of the cost of the contract and term shall be for the full two (2) year period beginning on the date of the Selectmen's acceptance.

3. Form

The Irrevocable Letter of Credit must be in a form approved by the Town (see attached).

4. Retainer

   The Town reserves a right to extend the time duration of the Letter of Credit to ensure adequate monetary coverage for the Town.

5. Waiver

   The Board of Selectmen may waive any provisions of this section.

5.0 Procedures:

6.0 Severability:

To the extent this policy is in conflict with State law, State law will prevail.

Town of Exeter	Policy Number **96-05**	Adopted by **Board of Selectmen**
Subject: **Vendor/ Contractor Insurance**	Adoption Date: Revision Date: Effective Date:	Supersedes:

1.0 Purpose of the Policy:

The purpose of the regulation is to establish a uniform policy to protect the Town and its contractors in the event of accident, injury or other unforeseeable disaster associated with contracted services for the Town.

2.0 Departments Affected:

All Departments

3.0 Definitions:

4.0 Policy:

1. The Town of Exeter requires independent contractors performing work for the Town to provide insurance coverage in the amounts specified for the period of the contract. Certificates of Insurance showing proof of coverage shall be furnished by the contractor prior to the beginning of the project.

2. Liability Coverage:
   a. General Liability $500,000 Combined Single Limit Comprehensive Form, Broad Form Property Damage.
   b. Independent Contractors' Insurance, Product/Completed Operations Insurance.
   c. If work involves the following, appropriate coverage is necessary: Explosion, collapse, underground.

3. Vehicle Insurance:
   a. $500,000 Combined Single Limit, Comprehensive Form, Owned, Hired/Non-Owned.

4. Worker Compensation:
   a. Statutory Limits, Employer Liability $500,000.

b. For sole owner/operators, it is understood that Workers Compensation insurance is not mandatory per State Statutes. For those without coverage, the attached certificates must be completed prior to commencement of work.

5. Additional Coverage: If a particularly hazardous contract prevails, additional coverage, at the expense of the contractor, may be required.

6 Insurance Period: Coverage shall be effective for the entire period of the contract. Renewal policies must be delivered to the Town Manager's office immediately upon the date of the issuance. Failure to have adequate insurance shall be reason to cancel any contract and order the closing of any job.

7. Waiver: Any conditions of this policy may be waived by the Board of Selectmen if it carries the endorsement of the Town's Insurance Carrier.

5.0 Procedures:

6.0 Severability:

To the extent this policy is in conflict with State law, State law will prevail.

Town of Exeter	Policy Number	Adopted by
Subject: **Placing Flag at Half Staff**	Adoption Date: **8/15/05** Revision Date: Effective Date: **8/22/05**	Supersedes:

1.0 Purpose of the Policy:

The purpose of this procedure is to establish a uniform method for when and how to lower the U.S. Flag to half-staff.

2.0 Departments Affected:

All Departments

3.0 Definitions:

4.0 Policy:

When to lower the flag to half-staff:

- On Memorial Day, the flag should be displayed at half-staff until noon only, and then raised to the top of the staff.
- On the death of principal figures, government, other officials and other situations considered proper. (see attached listing)
- On Peace Officers Memorial Day, unless that day is also Armed Forces Day.

Upon the order of:

- By order of the President in the event of death of principal figures of the U.S. Government, Governor of a State, territory or possession.
- By order of the President in the event of death of other officials or foreign dignitaries per instructions or in accordance with recognized customs or practices.
- By order of the Governor in the event of death of a present or former official of State Government.

- By order of the Board of Selectmen of Exeter, for all municipal buildings and grounds under their jurisdiction, on occasions other than those specified which they consider proper.

5.0 Procedures:

Proper procedure for lowering:

- Flag should first be hoisted to the peak for an instant and then lowered to the half-staff position. The flag should again be raised to the peak before it is lowered for the day.

PROPER HALF STAFF DISPLAY OF THE FLAG OF THE UNITED STATES

ON DEATH OF:	**FLAG DISPLAYED HALF STAFF:**
President or Former President	For 30 days from date of death
Vice President; Chief Justice or Retired Chief Justice of U.S; Speaker of the House of Rep.	For 10 days from date of death
Association Justice of Supreme Court; Cabinet Member; Former Vice President; President of Senate; Majority Leader of House; Minority Leader of House.	From day of death until interment
U.S. Senator from New Hampshire U. S. Representative from New Hampshire representing Exeter.	From day of death until interment
Governor of New Hampshire	From day of death until interment
Prominent Local Citizen – to be determined by the Board of Selectmen	From day of death until interment
Any Police Officer or Firefighter killed in the line of duty.	From day of death until interment

Town of Exeter	Policy Number: **ADM-01**	Adopted by: Board of Selectmen
Subject: **Records Requests**	Adoption Date: **July 21, 2008** Revision Date: N/A Effective Date: **July 28, 2008**	Supersedes: None (New Policy)

1.0 Purpose of the Policy:

The purpose of this policy is to create a standard method of processing records requests under the Right-to Know Law, RSA 91-a.

2.0 Departments Affected: All Departments, Boards, Committees and Commissions.

3.0 Definitions:

4.0 Policy:

It is the policy of the Town to grant access to public records in accordance with RSA 91-A. Minutes and records available for public inspection are described in RSA 91-A:4. Exemptions are described in RSA 91-A:5.

5.0 Procedures:

Public bodies and agencies shall upon request for any public record reasonably described, make available for inspection and copying any such public record within its files when such records are immediately available for such release. If the body or agency cannot make the record available for immediate release, it shall within 5 (five) business days of the request, make such record available, deny the request in writing with reasons, or furnish written acknowledgement of the receipt of the request and a statement of the time reasonably necessary to determine whether the request shall be granted or denied. If a Town agency makes the copies on a Town photocopier than the applicant shall be charged the cost of making the copy found in the Town's fee schedule.

6.0 Severability:

To the extent that any provisions of this policy conflict with NH Law, then State law shall prevail.

Town of Exeter	Policy Number **2010-3**	Adopted by **Board of Selectmen**
Subject: **Vehicle Use**	Adoption Date: 7/19/10 Revision Date: Effective Date: 7/19/10	Supersedes: **SOP F05-03 and any other relevant policy or procedure.**

1.0 Purpose of the Policy:

The purpose of this policy is to set forth the guidelines for reimbursement or compensation for employee use of personal vehicles; the guidelines under which Town vehicles will be authorized to Town personnel; and the guidelines under which Town vehicles may be used.

2.0 Departments Affected:

The provisions of this policy which relate to expense reimbursement apply to all employees in Town service. The entire policy applies to all General Government employees.

3.0 Definitions:

Automobile Allowance – that amount approved by the Town Manager with approval of the Board of Selectmen to compensate an employee for regular and routine use of a personal automobile. Automobile allowance is considered to be a salary item and, as such, is subject to taxation.

Expense Reimbursement – that payment for approved expenses relating to personal automobile use upon receipt of written documentation. Expense reimbursement is not considered to be a salary item.

Municipal Vehicle – those automobiles, trucks, vans, or other self-propelled equipment owned, rented, or leased by the Town of Exeter and licensed for travel on a public way.

Personal Automobile – that automobile owned or available for private use by the employee.

4.0 Policy:

A. Municipal Vehicles

It is the policy of the Town of Exeter that certain positions require employee access to municipal vehicles, either during the work shift or on a 24 hour on-call basis. Town vehicles are not personal vehicles and are not for personal use. Town vehicles should be viewed as belonging to the citizens of Exeter and are assigned solely for purposes consistent with providing services to those citizens.

B. Expense Reimbursement

It is the policy of the Town of Exeter to reimburse employees for reasonable expenses which they incur as a result of personal automobile use on behalf of the Town. Receipts and the Personal

Automobile Travel Expense Report must be submitted in order for an employee to be reimbursed for such expenses.

C. Automobile Allowance

It is the policy of the Town of Exeter that in event that an employee is required to use his or her personal automobile extensively on a year-round basis, and that employee has not been assigned a municipal vehicle, the Board of Selectmen (for represented employees) may authorize the payment of an automobile allowance may authorize the payment of an automobile allowance. Such stipend may be rescinded with 90 days' notice, and will not be paid in combination with personal automobile expense reimbursement unless authorized by the Town Manager.

5.0 Procedures:

A. Expense Reimbursement – Personal Vehicles

1. Expense Reimbursement is intended for travel outside the Town of Exeter. Employees will not be reimbursed for personal automobile use within the Town of Exeter without advance approval of the Town Manager. The Town Manager shall furnish at the request of the Board of Selectmen from time to time a list of positions approved for reimbursement under this section.

2. When an employee is authorized to use a personal automobile for work-related travel, he or she shall be reimbursed at a rate established by the Board of Selectmen upon the recommendation of the Finance Director.

3. The mileage rate is intended to include the costs of gasoline, repairs, insurance, and general wear and tear on the automobile.

4. In addition to the mileage rate, the Town will reimburse employees authorized to travel outside of Exeter, driving personal or municipal vehicles, for tolls and reasonable parking expenses, when receipts are provided. Employees receiving automobile allowances will not be reimbursed for tolls but may be reimbursed for reasonable parking expenses. Employees will not be reimbursed for tolls which would normally be paid by the employee during his or her normal commute to work.

5. The Town retains the right to require employees who are reimbursed for work related travel, or who receive an automobile allowance, to show proof of the following minimum levels of insurance coverage:

    a. Bodily Injury: $100,000/$300,000

    b. Property Damage $25,000

6. An employee who uses his or her personal automobile to travel from home to a temporary assignment, rather than his or her regularly assigned work location shall be allowed personal automobile expenses between home and the temporary assignment, or between the temporary assignment and the regular work location, whichever is less.

7. Employees will not be reimbursed for commuting between their homes and offices or other regular work locations.

8. In order to be reimbursed for personal automobile use, employees must complete the Personal Automobile Travel Expense Form. This form should be submitted to the department manager for approval prior to submission to the Finance Director for payment.

9. Automobile Accidents – In the event that an employee's personal vehicle is damaged during an approved, work-related trip, and the damage is not due to the gross negligence of the employee, the Town will reimburse the employee, upon receipt of verification of payment of a deductible (comprehensive or collision) to cover part of the cost of repair, up to a maximum of $250 or the amount of the deductible, whichever is less, per occurrence.

B. Assignment of Municipal Vehicles

The assignment of municipal vehicles during work time is based upon job description. Municipal vehicles available for this purpose will be assigned in a manner consistent with departmental workload and employee function. The assignment of vehicles may be rescinded at any time by the Town Manager or department manager. This list of assigned vehicles will be maintained by Human Resources.

Assigned and take home vehicles shall not be used on a part-time job or driven to and from a part-time job not associated with the Town organization.

An employee who operates an assigned vehicle or a private vehicle for Town business must have the appropriate valid driver's license, a current state safety inspection sticker and current license plates for the vehicle.

C. Assignment of Municipal Vehicles for 24 Hour Use (Vehicle Use Approved for Commuting Purposes).

1. The assignment of vehicles for 24-hour use will be made in writing by the Town Manager, and will only be considered for employees who require a vehicle for the ordinary and necessary discharge of their job functions. Criteria which will be used in the determination of eligibility for 24-hour vehicle use include:

- Officially designated on-call status;
- Requirement for frequent emergency availability;
- Issuance of a pager or other communication device;
- Emergency or other equipment pertinent to the position contained in the vehicle; and/or
- No Town facility is available for garaging in a safe and convenient location.

Such assignment may be rescinded in writing at any time by the Town Manager.

2. Vehicle use is limited to travel to and from the residence and place of work. Town vehicle shall not be used for private or personal business, except for incidental stops during travel to and from

the work space. The vehicle should be driven over the most direct route taking into account road and traffic conditions.

3. Whenever a position becomes vacant, the authorization for 24 hour use shall be reevaluated. From time to time and upon request, the assigned vehicle and take home vehicle listing will be provided to the Board of Selectmen. The Human Resources Department is charged with maintaining the most current listing.

4. Employees assigned vehicles for 24-hour use involving a commute of more than 25 miles one way shall reimburse the Town for the additional fuel cost as determined by the Finance Director.

5. Employees assigned municipal vehicles on a 24-hour basis will be given a copy of this policy and will be required to sign a confirmation of receipt. Human Resources will maintain an electronic listing of employees assigned take home vehicles by department. Human Resources will update the list and forward it to Finance in early December to insure the appropriate amount is deducted from each employee's paycheck in accordance with IRS requirements. The determination of this taxable benefit is made by Finance based on the rules set forth by the IRS in Publication 15-B, Employer's Tax Guide to Fringe Benefits.

6. Imputed Income Taxation

    a. Employees who are assigned marked and unmarked police vehicles, and/or marked municipal vehicles carrying tools and meeting certain other eligibility criteria will not be subject to imputed income taxation as a result of the vehicle assignment.

    b. Other employees authorized to commute in a Town vehicle may be subject to imputed income regulations as set forth by the Internal Revenue Service, which considers a certain portion of the vehicle use (namely the commute) to be income for the purposes of income taxation. The Finance Department shall be responsible for determining any tax liability and will be provided with the names of all employees authorized to use Town vehicles for commuting purposes, and the normal, one-way commuting distance, each December 1st.

D. <u>General Rules Governing Municipal Vehicle Use</u>

1. Municipal vehicles may only be used for legitimate municipal business.

2. Municipal vehicles will not be used to transport any individual who is not directly or indirectly related to municipal business. Passengers shall be limited to Town employees and individuals who are directly associated with Town work activity (committee members, consultants, contractors, etc.). Family members shall not be transported in Town vehicles.

3. Vehicles should contain only those items for which the vehicle is designed. The Town shall not be liable for the loss or damage of any personal property transported in the vehicle.

4. Employees are expected to keep municipal vehicles clean, and to report any malfunction or damage to their supervisors immediately.

5. Employees assigned vehicles for commuting purposes are expected to park such vehicles in safe locations.

6. Employees must wear seatbelts in vehicles so equipped during operation of the vehicle.

7. Employees may not operate municipal vehicles under the influence of alcohol, illegal drugs, or prescription drugs or medications which may interfere with effective and safe operation.

8. Employees who operate municipal vehicles must have a valid motor vehicle license issued by the state of their current residence and may be required to provide proof of valid motor vehicle license once every six (6) months.

9. Employees driving municipal vehicles shall obey all applicable traffic and parking regulations, ordinances, and laws.

    a. Employees who incur parking or other fines in municipal vehicles will generally be personally responsible for payment of such fines unless the payment of such fines by the Town is approved by the Town Manager.

    b. Employees who are issued citations for any offense while using a municipal vehicle must notify their supervisor immediately when practicable, but in no case later than 24 hours. Failure to provide such notice will be grounds for disciplinary action.

    c. An employee who is assigned a municipal vehicle and who is arrested for or charged with a motor vehicle offense for which the punishment includes suspension or revocation of the motor vehicle license, whether in his or her personal vehicle or in a municipal vehicle, must notify his or her supervisor immediately when practicable, but in no case later than 24 hours. Conviction for such an offense may be grounds for loss of municipal vehicle privileges and/or further disciplinary action.

10. No employee may use a municipal vehicle for out-of-state use without advance approval of the Town Manager.

E. <u>Special Circumstances</u>

This policy is intended to provide a basic framework governing the use of personal and municipal vehicles in the Town of Exeter, and, as such, cannot contain procedures governing every situation that might arise. Employees seeking clarification of or exemption from the provisions of this policy should contact the Town Manager who will provide such clarification and may authorize exceptions to the policy under mitigating circumstances.

6.0 Failure to Comply:

Failure to comply with any and all provisions of this policy may result in disciplinary action up to and including removal of Town vehicle privileges, suspension, and/or termination from Town service.

7.0 All previously adopted procedures with respect to the subjects described above are hereby repealed.

Town of Exeter, New Hampshire
Human Services/ Welfare Guidelines

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I. Definitions

AGENCY: Any health, social service or other entity that provides services to a client; any such entity to which a welfare official may refer a client for additional resources and/or assistance.

APPLICANT: A person who expresses a desire to receive general assistance or to have his/her eligibility reviewed and whose application has not been withdrawn. This may be expressed either in person or by an authorized representative of the applicant.

APPLICATION (RE-APPLICATION): Written action by which a person requests assistance from a welfare official. This application must be made on a form provided by the welfare official. The application form may be written or completed electronically by means of an interview conducted by a welfare official and verified by the applicant's signature.

ASSETS: All cash, real property, personal property and future assets owned by the applicant.

AVAILABLE LIQUID ASSETS: Amount of liquid assets after exclusions enumerated in Section IX (D). Includes cash on hand, checking accounts, bank deposits, credit union accounts, stocks, bonds, and securities. IRA (Individual Retirement Account), 401k accounts, insurance policies with a loan value, and non-essential personal property shall be considered as available liquid assets when they have been converted into cash.

CASE RECORD: Official files containing forms, correspondence and narrative records pertaining to the application, including determination of eligibility, reasons for decisions and actions by the welfare official, and kinds of assistance given. The case record may be kept electronically. A hard copy of all signed documents should be kept.

CLAIMANT: A recipient or applicant who has requested, either in person or through an authorized representative, a fair hearing under Section XIV of these guidelines.

CLIENT: An individual who receives services from the welfare department. May be a single person or encompass a family.

ELIGIBILITY: Determination by a welfare official, in accordance with the guidelines, of an applicant's need for general assistance under the formula provided in Section IX.

FAIR HEARING: A hearing which the applicant or recipient may request to contest a denial, termination or reduction of assistance. The standards for such a hearing are in Section XIV.

GENERAL ASSISTANCE: Financial assistance provided to applicants in accordance with RSA 165 and these guidelines.

HOUSEHOLD: A household is defined as:

The applicant/recipient and persons residing with the applicant/recipient in the relationship of father, mother, stepfather, stepmother, son, daughter, husband, wife, or domestic partner; and/or

The applicant/recipient and any adult (including an unrelated person) who resides with the applicant/ recipient "in loco parentis" (in the role of a substitute parent) to a minor child (a person under 18 years of age). A person "in loco parentis" is one who intentionally accepts the rights and duties of a natural parent with respect to a child not their own and who has lived with the child long enough to form a "psychological family."

MINOR: A person under 18 years of age.

NEED: The basic maintenance and support requirements of an applicant, as determined by a welfare official under the standards of Section IX (E) of these guidelines.

RECIPIENT: A person who is receiving general assistance.

"RELIEVE AND MAINTAIN": The sustaining of basic needs necessary to the health and welfare of the household. The intent is to provide for the basic needs to support and maintain health and life.

RESIDENCE: Residence or residency shall mean an applicant's place of abode or domicile. The place of abode or domicile is that place designated by an applicant as their principal place of physical presence for the indefinite future to the exclusion of all others. Such residence or residency shall not be interrupted or lost by a temporary absence from it, if there is intent to return to such residence or residency as the principal place of physical presence. RSA 165:1 (I); 21:6-a.

RESIDENTIAL UNIT: All persons physically residing with the applicant, including persons in the applicant's household and those not within the household.

SHELTER: A temporary housing provider through which an individual or family may seek emergency housing until permanent housing can be found.

UTILITY: Any service such as electric, gas, oil, water or sewer necessary to maintain the health and welfare of the household.

VENDOR/PROVIDER: Any landlord, utility company, store or other business which provides goods or services needed by the applicant/recipient.

VOUCHER SYSTEM: The system whereby a municipality issues vouchers to the recipient's vendors and providers rather than cash to the recipient. RSA 165:1(III). See Section VIII.

WELFARE OFFICIAL: The official of the municipality, or designee, who performs the function of administering general assistance. Such person has the authority to make all decisions regarding the granting of assistance under RSA 165, subject to the overall fiscal responsibility vested in selectmen, board of aldermen, city or town manager, or city or town council. The term includes "overseers of public welfare" (RSA 165:1; 41:46) and "administrator of town or city welfare" RSA 165:2.

WORKFARE: Labor performed by welfare recipients at municipal sites or human service agencies as reimbursement for benefits received. RSA 165:31.

II. Severability

If any provision of these guidelines is held at law to be invalid or inapplicable to any person or circumstances, the remaining provisions will continue in full force and effect.

III. Confidentiality of Information

Information given by or about an applicant or recipient of general assistance is confidential and privileged, and is not a public record under the provisions of RSA 91-A. Such information will not be published, released, or discussed with any individual or agency without written permission of the applicant or recipient except when disclosure is required by law, or when necessary to carry out the purposes of RSA 165. RSA 165:2-c.

IV. Roles of Local Governing Body and Welfare Official

The responsibility of the day-to-day administration of the general assistance program should be vested in the elected or appointed welfare official. The welfare official shall administer the general assistance program in accordance with the written guidelines of the municipality. The local governing body (selectmen, board of aldermen, or town or city council) is responsible for the adoption of the guidelines relative to general assistance. RSA 165:1 (II).

V. Maintenance of Records

A. Legal Requirement

Each welfare official is required by law to keep complete paper and/or electronic records concerning the number of applicants given assistance and the cost for such support. Separate case records shall be established for each individual or family applying for general assistance. The purposes for keeping such records are:

1. To provide a valid basis of accounting for expenditure of the municipality's funds;
2. To support decisions concerning the applicant's eligibility;
3. To assure availability of information if the applicant or recipient seeks administrative or judicial review of the welfare official's decision;
4. To provide the welfare official with accurate statistical information; and
5. To provide a complete history of an applicant's needs and assistance that might aid the welfare official in ongoing case management and in referring the applicant to appropriate agencies.

B. Case Records

The welfare official shall maintain case records containing the following information:

1. The complete application including any authorizations signed by the applicant allowing the welfare official to obtain or verify any pertinent information in the course of assisting the recipient, to include a signed Authorization to Release Information from the New Hampshire Division of Health and Human Services.

2. Written grounds for approval or denial of an application, contained in a notice of decision.

3. A narrative history recording need for assistance, the results of investigations of applicants' circumstances, referrals, changes in status, etc.

4. A tally sheet, which has complete data concerning the type, amount and dates of assistance given; which may be kept on paper or electronically.

VI. Application Process

A. Right to Apply

1. Anyone may apply for general assistance by appearing in person or through an authorized representative and by completing a written or electronic application form. If more than one adult resides in a household, each may be required to appear at the welfare office to apply for assistance, unless one is working or otherwise reasonably unavailable. Unrelated adults in the applicant's residential unit may be required to apply separately if they do not meet the definition of household as defined in these guidelines. Each adult in the household may be requested to sign release of information forms.

2. The welfare official shall not be required to accept an application for general assistance from a recipient who is subject to a suspension pursuant to Section XIII(C) of these guidelines (RSA 165:1-b,VI); provided that any applicant who contests a determination of continuing noncompliance with the guidelines may request a fair hearing as provided in Section XIII(C)(7); and provided further that a recipient who has been suspended for at least six months due to noncompliance may file a new application.

B. Welfare Official's Responsibilities at Time of Application

When an application is made for general assistance, the welfare official shall inform the applicant of:

1. The requirements of submitting an application. The welfare official shall provide assistance to the applicant in completing the application, if necessary (e.g., applicant is physically or mentally unable, or has a language barrier);

2. Eligibility requirements, including a general description of the guideline amounts and the eligibility formula;

3. The applicant's right to a fair hearing, and the manner in which a review may be obtained;

4. The applicant's responsibility for reporting all facts necessary to determine eligibility, and for presenting records and documents as requested and as reasonably available to support statements;

5. The joint responsibility of the welfare official and applicant for exploring facts concerning eligibility, needs and resources;

6. The kinds of verifications needed;

7. The fact that an investigation will be conducted in order to verify facts and statements presented by the applicant;

8. The applicant's responsibility to notify the welfare official of any change in circumstances that may affect eligibility;

9. Other forms of assistance for which the applicant may be eligible;

10. The availability of the welfare official to make home visits by mutually-agreed appointment to take applications and to conduct ongoing case management for applicants who cannot leave their homes;

11. The requirement of placing a lien on any real property owned by the recipient, or any civil judgments or property settlements, for any assistance given, except for good cause;

12. The fact that reimbursement from the recipient will be sought if he/she becomes able to repay the amount of assistance given; and

13. The applicant's right to review the guidelines.

14. It is not the Welfare Official's responsibility to recruit or solicit applications from residents.

C. Responsibility of Each Applicant and Recipient

At the time of initial application, and at all times thereafter, the applicant/recipient has the following responsibilities:

1. To provide accurate, complete and current information concerning needs and resources and the whereabouts and circumstances of relatives who may be responsible under RSA 165:19;

2. To notify the welfare official promptly when there is a change in needs, resources, address or household size;

3. To apply for other assistance they may be entitled to receive **immediately at private charities, state and federal human service programs-**, no later than 7 days from completing their initial application

for Town Welfare, and accept any benefits or resources, public or private, that will reduce or eliminate the need for general assistance. RSA 165:1-b, I (d);

4. To keep all appointments as scheduled. To speak respectively with the welfare official, the welfare official will not conduct an interview or meet with a client who presents as intoxicated, incoherent or who is verbally abusive to the welfare official.

5. To provide records and other pertinent information and access to said records and information when requested;

6. To provide a doctor's statement if claiming an inability to work due to medical problems;

7. Following a determination of eligibility for assistance, to diligently search for employment and provide verification of work search (the number of work search contacts to be determined by the welfare official), to accept employment when offered (except for documented reasons of good cause (RSA 165:1-d)), and to maintain such employment. RSA 165:1-b, I (c);

8. Following a determination of eligibility for assistance, to participate in the workfare program (workfare) if physically and mentally able. RSA 165:1-b, I (b); and

9. To reimburse assistance granted if returned to an income status and if such reimbursement can be made without financial hardship. RSA 165:20-b.

10. To work toward economic sufficiency. Applicant commits to spending all income on basic needs. Basic needs are defined are those that support life and maintain health first.

11. Applicant strives to pursue economic self-sufficiency and eliminate dependence on Town Welfare.

An applicant shall be denied assistance if he/she fails to fulfill any of these responsibilities without reasonable justification. A recipient's assistance may be terminated or suspended for failure to fulfill any of these responsibilities without reasonable justification, in accordance with Section XIII(C).

Any recipient may be denied or terminated from general assistance, in accordance with Section XIII, or may be prosecuted for a criminal offense, if he/she, by means of intentionally providing false statements or intentional misrepresentation, or by impersonation or other willfully fraudulent act or device, obtains or attempts to obtain any assistance to which he/she is not entitled.

D. Actions on Applications

1. **Decision.** Unless an application is withdrawn, the welfare official shall make a decision concerning the applicant's eligibility immediately in the case of emergency, or within five working days after submission of the application. A written notice of decision shall be given in hand, delivered or mailed on the same day or next working day following the making of the decision. The notice of decision shall state that assistance of a specific kind and amount has been given and the time period of aid, or that the application has been denied, in whole or in part, with reasons for denial. A decision may also

be made to append an application subject to receipt of specified information from the applicant. The notice of decision shall contain a first notice of conditions for continued assistance and shall notify the applicant of his/her right to a fair hearing if dissatisfied with the welfare official's decision. RSA 165:1-b, II, III.

2. **Emergency Assistance.** If, at the time of initial contact, the applicant demonstrates and verifies that an immediate need exists, **because of which the applicant may suffer a loss of a basic necessity of living or imminent threat to life or health (such as loss of shelter, utilities, heat, or lack of food or prescriptions**), then temporary aid to fill such immediate need shall be given immediately, pending a decision on the application. Such emergency assistance shall not obligate the welfare official to provide further assistance after the application process is completed.

3. **Temporary Assistance.** In circumstances where required records are not available, the welfare official may give temporary approval of an application pending receipt of required documents. Temporary status shall not extend beyond two weeks. The welfare official shall not insist on documentary verification if such records are totally unavailable.

4. **Withdrawn Applications.** An application shall be considered withdrawn if:

   a. The applicant has refused to complete an application or has refused to make a good faith effort to provide required verifications and sufficient information for the completion of an application. If an application is deemed withdrawn for these reasons, the welfare official shall so notify the applicant in a written notice of decision;

   b. The applicant dies before assistance is rendered;

   c. The applicant avails him/herself of other resources to meet the need in place of assistance;

   d. The applicant requests that the application be withdrawn (preferably in writing); or

   e. The applicant does not contact the welfare official after the initial interview after being requested to do so.

E. Home Visits

A home visit may be made by appointment at the request of any applicant, only when it is impossible for the applicant or their representative to apply in person.

The home visit shall be conducted in such a manner as to preserve, to the greatest extent possible, the privacy and dignity of the applicant. To this end, the person conducting the visit shall not be in uniform or travel in a law enforcement vehicle, shall be polite and courteous, and shall not knowingly discuss or mention the application within the listening area of someone who is not a member of the household.

VII. Verification of Information

Any determination or investigation of need or eligibility shall be conducted in a manner that will not violate the privacy or personal dignity of the individual or harass or violate his or her individual rights.

A. Required Verifications

Verification will normally be required of the following:

1. Applicant's address;
2. Facts relevant to the applicant's residence, as set forth in sections IX (B) and X;
3. Names of persons in applicant's residential unit;
4. Applicant's and household's income and assets;
5. Applicant's and households financial obligations;
6. The physical and mental condition of household members, only where relevant to their receipt of assistance, such as ability to work, determination of needs, or referrals to other forms of assistance;
7. Any special circumstances claimed by applicant;
8. Applicant's employment status and availability in the labor market;
9. Names, addresses, and employment status of potentially liable relatives;
10. Utility costs;
11. Housing costs;
12. Prescription costs; and
13. Any other costs that the applicant wishes to claim as a necessity. If a medical disability claim is made it must validated by a state licensed medical doctor.

B. Verification Records

Verification may be made through records provided by the applicant (for example, birth and marriage certificates, pay stubs, pay checks, rent receipts, bankbooks, etc.) as primary sources. The failure of the applicant to bring such records does not affect the welfare official's responsibility to process the application promptly. The welfare official shall inform the applicant what records are necessary, and the applicant is required to produce records possessed as soon as possible. However, the welfare official shall not insist on documentary verification if such records are not available, but should ask the applicant to suggest alternative means of verification.

C. Other Sources of Verification

Verification may also be made through other sources, such as relatives, employers, former employers, banks, school personnel, and social or government agencies. The cashier of a national bank or a treasurer of a savings and trust company is authorized by law to furnish information regarding amounts deposited to the credit of an applicant or recipient. RSA 165:4.

D. Written Consent of Applicant

When information is sought from such other sources, the welfare official shall explain to the applicant or recipient what information is desired, how it will be used, and the necessity of obtaining it in order to establish eligibility. Before contact is made with any other source, the welfare official shall obtain written consent of the applicant or recipient, unless the welfare official has reasonable grounds to suspect fraud. In the case of suspected fraud, the welfare official shall carefully record his/her reasons and actions, and before any accusation or confrontation is made, the applicant shall be given an opportunity to explain or clarify the suspicious circumstances.

E. Legally Liable Relatives

The welfare official may seek statements from the applicant's legally liable relatives regarding their ability to help support the applicant. RSA-165:19

F. Refusal to Verify Information

Should the applicant or recipient refuse comment and/or indicate an unwillingness to have the welfare official seek further information that is necessary, assistance may be denied for lack of eligibility verification/ noncompliance.

VIII. Disbursements

The municipality pays in a voucher system. RSA 165:1 (III). Vouchers are payable directly to the vendors (utilities, landlords, stores, etc.) involved.

The amount shown on the voucher is the maximum amount to be used for payment. In accordance with the municipality's accounting practices, a recipient may be required to sign the voucher to insure proper usage. The vendor returns the voucher with the required documentation, for payment, to the welfare official. After the initial transaction, if there is any unspent money, the voucher shall be returned to the municipality for payment of the actual amount listed on an itemized bill or register tape. Vouchers altered by the recipient or vendor may not be honored.

IX. Determination of Eligibility and Amount

A. Eligibility Formula

An applicant is eligible to receive assistance when:

1. He/she meets the non-financial eligibility factors listed in Section C below; and

2. The applicant's basic maintenance need, as determined under Section E below, exceeds his/her available income (Section F below) plus available liquid assets (Section D below). If available income and available liquid assets exceed the basic maintenance need (as determined by the guideline amounts), the applicant is not eligible for general assistance. If the need exceeds the available income/ assets, the amount of assistance granted to the applicant shall be the difference between the two amounts, in the absence of circumstances deemed by the welfare official to justify an exception.

B. Legal Standard and Interpretation

"Whenever a person in any town is poor and unable to support himself he shall be relieved and maintained by the overseers of public welfare of such town, whether or not he has residence there." RSA 165:1.

1. An applicant cannot be denied assistance because he/she is not a resident. See Section X.

2. "Whenever" means at any or whatever time that person is poor and unable to support him or herself.

- **a.** The welfare official, or a person authorized to act on his/her behalf, shall provide during normal business hours the means to apply for general assistance/relief. Town Welfare Applications will be available during normal operating hours of the Town Hall.

- **b.** The eligibility of any applicant for general assistance shall be determined no later than five (5) working days after the application is completed. If the applicant has an emergency need, then assistance for such emergency need shall be immediately provided in accordance with Section VI (D) (1), (2).

- **c.** Assistance shall begin as soon as the applicant is determined to be eligible.

3. "Poor and unable to support" means that an individual lacks income and available liquid assets to adequately provide for the basic maintenance needs of him/herself or family as determined by the guidelines.

4. "Relieved" means an applicant shall be assisted to meet those basic needs.

C. Non-Financial Eligibility Factors

1. **Age.** General assistance cannot be denied any applicant because of the applicant's age; age is not a factor in determining whether or not an applicant may receive general assistance. Minor children are assumed to be the responsibility of their parent(s) or legal guardian(s), unless circumstances warrant otherwise.

2. **Support Actions.** No applicant or recipient shall be compelled, as a condition of eligibility or continued receipt of assistance, to take any legal action against any other person. The municipality may pursue recovery against legally liable persons or governmental units. See Section XVI.

3. **Eligibility for Other Categorical Assistance.** Recipients who are, or may be, eligible for any other form of public assistance must apply for such assistance immediately, but no later than seven days after being advised to do so by the welfare official. Failure to do so may render the recipient ineligible for assistance and subject to action pursuant to Section XIII of these guidelines. No person receiving Old Age Assistance (OAA) or Aid to the Permanently and Totally Disabled (APTD) **CASH or monetary recipients only**, under RSA 167 or 161, shall at the same time be eligible for general assistance, except for emergency medical assistance as defined in Section IX (E)(8)(a) of these guidelines. RSA 167:27.

4. **Employment.** An applicant who is gainfully employed, but whose income and assets are not sufficient to meet necessary household expenses, may be eligible to receive general assistance. However, recipients who without good cause refuse a job offer or referral to suitable employment, participation in the workfare program, or who voluntarily leave a job without good cause may be ineligible for continuing general assistance in accordance with the procedures for suspension outlined in the guidelines. The welfare official shall first determine whether there is good cause for such refusal, taking into account the ability and physical and mental capacity of the applicant, transportation problems, working conditions that might involve risks to health or safety, lack of adequate child care, or any other factors that might make refusing a job reasonable. These employment requirements shall extend to all adult members of the household.

5. **Registration with the New Hampshire Department of Employment Security (NHES) and Work Search Requirements.** All unemployed recipients and adult members of their households shall, within seven days after having been granted assistance, register with NHES to find work and must conduct a reasonable, verified job search as determined by the welfare official which includes **5 verifiable jobs searches a day**. Each recipient must apply for employment to each employer to whom he/she is referred by the welfare official and actively seek out other sources of employment. These work search requirements apply unless the recipient and each other adult member of the household are:

    a. Gainfully employed full-time;

    b. A dependent 18 or under who is regularly attending secondary school;

c. Unable to work due to illness or mental or physical disability of him/herself or another member of the household, that prevents them from working as verified by a medical doctor in writing to the welfare official;

d. Is solely responsible for the care of a child under the age of five. RSA 165:31, III. A recipient responsible for the care of a child aged five to twelve shall not be excused from work search requirements, but shall be deemed to have good cause to refuse a job requiring work during hours the child is not usually in school, if there is no responsible person available to provide care, and it is verified by the welfare official that no other care is available. **The parent of this young child shall be required to apply for state subsidized child care within 7 days in-order to secure meaningful employment.**

The welfare official shall give all necessary and reasonable assistance to ensure compliance with registration and work requirements, including the granting of allowances for transportation and work clothes. Failure of a recipient to comply with these requirements without good cause will be reason for denial of assistance.

6. Students. Applicants who are college students not available for or refusing to seek full-time employment are not eligible for general assistance.

7. Non-Citizens. The welfare officer may, in his/her sole discretion, provide limited assistance to non-citizens not otherwise eligible for general assistance.

a. A non-citizen who is not:

A qualified alien under 8 USCA 1641,
A non-immigrant under the federal Immigration and Nationality Act, or
An alien paroled into the United States for less than one year under 8 USCA 1182(d) (5)
is not eligible for general assistance from the municipality. 8 USCA 1621(a).

b. Qualified aliens include aliens who are lawfully admitted for permanent residence under the Immigration and Nationality Act (8 USCA 1101 et seq.), aliens who are granted asylum under that act, certain refugees, and certain battered aliens. 8 USCA 1641.

c. A non-citizen who is not eligible for general assistance may be eligible for state assistance with health care items and services that are necessary for the treatment of an emergency medical condition, which is defined as a medical condition (including emergency labor and delivery) manifesting itself by acute symptoms of sufficient severity (including severe pain) such that the absence of immediate medical attention could reasonably be expected to result in:

Placing the patient's health in serious jeopardy;
Serious impairment to bodily functions; or
Serious dysfunction of any bodily organ or part. 8 USCA 1621(b) and 42 USCA 1396 (v) (3).

d. A non-citizen may also be eligible for general assistance for treatment of an emergency medical condition, pursuant to Section IX (E) (8) (a) of these guidelines.

e. Non-citizen applicants for general assistance may be required to provide proof of eligibility. 8 USCA 1625.

8. Property Transfers. No applicant who is otherwise eligible shall receive such assistance if he/she has made an assignment, transfer, or conveyance of property for the purpose of rendering him/herself eligible for assistance within three years immediately preceding his/her application. RSA 165:2-b.

9. Employment of Household Members. The employment requirements of these guidelines, or participation in the workfare program, shall be required for all adults aged 18 to 65 years residing in the same household, except those regularly attending secondary school or employed on a full-time basis, who are:

a. Members of the recipient's household;

b. Legally liable to contribute to the support of the recipient and/or children of the household; and

c. Not prevented from maintaining employment and contributing to the support of the household by reason of physical or mental disability or other justifiable cause as verified by the welfare official.

The welfare official may waive this requirement where failure of the other household members to comply is not the fault of the recipient and the welfare official decides it would be unreasonable for the recipient to establish a separate household. RSA 165:32.

10. Disqualification for Voluntary Termination of Employment. Any applicant eligible for assistance who voluntarily terminated employment shall be ineligible to receive assistance for 90 days from the date of employment termination, provided the applicant:

a. Has received local welfare within the past 365 days; and

b. Has been given notice that voluntary termination of employment without good cause could result in disqualification; and

c. Has terminated employment of at least 20 hours per week without good cause within 60 days of an application for local welfare; and

d. Is not responsible for supporting minor children in his/her household; and

e. Did not have a mental of physical impairment which caused him/her to be unable to work.

Good cause for terminating employment shall include any of the following: discrimination, unreasonable work demands or unsuitable employment, retirement, leaving a job in order to accept a bona-fide job offer, migrant farm labor or seasonal construction, and lack of transportation or child care. An applicant shall be considered to have voluntarily terminated employment if the

applicant fails to report for work without good cause. An applicant who is fired or resigns from a job at the request of the employer due to applicant's inability to maintain the employer's normal work productivity standard shall not be considered to have voluntarily terminated employment. RSA 165:1-d.

D. Available Assets

1. **Available Liquid Assets.** Cash on hand, bank deposits, credit union accounts, securities and retirement plans (i.e., IRA's, deferred compensation, Keogh's, etc.) are available liquid assets. Insurance policies with a loan value, and non-essential personal property, may be considered as available liquid assets when they have been converted into cash. The welfare official shall allow a reasonable time for such conversion. However, tools of a trade, livestock and farm equipment, and necessary and ordinary household goods are essential items of personal property which shall not be considered as available assets.

2. **Automobile Ownership.** The ownership of one automobile by an applicant/recipient or his/her dependent does not affect eligibility if it is essential for transportation to seek or maintain employment, to procure medical services or rehabilitation services, or if its use is essential to the maintenance of the individual or the family. The Town will not allow the payments of car payments as a basic need; public transportation is available and accessible in Town.

3. **Insurance.** The ownership of insurance policies does not affect eligibility. However, when a policy has cash or loan value, the recipient will be required to obtain and/or borrow all available funds, which shall then be considered available liquid assets.

4. **Real Estate.** The type and amount of real estate owned by an applicant does not affect eligibility, although rent or other such income from property shall be considered as available to meet need. Applicants owning real estate property, other than that occupied as their primary residence, shall be expected to make reasonable efforts to dispose of it at fair market value. Applicants shall be informed that a lien covering the amount of any general assistance they receive shall be placed against any real estate they own. RSA 165:28.

E. Standard of Need

The basic financial requirement for general assistance is that an applicant be poor and unable to support him/herself. Clients are expected to use all income and resources to support their basic needs (those costs that support and maintain health and life) first. An applicant shall be considered poor when he/she has insufficient available income/assets to purchase either for him/herself or dependents any of the following.

1. **Shelter.** The amount to be included as "need" for shelter is the actual cost of rent or mortgage necessary to provide shelter in that municipality. Such cost shall be determined in accordance with subparagraph 11 below. See Appendix A.

a. **Shelter Arrearages**. Shelter arrearages will be included in the "need" formula if, and only if, such payment is necessary to prevent eviction or foreclosure or to protect the health and safety of the household. However, if the amount of such mortgage or rental arrearage substantially exceeds the cost of alternative, available housing which complies with local health and housing code standards, or if the payment of arrears will not prevent eviction or foreclosure, the welfare official may instead authorize payment of security deposit, rent, and/or reasonable relocation expenses for such alternative housing if, under the circumstances of the case, it is reasonable to do so and would not cause undue hardship to the applicant household. Alternative housing may include transitional housing as an option.

b. **Security Deposits**. Security deposits may be included in the 'need' formula if, and only if, the applicant is unable to secure alternative shelter for which no security deposit is required or is unable to secure funds, either him/herself or from alternative sources, for payment of the deposit. Any security deposit provided by the general assistance program which is returned under RSA 540-A:7 shall be returned to the municipality, not the recipient.

c. **Relative Landlords.** Whenever a relative of an applicant is also the landlord for the applicant, a financial analysis shall be made in accordance with RSA 165:19.

2. **Utilities.** When utility costs are not included in the shelter expense, the most recent outstanding monthly utility bill will be included as part of "need" by the welfare official. Arrearages will not normally be included in "need" except as set forth below.

NOTE: The New Hampshire Public Utilities Commission (PUC) has established comprehensive rules governing the provision of some utility services. Generally speaking, the PUC governs electric, telephone, water, and sewer; it does not govern any municipal utilities, propane tanks, or fuel oil. With the exception of telephone, the rules are consistent across utilities. These rules and regulations cover the initiation of service, payment arrangements, termination of service, the terms of restoration of service, the requirement of deposits, municipal guarantees and guarantees from other third parties. There are special rules as to winter termination. The welfare official should be familiar with these rules in order to ensure that needs are properly met at the lowest available cost. The PUC has a toll-free consumer assistance number: 800/852-3793.

a. **Arrearages.** Arrearages will not be included except when necessary to ensure the health and safety of the applicant household or to prevent termination of utility service where no other resources or referrals can be utilized. In accordance with the rules of the PUC relating to electric utilities, arrearages for electric service need not be paid if the welfare official notifies the electric company that the municipality guarantees payment of current electric bills as long as the recipient remains eligible for general assistance.

b. **Restoration of Service.** When utility service has been terminated and the welfare official has determined that alternative utility service is not available and alternative shelter is not feasible, arrearages will be included in "need" when restoration of service is necessary to

ensure the health and safety of the applicant household. The welfare official may negotiate with the utility for payment of less than the full amount of the arrears and/or may attempt to arrange a repayment plan to obtain restoration of service.

When electric service has been terminated and restoration is required, arrearages may either be included as set forth in the above paragraph, or may be paid in accordance with a reasonable payment plan entered into by the applicant and the electric company. The welfare official may hold the recipient accountable for the payment arrangement for as long as the recipient continues to request general assistance on a regular basis. Payment of a payment plan may be a required element of a notice of decision or case plan.

c. **Deposits.** Utility security deposits will be considered as "need" if, and only if, the applicant is unable to secure funds for the payment of the deposit and is unable to secure utility service without a deposit. Such deposits shall, however, be the property of the municipality.

3. **Food.** The amount included as "need" for food purchases will be in accordance with the most recent standard food stamp allotment, as determined under the food stamp program administered by the New Hampshire Department of Health and Human Services. An amount in excess of the standard food allotment may be granted if one or more members of the household require a special diet, as verified by the welfare official, the documented cost of which is greater than can be purchased with the family's allotment of food stamps. Food vouchers may not be used for alcohol, tobacco or pet food.

4. **Household Maintenance Allowance.** Applicants may include, in calculating "need," the cost of providing personal and household necessities in an amount not to exceed these guidelines, as determined in accordance with subparagraph 11 below. (See Appendix A.) Need allowance for diapers shall be calculated based on usage- clients are encouraged to explore the use of cloth diapers.

5. **Telephone.** Since the inception of the state of New Hampshire's 911 service if a phone jack is I shelter or dwelling and a phone line is plugged into that jack individuals can dial 911 for emergencies therefore the Town will not be making payments for telephone services. Clients will be referred to the state's free cell phone programs through the NH DHHS.

6. **Transportation.** If the welfare official determines that transportation is necessary (e.g., for health or medical reasons, to maintain employment, or to comply with conditions of assistance) "need" would include the costs of public transportation, through the COAST bus Services. Bus passes will be provided for medical appointment and to access other necessary services at the discretion of the welfare official. Clients may also be referred to volunteer drivers where appropriate. Given that there is public transportation available and other local resources care payments, and or car insurance will not be considered as a basic need.

7. **Maintenance of Insurance.** In the event that the welfare official determines that the maintenance of medical insurance is essential, an applicant may include as "need" the reasonable cost of such premiums.

8. **Emergency and Other Expenses.** In the event that the applicant has the following current expenses, the actual cost shall be included as emergency and other expenses to determine eligibility and amount of assistance:

   a. **Medical Expenses.** The welfare official shall not consider including amounts for medical, dental or eye services unless the applicant can verify that all other potential sources have been investigated and that there is no source of assistance other than local welfare. Other sources to be considered shall include state and federal programs, local and area clinics, area service organizations and area hospital indigent programs designed for such needs. When an applicant requests medical service, prescriptions, dental service or eye service, the local welfare official may require verification from a doctor, dentist or person licensed to practice optometry in the area, indicating that these services are absolutely necessary and cannot be postponed without creating a significant risk to the applicant‘s well-being specifically their life or health will be placed in serious jeopardy.

   b. **Legal Expenses.** Except for those specifically required by statute, no legal expenses will be included.

   c. **Clothing.** If the applicant has emergency clothing need they will be referred to a local clothing closet or consignment store. If there is a cost involved which cannot be met in a timely fashion by other community resources (i.e.: Salvation Army, Red Cross, church group), the expense of reasonably meeting that emergency clothing need will be included.

   d. **Other.** The Town does not included credit card payments or any other loan payments in their basic need calculations. It is not the Town’s responsibility to maintain an applicant’s credit rating or support the repayment of credit or loans. Town Welfare is to support and maintain basic life and health only.

9. **Unusual Needs Not Otherwise Provided For in These Guidelines.** If the welfare official determines that the strict application of the standard of need criteria will result in unnecessary or undue hardship (e.g. needed services are inaccessible to the applicant), such official may make minor adjustments in the criteria, or may make allowances using the emergency need standards stated in Section VI(D)(2) of these guidelines. Any such determination and the reasons therefore, shall be stated in writing in the applicant’s case record.

10. **Shared Expenses.** If the applicant/recipient household shares shelter, utility, or other expenses with a non-applicant/recipient (i.e.: is part of a residential unit), then need should be determined on a pro rata share, based on the total number of adults in the residential unit (e.g.: three adults in residential unit, but only one applies for assistance—shelter need is 1/3 of shelter allowance for household of three adults).

11. **Payment Levels for Allowable Expenses.** When adopting these guidelines, the municipal governing body shall establish payment levels for various allowable expenses which shall be based on actual local market conditions and costs. The payment levels shall be reviewed by the welfare official

annually and modifications presented to the municipal governing body where market conditions have changed. In Exeter the costs for utilities expenses will reflects the amounts allowed under federal Section 8 Housing guidelines as updated annually. RSA 165:1, II.

F. Income

In determining eligibility and the amount of assistance, the standard of need shall be compared to the available income/assets. Clients are expected to utilize all income and resources to support their basic needs first. Examples of basic needs include those that support life and health specifically: shelter, food, electricity, heat, and medication as prescribed by a licensed medical doctor. Computation of income and expenses will be by the week or month. The following items will be included in the computation:

1. **Earned Income.** Income in cash or in-kind earned by the applicant or any member of the household through wages, salary, commissions, or profit, whether self-employed or as an employee, is to be included as income. Rental income and profits from items sold are considered earned income. With respect to self-employment, total profit is arrived at by subtracting business expenses from gross income in accordance with standard accounting principles. When income consists of wages, the amount computed should be that available after income taxes, social security and other payroll deductions required by state, federal, or local law, court ordered support payments and child care costs, and work related clothing costs have been deducted from income. Wages that are trusted, or income similarly unavailable to the applicant or applicant's dependents, should not be included.

2. **Income or Support from Other Persons.** Contributions from relatives or other household members shall be considered as income only if actually available and received by the applicant or recipient. The income of non-household members of the applicant's residential unit shall not be counted as income. (Expenses shared with non-household members may affect the level of need, however. See Section IX (E) (10) regarding determination of need in cases of non-household residential units.)

3. **Income from Other Assistance or Social Insurance Programs.**

    a. State categorical assistance benefits, OASDI payments, Social Security Payments, VA benefits, unemployment insurance benefits, and payment from other government sources shall be considered income.

    b. Food Stamps cannot be counted as income pursuant to federal law. (7 USC 2017(b))

    c. Fuel assistance cannot be counted as income pursuant to federal law. (42 USC 8624(f) (1))

4. **Court-Ordered Support Payments.** Alimony and child support payments shall be considered income only if actually received by the applicant or recipient.

5. **Income from Other Sources.** Payment from pension, trust funds, and similar programs shall be considered income.

6. **Earnings of a Child.** No inquiry shall be made into the earnings of a child 14 years of age or less unless that child makes a regular and substantial contribution to the family.

7. **Option to Treat a Qualified State Assistance Reduction as Deemed Income.** The welfare official may deem as income all or any portion of any qualified state assistance reduction pursuant to RSA 167:82, VIII. The following criteria shall apply to any action to deem income under this section. RSA 165:1-e.

   a. The authority to deem income under this section shall terminate when the Qualified State Assistance Reduction no longer is in effect.

   b. Applicants for general assistance may be required to cooperate in obtaining information from the Department of Health and Human Services as to the existence and amount of any Qualified State Assistance Reduction. No applicant for general assistance may be considered to be subject to a Qualified State Assistance Reduction unless the existence and amount has been confirmed by the Department of Health and Human Services.

   c. The welfare official shall provide the applicant with a written decision which sets forth the amount of any deemed income used to determine eligibility for general assistance.

   d. Whenever necessary to prevent an immediate threat to the health and safety of children in the household, the welfare official shall waive that portion, if any, of the Qualified State Assistance Reduction as necessary.

G. Residents of Shelters for Victims of Domestic Violence and Their Children

An applicant residing in a shelter for victims of domestic violence and their children who has income, and owns resources jointly with the abusive member of the applicant's household, shall be required to cooperate with the normal procedures for purposes of verification. Such resources and income may be excluded from eligibility determinations unless the applicant has safe access to joint resources at the time of application. The verification process may be completed through an authorized representative of the shelter of residence. The normal procedures taken in accordance with these guidelines to recover assistance granted shall not delay such assistance.

X. Non-Residents

A. Eligibility

Applicants who are temporarily in a municipality which is not their municipality of residence and who do not intend to make a residence there are nonetheless eligible to receive general assistance, provided they are poor and unable to support themselves. RSA 165:1-c. No applicant shall be refused assistance solely on the basis of residence. RSA 165:1.

B. Standards

The application procedure, eligibility standards and standard of need shall be the same for nonresidents as for residents.

C. Verification

Verification records shall not be considered unavailable, nor the applicant's responsibility for providing such records relaxed, solely because they are located in the applicant's municipality of residence.

D. Temporary or Emergency Aid

The standards for the fulfilling of immediate or emergency needs of nonresidents and for temporary assistance pending final decision shall be the same as for residents, as set forth in Section VI (D)(2).

E. Determination of Residence

Determination of residence shall be made if the applicant requests return home transportation (See paragraph F below), or if the welfare official has reason to believe the applicant is a resident of another New Hampshire municipality from which recovery can be made under RSA 165:20.

1. **Minors.** The residence of a minor applicant shall be presumed to be the residence of his/her custodial parent or guardian.
2. **Adults.** For competent adults, the standard for determining residence shall be the overall intent of the applicant, as set forth in the Section I definition of "residence." The statement of an applicant over 18 as to his/her residence or intent to establish residence shall be accepted in the absence of strongly inconsistent evidence or behavior.

F. Return Home Transportation

At the request of a nonresident applicant, any aid, temporary or otherwise, to which he/she would be otherwise entitled under the standards set forth in these guidelines, may be used by the welfare official to cause the applicant to be returned to his/her municipality of residence. RSA 165:1-c.

G. Recovery

Any aid given to a nonresident, including the costs of return home transportation, may be recovered from his/her municipality of residence using the procedures of Section XVI (B).

XI. Municipal Work Programs

A. Participation

Any recipient of general assistance who is able and not gainfully employed may be required to work for the municipality or an appropriate local human service agency at any available bona fide job that is within his/her capacity (RSA 165:31) for the purpose of reimbursement of benefits received. Participants in the workfare program are not considered employees of the municipality, and any work performed by workfare participants does not give rise to any employee-employer relationship between the recipient/workfare participant and the municipality.

B. Reimbursement Rate

The workfare participant shall be allotted the prevailing municipal wage for work performed, but in no case less than the minimum wage. No cash compensation shall be paid for workfare participation; the wage value of all hours worked shall be used to reimburse the municipality for assistance given. No workfare participant shall be required to work more hours than necessary to reimburse aid rendered.

C. Continuing Financial Liability

If, due to lack of available municipal work or other good cause, a recipient does not work a sufficient number of hours to fully reimburse the municipality for the amount of his/her aid, the amount of aid received less the value of workfare hours completed shall still be owed to the municipality.

D. Allowance for Work Search

The municipality shall provide reasonable time during working hours for the workfare participant to conduct a documented employment search.

E. Workfare Program Attendance

With prior notice to the welfare official, a recipient may be excused from workfare participation if he/she:

1. Has a conflicting job interview;

2. Has a conflicting interview at a service or welfare agency;

3. Has a medical appointment or illness;

4. As a parent or person "in loco parentis," must care for a child under the age of five. A recipient responsible for a child age five but under 12 shall not be required to work during hours the child is not in school, if there is no responsible person available to provide care, and no other care is available;

5. Is unable to work due to mental or physical disability, as verified by the welfare official;

6. Must remain at home because of illness or disability to another member of the household, as verified by the welfare official; or
7. Does not possess the materials or tools required to perform the task and the municipality fails to provide them. However, the workfare participant should attempt to schedule appointments so as not to conflict with the workfare program and must notify his/her supervisor in advance of the appointment. The welfare official may require participants to provide documentation of their attendance at a conflicting interview or appointment.

F. Workfare Hours

Workfare hours are subject to approval of the supervisor and the welfare official. Failure of the participant to adhere to the agreed workfare hours (except for the reasons listed above) will prompt review of the recipient's eligibility for general assistance, and may result in a suspension or termination of assistance. See Section XIII (C) (2) (b).

G. Workers Compensation

The municipality shall provide workers compensation coverage to participants in workfare programs in the same manner such coverage is provided to other municipal employees, unless the local governing body of the municipality has voted to adopt a guideline making the provisions of the workers compensation laws not applicable to workfare program participants. RSA 281-A: 2, VII (b).

XII. Burials & Cremations

The welfare official shall provide for proper burial or cremation, at municipal expense, of persons found in the municipality at time of death, regardless of whether the deceased person ever applied for or received general assistance from any municipality. In such cases, assistance may be applied for on behalf of the deceased person, however the application should be made before any burial or cremation expenses are incurred. The expense may be recovered from the deceased person's municipality of residence, or from a liable relative pursuant to RSA 165:3, II. If relatives, other private persons, the state or other sources are unable to cover the entire burial/cremation expense, the municipality will pay up to $750 for burial/ cremation. (See Appendix A.) RSA 165:3 and RSA 165:1-b; see also RSA 165:27 and 165:27-a.

XIII. Right to Notice of Adverse Action

A. Right to a Written Decision

All persons have a constitutional right to be free of unfair, arbitrary or unreasonable action taken by government. This includes applicants for and recipients of general assistance, whose aid has been denied, terminated or reduced. Every applicant and recipient shall be given a written notice of every decision regarding assistance (See Section VI (D) for notice where application is granted.) The welfare official will make every effort to ensure that the applicant understands the decision.

B. Action Taken for Reasons Other Than Noncompliance with the Guidelines

1. Whenever a decision is made to deny assistance or to refuse to grant the full amount of assistance requested, a notice of the decision shall be given or mailed to the applicant either the same day or next work day following the making of the decision or within five working days from the time the application is filled out and submitted, whichever occurs first.

2. In any case where the welfare official decides to terminate or reduce assistance for reasons other than noncompliance with the guidelines, the official shall send notice at least seven days in advance of the effective date of the decision to the recipient stating the intended action.

3. The notice required by paragraphs 1 and 2 above shall contain:

a. A clear statement of the reasons for the denial or proposed termination or reduction.

b. A statement advising the recipient of his/her right to a fair hearing and that any request for a fair hearing must be made in writing within five working days.

c. A form on which the recipient may request a fair hearing.

d. A statement advising the recipient of the time limits which must be met in order to receive a fair hearing.

e. A statement that assistance may continue, if there was initial eligibility, until the date of hearing, if requested by the claimant. Aid must be repaid if the claimant fails to prevail at the hearing.

C. Suspension for Noncompliance with the Guidelines

NOTE: This procedure has been developed by LGC in an effort to set forth a clear process for suspension of assistance for willful noncompliance with guidelines, under RSA 165:1-b. There are differing opinions as to the intent and interpretation of the statute. There are differing opinions as to the specific procedures required by the statute. The procedures outlined in this section are not specifically mandated by RSA 165:1-b, but are LGC's attempts to create a legally sound compromise. See also Appendix B.

1. Due Process. Recipients must comply with these guidelines and the reasonable requests of welfare officials. Welfare officials must enforce the guidelines while ensuring that all recipients and applicants receive due process. Recipients should be given reasonable notice of the conditions and requirements of eligibility and continuing eligibility and notice that noncompliance may result in termination or suspension.

2. Conditions. Any applicant/recipient otherwise eligible for assistance shall become ineligible under RSA 165:1-b if he/she willfully and without good cause fails to comply with the requirements of these guidelines relating to the obligation to:

a. Disclose and provide verification of income, resources or other material financial data, as set out in Sections VI(C) and VII of these guidelines, including any changes in this information;

b. Participate in the work program under Section VI(C), to the extent assigned by the welfare official;

c. Comply with the work search requirements imposed by the welfare official under Section VI (C); and

d. Apply for other public assistance, as required by the welfare official under Section VI(C).

3. **First Notice.** No recipient otherwise eligible shall be suspended for noncompliance with conditions unless he/she has been given a written notice of the actions required in order to remain eligible and a seven-day period within which to comply. The first notice should be given at the time of the notice of decision and thereafter as conditions change. Additional notice of actions required should also be given, as eligibility is re-determined, but without an additional seven day period unless new actions are required. RSA 165:1-b, II.

4. **Noncompliance.**

a. If a recipient willfully and without good cause fails to come into compliance during the seven day period, or willfully falls into noncompliance within 30 days from receipt of a first notice, the welfare official shall give the recipient a suspension notice, as set forth in paragraph 5; see Appendix B.

b. If a recipient falls into noncompliance for the first time more than 30 days after receipt of a first notice, the welfare official shall give the recipient a new first notice with a new seven day period to comply before giving the recipient the suspension notice. RSA 165:1-b, III.

5. **Suspension Notice.** Written notice to a recipient that he/she is suspended from assistance due to failure to comply with the conditions required in a first notice shall include:

a. A list of the guidelines with which the recipient is not in compliance and a description of those actions necessary for compliance;

b. The period of suspension (See paragraph 6 below);

c. Notice of the right to a fair hearing on the issue of willful noncompliance and that such request must be made in writing within five days of receipt of the suspension notice;

d. A statement that assistance may continue in accordance with the prior eligibility determination until the fair hearing decision is made if the recipient so requests on the request form for the fair hearing, however, if the recipient fails to prevail at the hearing: 1) the suspension will start after the decision, and 2) such aid must be repaid by the recipient; and

e. A form on which the individual may request a fair hearing and the continuance of assistance pending the outcome.

6. Suspension Period. The suspension period for failure to comply with these guidelines shall last:

a. Either seven days, or 14 days if the recipient has had a prior suspension which ended within the past six months, and

b. Until the recipient complies with the guidelines if the recipient, upon the expiration of the seven or 14-day suspension period, continues to fail to carry out the specific actions set forth in the notice.

c. Notwithstanding paragraph C(6)(b) above, a recipient who has been suspended for noncompliance for at least six months may file a new application for assistance without coming back into compliance.

7. Fair Hearing on Continuing Noncompliance. A recipient who has been suspended until he/she complies with the guidelines may request a fair hearing to resolve a dispute over whether or not he/she has satisfactorily complied with the required guidelines, however no assistance shall be available under paragraph C (5)(d) above.

8. Compliance after Suspension. A recipient who has been subject to a suspension and who has come back into compliance shall have his/her assistance resumed, provided he/she is still otherwise eligible. The notice of decision stating that assistance has been resumed should again set forth the actions required to remain eligible for assistance, but need not provide a seven-day period for compliance unless new conditions have been imposed.

XIV. Fair Hearings

A. Requests

A request for a fair hearing is a written expression, by the applicant or recipient, or any person acting for him/her, to the effect that he/she wants an opportunity to present his/her case to a higher authority. When a request for assistance is denied or when an applicant desires to challenge a decision made by the welfare official relative to the receipt of assistance, the applicant must present a request for a fair hearing to the welfare official within five (5) working days of receipt of the notice of decision at issue. RSA 165:1-b, III.

B. Time Limits for Hearings

Hearings requested by claimants must be held within seven (7) working days of the receipt of the request. The welfare official shall give notice to the claimant setting the time and location of the hearing. This notice must be given to the claimant at least forty-eight (48) hours in advance of the hearing, or mailed to the claimant at least seventy-two (72) hours in advance of the hearing.

C. The Fair Hearing Officer(s)

APPENDIX A

ALLOWABLE LEVELS OF ASSISTANCE PAYMENTS FOR THE MUNICIPALITY OF

EXETER, NEW HAMPSHIRE

Established by vote of the Governing Body, date: _____

FOOD/NON-FOOD

The monthly food allotment will follow exactly the maximum allowable dollar figure used by the state of New Hampshire Division of Human Services- Food Stamp Guideline. This figure is updated annually utilizing the federal thrifty food plan, and when the state amount is updated or increased the town will automatically reflect this change. The Welfare official will include all full time household members in making this determination to adequately provide for food and nutrition.

Clients will be given lists of local food pantries and other resources and therefore be expected to avail themselves of these local resources to support their basic needs.

HOUSEHOLD MONTHLY (Health and Hygiene items to support basic needs only)

SIZE	NON-FOOD
1	$25.
2	$50

MONTHLY SHELTER ALLOWANCES

The Town will follow exactly New Hampshire Housing Authorities Fair Market Rents for Rockingham County. Rental Amounts are adjusted annually and published on their website. The Town will adhere to these standards in determining if a rental property is within a fair market rent and follow their identical calculations in terms of deductions for utilities if not included**. In keeping with this policy the Town will not over house applicants.** If a client(s) is a single person or married couple they would be eligible for the rental amount corresponding to a 1 bedroom rental, if a client is a single parent with 2 children of the same sex they would be eligible for a 2 bedroom. The Town will mirror the policies established by NH Housing in their Section 8 program in terms of rental amounts paid and size of rental units to be considered. If a client is over deemed to be over housed the welfare official will give them 30 days' notice to rectify the situation which may include finding a roommate to share costs and or relocating to an acceptable unit.

BURIAL ALLOWANCE: $750.

TELEPHONE ALLOWANCE: Since the statewide inception of 911 if an individual has a phone in their home they can plug it into a phone jacket and dial 911 for health and life emergencies. It is therefore not a basic need for the town to consider a phone and telephone payments will not be paid by the Town. The individual may be referred to the state for a free phone program.

APPENDIX B

Explanation for Disqualification for Noncompliance with Guidelines

NH RSA 165:1-b

The following is written to help explain and standardize the process of "Disqualification for Noncompliance with Guidelines," RSA 165:1-b. Please refer to **FORM L - NOTICE OF DECISION** which may be used by your local welfare office.

Once you determine that an applicant is eligible and you provide assistance, you can impose conditions on the person's continued receipt of assistance. The conditions may require the recipient to comply with written guidelines relating to:

1) Disclosure of income and resources,
2) Participation in a work program,
3) Conducting an adequate work search, and/or
4) Applying for public assistance through other agencies as outlined in the Model Guidelines.

Willful failure to comply with the conditions imposed can lead to the suspension of a recipient's assistance, but there is a process which must be followed. Prior to suspension, a recipient must be given written notice from the local welfare office of the specific actions which must be taken and the recipient must be given at least seven (7) days in which to comply prior to suspension. There can be no exception.

The **Notice of Decision** form may be used to grant an assistance application and *simultaneously* give notice of the conditions imposed on the recipient's continued receipt of assistance. The **Notice of Decision** form may also be used to give notice of the conditions that must be complied with, if that notice was not given at the time assistance was granted or if the conditions to be complied with have changed.

If a recipient does not comply with the conditions in the time period allowed, he/she can be "sanctioned" and his/her assistance suspended. How long the suspension lasts depends on whether there have been other suspensions within the previous 6 months and whether there are actions the recipient can take to come into compliance. A written decision (the **Notice of Decision** form can be used) must be given notifying the recipient of the term of the suspension, the specific reason(s) for the suspension citing the guidelines, any action(s) which must be taken to come back into compliance, and notice of the right to request a fair hearing within 5 days of receipt of the notice.

If this is a first sanction, assistance may be suspended for seven (7) days. If it is possible for the recipient to take action(s) to come into compliance, then assistance can remain suspended after the seven (7) day period *and until* such time as the recipient takes the action(s) required to come into compliance (e.g. recipient only made 3 work search contacts instead of 10-the recipient must complete 7 more work search contacts; e.g. the recipient failed to apply for food stamps-if the recipient applies within the initial 7 day suspension, then the suspension ends after 7 days, otherwise, the suspension continues until the recipient applies). After the 7 day suspension period, the sanction must be lifted upon compliance with the condition.

If this is the second sanction (or more) for the recipient within a 6 month period, assistance may be suspended for 14 days. The reason for the sanction need not relate to pervious sanctions to extend the suspension period to 14 days. If it is possible for the recipient to take action to come into compliance, then assistance can remain suspended after the 14 day period and until compliance, as described above.

If more than six months elapses between the first and second sanctions, follow the procedures for a first sanction.

APPENDIX C

ADOPTED ETHICS RESOLUTION ON RESPONSIBILITY FOR PERSONS WHO CHANGE THEIR RESIDENCE WHILE, OR AS A RESULT OF, APPLYING FOR LOCAL WELFARE

(New Hampshire Local Welfare Administrators Association)

I. "Dumping" is hereby declared to be an unethical practice. For purposes of this resolution, "dumping" consists of attempting to end, or avoid acquiring, a local welfare financial responsibility by encouraging, persuading or pressuring a client:

A. not to establish, or to discontinue, a residence in the town which he/she has applied for assistance, or

B. to establish a residence in another town.

II. In order to avoid "dumping" the following standards should be observed:

A welfare administrator should not encourage, direct, or knowingly allow a client who has applied for assistance in his/her town to apply for assistance in another town without making a good faith effort to contact the welfare administrator in that other town to explain why the person is coming to the other town. This applies whether or not the welfare administrator has accepted initial financial responsibility for the person (i.e. treat him/her as a resident) unless:

A. he/she has an established place of abode (specific address, place to sleep) in another town which he/she intends to return to (even for just one night – i.e., hasn't moved out of yet), or

B. he/she has NO established place of abode ANYWHERE, (i.e., any prior specific address was in some other town and has been abandoned) AND has a specific intent to go somewhere else rather than staying in the town for any time.

(Even when an applicant falls into A. or B. above, some temporary, non-resident assistance may be necessary, depending on the circumstances, in order to send the person on his/her way.)

III. Where a town has accepted initial financial responsibility under paragraph II above, the welfare administrator should not grant any assistance which he/she knows will be used so as to help establish the recipient's residence in another town, unless:

A. a good faith effort is made to explore local resources, after which it is discovered that none within reason is available, or

B. unless the client has indicated an intent to move to another town for some non-welfare-related reason.

In either case the welfare administrator who has accepted initial financial responsibility should contact the official of the other town and offer to pay up to one month's assistance following the move if necessary.

Towns must avoid "special" treatment. If a town never pays security deposits, the town must not pay security deposits in special instances to establish a client's residence elsewhere. The sending town should pay actual allowable shelter costs as determined by the receiving town's guidelines.

APPENDIX D

New Hampshire Welfare Benefit Programs

Government Benefit	Person who sets Eligible Standards	Source of Funds	Which Type of Government Program / Administrator of Program
Town Welfare	RSA 165:1 Town Guidelines/to maintain and support the poor and in need	Local Property Tax Dollar	Town Welfare
State			
APTD State Aid to the Permanently and totally disabled	RSA 167:6VI Adults 18-64 who are permanently and totally disabled	County and State	State
OAA State Old Age Assistance	RSA 167:6I Low income adults over 65	County and State	State
ANB State Aid to the Need and Blind	RSA 167:6 IV Blind Adults	State	State
TANF Temporary Assistance to Needy Families	42 USC 601 Low income families with dependent children	State and Federal	State
Federal			
Food Stamps	7 USC 2011 Lower income households	Federal	Federal access through State DHHS Office
SSI Supplemental Security Income	42 USC 183 Low income individuals	Federal	Federal access through Social Security Office

Town of Exeter	Policy Number **88-20**	Adopted by **Board of Selectmen**
Subject: **Curb Cut Closing**	Adoption Date: 5/16/88 Revision Date: Effective Date: 5/23/88	Supersedes:

1.0 Purpose of the Policy:

2.0 Departments Affected: All Departments

3.0 Definitions:

4.0 Policy:

In order to protect the citizens of Exeter, as permitted under NH Revised Statutes Annotated 41:11, the Exeter Board of Selectmen may, upon receiving a request or complaint, act to close or remove any curb cut or driveway entrance within the Town right-of-way if, after public hearing, they make a finding that such closure or removal, in their estimation, would:

1. decrease hazards to traffic safety; or
2. improve traffic flow; or
3. reduce the number of locations of turning movements; or
4. provide for and/or increase pedestrian safety provided that, prior to approving any closure or removal of any curb cut or driveway entrances within the Town right-of-way, the Board shall affirmatively find that the remaining access to a public right-of-way is reasonable when judged with references to the existing use of the land in question.

5.0 Procedures:

The owner(s) of the affected property shall be notified by certified mail of the Board's intent to discuss the closure or removal of any curb cut or driveway entrances within the Town right-of-way. Said correspondence will state the time and place of the meeting at which the discussion will take place and further state all relevant facts associated with the action.

Action to close or remove a curb cut or driveway entrance within the Town right-of-way shall only be taken at the regularly scheduled public meeting. The minutes of said meeting will site all relevant facts considered in the approval or denial of the subject action.

6.0 Severability:

To the extent this policy is in conflict with State law, State law will prevail.

Town of Exeter	Policy Number **88-16**	Adopted by **Board of Selectmen**
Subject: **Granting Curb Cuts onto Public Ways**	Adoption Date: 6/20/88 Revision Date: Effective Date: 6/27/88	Supersedes:

1.0 Purpose of the Policy:

It is the policy of the Board of Selectmen to review and act upon all curb cuts on to public ways. This includes curb cuts for driveways, as well as for streets and roads. It does not include curb cuts for driveways in subdivisions that involve new streets.

2.0 Departments Affected:

All Departments

3.0 Definitions:

4.0 Policy:

Selectmen will review curb cuts following Planning Board and/or Public Works Department action to approve. Curb cuts that are rejected by the Planning Board and/or Public Works will not be reviewed by the Selectmen.

5.0 Procedures:

The Town of Exeter Driveway Permit and Planning Board procedures will be amended to reflect action by the Selectmen.

6.0 Severability:

To the extent this policy is in conflict with State law, State law will prevail.

Town of Exeter	Policy Number **03-33**	Adopted by **Board of Selectmen**
Subject: **Mail Boxes- Right of Way**	Adoption Date: Revision Date: Effective Date:	Supersedes:

1.0 Purpose of the Policy:

In order to limit the Town's exposure to damage claims for residents' personal structures in the Town's rights-of-ways, the following clarifies what, and how, mailboxes are to be installed.

2.0 Departments Affected: All Departments

3.0 Definitions:

4.0 Policy:

1. Mailboxes installed on town property or within the public rights-of-way must be positioned in accordance with Town standards (see attached). The Town's liability for damages to any mailbox and post will not exceed $35.00. Claims must be initiated by the resident, with work being completed by the department as scheduling allows. In the case of residents requesting more than 'basic' mailbox installations, the Town will provide payment (not to exceed $35.00 for materials and $15.00 for labor) to the resident, with proper invoicing provided.

2. With the exception of mailboxes, the Town accepts no responsibility for damages to structures, (i.e. granite posts, lampposts, fences, etc.) located on Town property or within the public right-of-way.

3. Installation of any other structures or plants require permission of the Town by way of an excavation permit, approval of the Highway Superintendent and/pr Selectmen's approval, and would require a 'hold harmless agreement' absolving the Town of Exeter of liability.

5.0 Procedures:

6.0 Severability:

To the extent this policy is in conflict with State law, State law will prevail.

Town of Exeter	Policy Number **01-21**	Adopted by **Board of Selectmen**
Subject: **Street Acceptance**	Adoption Date: 4/14/97 Revision Date: Effective Date: 1/15/01	Supersedes:

1.0 Purpose of the Policy:

The purpose of this policy is to define the process for the Town to acquire ownership and to provide maintenance for streets that are intended to become public Town streets. Authority to accept such streets was granted to the Board of Selectmen by Town Meeting vote in 1986, Article #41.

2.0 Departments Affected: All Departments

3.0 Definitions:

4.0 Policy:

Application

a. Applicants requesting the Town to assume ownership and maintenance responsibilities for roadways in a Planning Board-approved subdivision or site plan review must submit a request in writing to the Board of Selectmen through the Town Manager. Such requests shall include a copy of the proposed deed along with documentation of Planning Board approval of the street layout. Only streets designed and intended to be conveyed to the Town during the Planning Board process will be accepted by the Board of Selectmen. Other private roads will need Town Meeting approval for Town acceptance. Requests will only be accepted between April 1 and November 15 of each year.

b. Upon receipt of the request, the Town Manager will request Planning, Public Works, Police and Fire Departments to review the request for Town street acceptance. Once all departments' reviews are completed and recommendations for acceptance are received, the Town Manager will request the Board of Selectmen to consider Town acceptance of the street.

Requirements

a. DEED – A legal document transferring title of the roadway to the Town. Said deed will provide a property description (metes and bounds) in a form that will be acceptable to Town Counsel. The deed must be recorded at the Rockingham County Registry of Deeds. All expenses

incurred by the Town for the deed transfer, including legal costs, shall be the responsibility of the applicant.

b. RECORDED PLAT – A completed and final legal record plat, showing the road layout, must be drawn by a licensed surveyor and recorded at the Rockingham County Registry of Deeds.

c. "AS-BUILT" DRAWINGS – Three sets of "as-built" drawings for the project must be provided to the Public Works Department prior to the inspection. "As-built" drawings must be professionally drawn by a NH licensed engineer and be clean, legible and true to scale. The drawings must include the following information:

    1. State profile and layout;
    2. All utility locations to scale;
    3. All easements and/or rights-of-way;
    4. Water, sewer and drainage systems must show the locations of connections, valves and stubs all with appropriate ties, elevations, class and types of pipe and appurtenances;
    5. Location of right-of-way monuments

d. INSPECTION – A complete inspection of the roadway and other proposed public improvements that meets approval of the Planning, Public Works, Fire and Police Departments to ensure compliance with all departments' rules and regulations must be accomplished.

e. TIMING – Planning Board approved streets and associated improvements will not be considered for Town acceptance for a three (3) year period from the date of Town inspection and of the binder course of asphalt or the build out of the subdivision lots or site improvements, whichever occurs first. The final course of asphalt on the street shall be installed prior to the written request for Town acceptance and shall only be installed after April 1st and before November 15th of any year. In the case of private streets that need Town Meeting approval for Town acceptance, petition warrant articles must be submitted by the required date.

f. MAINTENANCE GUARANTEE – The applicant will be responsible for posting a financial guarantee in the form of cash, a savings passbook held in the name of the Town, or a letter of credit drawn on an acceptable bank or financial institution (see Selectmen's Policy 92-06 for the format of the letter of credit) prior to acceptance by the Board of Selectmen and before Planning Board release of the performance guarantee. The time period of the maintenance guarantee will be for a minimum of two (2) years. If the Board of Selectmen accepts the street prior to three (3) years from the date the binder course of asphalt is inspected, the maintenance guarantee will be extended to ensure that all applicants are responsible for guaranteeing improvements for a total of five (5) years.

The amount of the maintenance guarantee shall equal 15% of the roadway construction cost plus other proposed public improvements such as water and sewer lines. The maintenance guarantee is intended to be available to the Town to cover the expense of repairs due to deficiencies in design, materials or workmanship for the public improvements.

Acceptance

After all requirements are met and appropriate Department Heads present a recommendation to the Town Manager for street acceptance, the Town Manager will then schedule the request before the Board of Selectmen at its next regularly scheduled meeting. Selectmen will review the recommendations and make the final decision on acceptance.

5.0 Procedures:

6.0 Severability:

To the extent this policy is in conflict with State law, State law will prevail.

Town of Exeter	Policy Number **89-18**	Adopted by **Board of Selectmen**
Subject: **Requirement for Placement of Regulatory Traffic Devices and Signage on Public Ways**	Adoption Date: **1/16/89** Revision Date: Effective Date: **1/23/89**	Supersedes:

1.0 Purpose of the Policy:

2.0 Departments Affected:

3.0 Definitions:

4.0 Policy:

In accordance with the provisions of RSA 41:11 and RSA 47:17 VII & VIII, it is the policy of the Board of Selectmen to review and act upon the placement of all regulatory traffic devices and signage in and on all public ways.

5.0 Procedures:

The request for such a review may come from the Planning Board, the Public Works Department, the Police Department, the Fire Department or from citizen petition.

The Town of Exeter Planning Board procedures will be amended to reflect action by the Selectmen.

6.0 Severability:

To the extent this policy is in conflict with State law, State law will prevail.

Town of Exeter	Policy Number: **2010-1**	Adopted by: Board of Selectmen
Subject: **River Hazard Removal Policy**	Adoption Date: 3/29/10 Revision Date: Effective Date: 4/5/10	Supersedes: None

1.0 Purpose of the Policy:

The purpose of this policy is to codify the Town's practice with respect to removal of hazards from Exeter waterways.

2.0 Departments Affected: Public Works, Fire/Emergency Management.

3.0 Definitions: None. The New Hampshire DES Environmental Fact Sheet "Minimum Impact BMP's for Removal of Debris from Streams and Rivers" is hereby incorporated by reference.

4.0 Policy:

The Town will evaluate all reports of potential hazards in the waterways of Exeter and, if the determination is made that a threat to life, safety, or public property exists, the Town will take appropriate action, in accordance with State regulations. This policy is not intended to address recreation or navigation issues.

5.0 Procedures:

1. Potential hazards may be reported to the Town's Emergency Management Director. Town agencies will also notify the Conservation Commission and Exeter River Committee of reports of hazards in the river when they are deemed potential hazards. Notification of such a report will also be forwarded to the Town Manager for information purposes.
2. The Emergency Management Director will investigate after gaining the permission of the property owner if the potential hazard is on private property. If the hazard is on Town property, the Emergency Management Director will recommend appropriate action to the Town Manager, or in his absence, will make a determination.
3. If a hazard is located on private property, a letter will be sent to the property owner outlining the situation and requesting removal of the hazard. Removal shall take place in accordance with DES guidelines established in the "Minimum Impact BMP's" as identified under Section 3.0 of this policy. Non-action by responsible property owners will be referred to the Code

Enforcement Officer or appropriate State agency for review and appropriate action. Documentation will be in writing and appeals will be administered through the Board of Selectmen.

4. When a hazard is on Town property, removal procedures will begin if deemed necessary by the Emergency Management Director. The removal of the hazard in question will be subject to 1) appropriate State approvals; and 2) available funding. Removals will be conducted in accordance with the "Minimum Impact BMP's" document outlined in Section 3.0 of this policy.

5. Appeals under this policy may be made to the Board of Selectmen.

6.0 Severability:

To the extent that any provisions of this policy conflict with NH Law, then State law shall prevail.

This policy was adopted per vote of the Board of Selectmen on March 29, 2010.

Town of Exeter	Policy Number **94-17**	Adopted by **Board of Selectmen**
Subject: **Transfer Station Hours of Operation**	Adoption Date: **5/16/94** Revision Date: Effective Date: **5/16/94**	Supersedes:

1.0 Purpose of the Policy:

The purpose of this policy is to amend the hours of operation for the Town of Exeter Transfer Station located on 9 Cross Road.

2.0 Departments Affected: All Departments

3.0 Definitions:

4.0 Policy:

5.0 Procedures:

Beginning April 1, 1994, the transfer station will only be open on Tuesdays, Thursdays and Saturdays with the following hours of operation:

Tuesdays	9:00AM –2:30PM
Thursdays	1:00PM – 4:00PM
Saturdays	9:00AM – 2:30PM

The Transfer Station will also be closed on the following holidays, as observed by the Town:

New Year's Day	Independence Day	Veteran's Day	Christmas
Presidents Day	Labor Day	Thanksgiving	
Memorial Day	Columbus Day	Day after Thanksgiving	

6.0 Severability:

To the extent this policy is in conflict with State law, State law will prevail.

Town of Exeter	Policy Number	Adopted by **Water/Sewer Committee**
Subject: **Water/Sewer Adjustment Policy**	Adoption Date: 10/12/92 Revision Date: 5/19/08 Effective Date: 10/17/92	Supersedes:

1.0 Purpose of the Policy:

It is the policy of the Town of Exeter not to grant adjustments to water & sewer bills unless the problem rests with the Town's system. However, the Town recognizes that a high bill resulting from accidental, unpreventable water release can present financial hardship to a customer. While most water releases are preventable, there are certain circumstances when an accidental water release cannot be reasonably prevented. The intent of this policy 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.

2.0 Departments Affected:

Public Works Department

Finance Department

3.0 Definitions:

4.0 Policy:

1. All customer requests to abate any portion of a metered water bill that is unusually high due to unpreventable leakage shall be reviewed by Town staff on a case-by-case basis. 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. This policy only applies to leaks that have occurred within the previous six (6) months of the date of the abatement request.

2. In the event that a customer cannot determine the source or cause of the abnormally high consumption, the customer is required to hire a private licensed plumber to assist the customer in trying to determine said source or cause. If the plumber is unable to determine the source or cause of the abnormally high consumption, the Town can only speculate that the customer has located and repaired or corrected said source. If the customer claims that said source never existed, the Town shall test the meter and make an adjustment to the bill in accordance with NHPUC requirements for meters found to be over-recording. If the meter

test reveals an accurate or under-recording meter, the customer shall be held responsible for the entire bill plus the cost of meter testing and shipping/handling.

3. In the event the source or cause of the abnormally high consumption is related to a leak due to customer negligence such as the failure to maintain internal (private) plumbing fixtures in good repair and/or protect plumbing from freezing, the customer shall be held responsible for the entire bill.

4. 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 Town staff or Committee. The Town staff and Committee reserve the right to grant adjustments on water use or sewer use or both.

5. The customer may be required to submit a written statement from their homeowner's insurance policy provider stating what portion, if any, of the leak is covered by insurance.

6. The Town shall not disconnect service (for abnormally high consumption) provided the customer pays the entire amount due within the normal payment period or enters into payment arrangements for the excessive amount and is in good standing on all current billings.

7. Landlords will be responsible for tenant bills in accordance with this policy. Failure by a tenant to pay water and sewer charges will not excuse the landlord of any outstanding obligations.

5.0 Procedures:

The following example shows how the abatement is calculated based on rates in effect on 1/1/08:

	Consumption	Dollar Amount
Total Usage	75,000 gal	$ 4 0 5 . 7 5
3 year average	30,000 gal	$ 1 6 2 . 3 0
Excess above average	45,000 gal	$243.45
Half of excess abated	(22,500 gal)	($121.72)
Remaining excess Customer responsibility	22,500 gal	$ 1 2 1 . 7 2
3 year average	30,000 gal	$ 1 6 2 . 3 0
Total remaining bill due		**$284.02**

6.0 Severability:

To the extent this policy is in conflict with State law, State law will prevail.

The above policy replaces all existing water and sewer adjustment policies.

Passed: 10-21-92

Amended: 04-10-95

Amended: 06-19-95

Amended: 10-16-00

Amended: 05-19-08

Town of Exeter	Policy Number **00-31**	Adopted by **Water Sewer Committee**
Subject: **Providing Water / Sewer outside of Exeter**	Adoption Date: Revision Date: Effective Date:	Supersedes:

1.0 Purpose of the Policy:

It is the policy of the Town of Exeter to not provide water and/or sewer services outside of the Town of Exeter. This decision is based on the report (appendix) of the Water & Sewer Special Committee, appointed by the Board of Selectmen in April, 1999 with the charge of "developing a policy position that can be applied by the Town when approached with a request to provide water and/or sewer services outside of Exeter". Their recommendation included:

2.0 Departments Affected: Water/Sewer Department

3.0 Definitions:

4.0 Policy:

When determined to be in the best interest of the Town to provide water and/or sewer services to a neighboring town, do so:

1. Only via an inter-municipal agreement with the neighboring town and not through an agreement with the land developer;
2. Prior to entering into any such inter-municipal agreement, the Selectmen should investigate tax sharing opportunities;
3. At the time the Town is considering major investments in water and sewer utilities, the Selectmen should carefully review opportunities for sharing water and sewer services with other municipalities.

5.0 Procedures:

6.0 Severability:

To the extent this policy is in conflict with State law, State law will prevail.

Town of Exeter	Policy Number **505.01**	Adopted by: **Board of Selectmen**
Subject: **Mosquito Control Policy**	Adoption Date: **11/27/07** Revision Date: Effective Date: **12/3/2007**	Supersedes: None.

1.0 Purpose of the Policy:

The purpose of this policy is to establish an acceptable method of mosquito control within the Town of Exeter.

2.0 Departments Affected:

Fire Department – Health Division

3.0 Definitions:

4.0 Policy:

The Town of Exeter operates a mosquito control program under the Fire Department Health Division through an annual appropriation in the budget. This program is designed to reduce the risk of contracting Eastern Equine Encephalitis (EEE), West Nile Virus (WNV) and other diseases through effective mosquito control measures.

The program includes, but is not limited to, the following:

1. **Larviciding** – Major focus for effective control; kills mosquito larvae: areas targeted include but are not limited to, catch basins, fresh water swamps, woodland ponds, salt marshes, stagnant water sources.
2. **Surveillance**- Mosquito/larvae trapping and testing. Testing shall also include birds per State program.
3. **Barrier Spraying** – Chemical barrier spray to repel mosquitoes from entering protected areas; including but not limited to, recreational parks, athletic fields, public gathering events.
4. **Adulticiding**- kills adult mosquito: targets recreational areas, special events, and streets when there is a threat of Eastern Equine Encephalitis and/or West Nile Virus.

5. **Public Information**- Information regarding personal protection, prevention, and signs and symptoms of disease will be made available. This information can be found at the Town Offices, postings and at the Health Department web site; www.exeter.nh.us
6. **Prevention**- Source reduction by the general public. This shall include the prevention of the accumulation of standing water upon any premise; including pool covers, pool maintenance, water barrels, cans, unusable tires, rubbish ect. Horse owners should vaccinate their horses against Eastern Equine Encephalitis.

5.0 Procedures:

The major components of this policy shall be prevention, testing, and Larviciding. These components shall be done throughout the season. Barrier spraying may be implemented. Decision to barrier spray will be based on risk of contracting disease. Adulticiding may be done. The decision to adulticide shall be based on risk of Eastern Equine Encephalitis and/or West Nile Virus. This decision will not only be based on Exeter's data but also on the surrounding communities. Adulticiding shall not be used for nuisance control. All products used in the Town of Exeter shall be approved and applied in compliance with the State of New Hampshire, FDA and EPA rules and regulations.

6.0 Severability:

To the extent this policy is in conflict with State law, State law will prevail.

Town of Exeter	Policy Number **99-09**	Adopted by **Board of Selectmen**
Subject: **Mutual Aid Response**	Adoption Date: Revision Date: Effective Date:	Supersedes:

1.0 Purpose of the Policy:

The purpose of this policy is to establish a uniform method and reporting procedure for requests for mutual aid by municipalities not parties to an existing mutual aid agreement.

2.0 Departments Affected: All Departments

3.0 Definitions:

4.0 Policy:

Authorities:

a. Fire - RSA 154:24
b. Police - RSA 106-C:3
c. Public Works - RSA 53-A

Agreements:

a. The Town of Exeter Fire Department is a party to the Fire Mutual Aid Agreement covering the inter-state emergency unit and several other towns defined in mutual aid arrangements.
b. The Town of Exeter Police Department has mutual aid agreements with municipal-ties geographically advantageous to Exeter and other communities.
c. The Town of Exeter Public Works Department has a mutual aid agreement with certain New Hampshire municipalities who have agreed to participate
d. All agreements shall be reviewed by the Town Manager annually in April.

Aid Outside Established Agreements:

a. In the event a request for aid is received by the Town of Exeter from a municipality not covered by an existing agreement, authority to render assistance must be established.

5.0 Procedures:

a. The Chief or Director of the specific department shall verify the request and shall be prepared to respond with the apparatus or personnel requested. The Chief or Director shall make known to the requesting party if, in the opinion of the Chief or Director, the function of the apparatus or personnel at the mutual aid site is not required or not consistent with effective public safety operations, the Chief or Director may order personnel and equipment be returned to Exeter.

b. The Chief or Director shall notify the Town Manager of the request and the probable length of deployment and the relative hazards involved. (In the absence of the Manager, the Chairman of the Board of Selectmen shall be notified.)

c. The Chief or Director shall file a written report of the deployment within twenty-four (24) hours of return.

6.0 Severability:

To the extent this policy is in conflict with State law, State law will prevail.

Town of Exeter	Policy Number **00-24**	Adopted by **Board of Selectmen**
Subject: **Grievances under the Americans with Disabilities Act (ADA)**	Adoption Date: 8/12/92 Revision Date: 1/4/00 Effective Date: 8/13/92	Supersedes:

1.0 Purpose of the Policy:

2.0 Purpose: To set up a grievance procedure under the ADA< which is mandated by federal law for any public entity employing fifty (50) or more person.

3.0 Departments Affected: All Departments

4.0 Definitions:

ADA Coordinator: Pursuant to Section 35.107 of the ADA. the Town of Exeter has designated Richard Kane as the person to coordinate its efforts to comply with the Americans with Disabilities Act, including investigation of any complaint alleging non-compliance or actions that would be prohibited by this act.

The ADA coordinator is:

Chief Richard Kane
Exeter Police Department
20 Court St (PO Box 127)
Exeter NH 03833 772-1212

5.0 Policy:

6.0 Procedures:

Grievance Procedure: Grievances under the ADA shall be handled according to the following five-step procedure:

1. Any individual may file an ADA grievance. The complaint should be in writing and briefly describe the action alleged to be prohibited by the ADA.
2. The ADA Coordinator shall conduct an investigation of the complaint as may be appropriate to determine its validity. In case where the ADA Coordinator is directly involved with the

grievance, the grievant shall be given the option of having an alternate ADA Coordinator, named by the Town Manager, for subsequent actions on the grievance.

3. Within 10 business days, the ADA Coordinator shall meet with the grievant to discuss the findings of the investigation. The ADA Coordinator may attempt to resolve the grievance.
4. If unable to resolve the grievance, the ADA Coordinator shall, within 10 business days, forward a report on the facts to the Town Manager, who shall meet with the grievance within 15 working days and attempt to resolve the grievance.
5. If unable to resolve the grievance, the Town Manager shall refer the matter to the Town's legal counsel.

The right of a person to prompt an equitable resolution of a complaint filed hereunder shall not be impaired by the person's pursuit of other remedies, and utilization of this grievance procedure is not a prerequisite to the pursuit of other remedies.

7.0 **Severability:**

Town of Exeter	Policy Number **505.02**	Adopted by: **Board of Selectmen**
Subject: **No Smoking Policy**	Adoption Date: **11/27/07** Revision Date: Effective Date: **12/3/2007**	Supersedes: Policy 91-15

1.0 Purpose of the Policy:

The Town of Exeter supports a smoke free environment for all Town employees and residents in accordance with RSA 155, the Indoor Smoking Act.

2.0 Departments Affected:

All Municipal Departments.

3.0 Definitions:

4.0 Policy:

It is the policy of the Town of Exeter to prohibit smoking in all Town buildings and in all Town vehicles.

5.0 Procedures:

The Town Manager will ensure that the No Smoking Policy is fairly and consistently enforced.

6.0 **Severability:**

To the extent this policy is in conflict with State law, State law will prevail.

Town of Exeter	Policy Number **85-10**	Adopted by **Board of Selectmen**
Subject: **Reporting Authority**	Adoption Date: Revision Date: Effective Date:	Supersedes:

1.0 Purpose of the Policy:

The purpose of this policy is to establish an organizational plan of Town departments and functions to include direct authority for the functions of Assessing, Building Inspection and Planning remaining at the Selectmen's level. In an effort to provide the best possible service to the community and productive coordination of these services, the Board makes the following actions:

2.0 Departments Affected:

Assessing, Building Inspection, Planning, Town Manager

3.0 Definitions:

4.0 Policy:

1. Day-to-day routine matters of the above mentioned employees will be coordinated through the Town Manager when required;
2. Each employee in these functions will be evaluated in accordance with the latest evaluation procedure with salaried employees being evaluated by the Town Manager;
3. Each section will develop a monthly statistical report defining the principle areas of service, reporting the activity in each of these areas. Reports will be due monthly at the same time as other reports of this nature.

5.0 Procedures:

6.0 Severability:

To the extent this policy is in conflict with State law, State law will prevail.

Town of Exeter	Policy Number **01-26**	Adopted by **Board of Selectmen**
Subject: **Snow Day Policy**	Adoption Date: 1/9/95 Revision Date: 3/26/01 Effective Date: 1/9/95	Supersedes:

1.0 Purpose of the Policy:

2.0 In the event of a significant snowstorm, certain Town operations may be placed on a limited services schedule.

3.0 Departments Affected: All Departments

4.0 Definitions:

5.0 Policy:

The determination of the need to go on a limited services schedule shall be made by the Town Manager and/or the Chairman of the Board of Selectmen. In the event that a limited services schedule is declared, non-emergency personnel are authorized not to report to work, report to work when they are able or, if the limited services schedule is declared during the work day, to leave work early. (Non-emergency personnel are defined as all personnel other than emergency personnel. Emergency personnel are those employees involved in the direct provision of emergency services, snow plowing and salaried employees.)

6.0 Non-emergency personnel will not be paid for hours not worked when their respective offices are on a limited services schedule. They may, however, take the time as personal or vacation time. Employees who come to work, or stay at work during a limited services schedule, will be paid at their normal rate of pay. Employees who do not work when their offices are on a limited services schedule may make up time lost within the ensuing 40 hours with their supervisor's permission. If this is accomplished, no vacation or personal time will be deducted from that available to the employee.

7.0 Procedures:

1. Once declared and departments are informed, employees will notify their supervisor on their intent for the remainder of that day;
2. If declared before the start of the day, if an employee is staying home, they must phone in and state their intentions of declaring a vacation or personal day;

3. If an employee is intending to arrive at work but at a later time that normal start time, they must call the office and note their intention of being late.
4. Upon arriving at the office the next work day, the employee will complete a leave slip noting the appropriate type of leave to be used. If "making up" the lost time, a notation will be made on the employee's time card at each area extra time is accumulated (this will prevent an over-time payment in the next pay period).

8.0 Severability:

To the extent this policy is in conflict with State law, State law will prevail.

Passed: 1/09/95

Effective: 1/09/95

Amended: 3/26/01

* would also apply to other emergencies