

**Exeter Board of Selectmen Meeting  
Monday, May 21<sup>st</sup>, 2012 7:00 p.m.  
Nowak Room, Town Office Building  
10 Front Street, Exeter, NH**

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

1. Call Meeting to Order
2. Public Comment
3. Minutes & Proclamations
  - a. Regular Meeting: May 7<sup>th</sup>, 2012
4. Appointments
5. Discussion/Action Items
  - a. New Business
    - i. Public Hearing: Fire Training Funds
    - ii. Emergency Plan Update – Emergency Management
    - iii. Sustainability Initiative: RPC
    - iv. Grant Designation: CLG Grant
    - v. Resignation of Town Treasurer
  - b. Old Business-
    - i. License Agreement – 1 Hampton Road
    - ii. Private I and I Program Outline
    - iii. Review Street Sweeper Operation
    - iv. Bid Awards: Sidewalk Tractor
    - v. Town Offices Discussion
6. Regular Business
  - a. Bid Openings
  - b. A/P and Payroll Manifests
  - c. Budget Updates
  - d. Tax Abatements & Exemptions
  - e. Water/Sewer Abatements
  - f. Permits
  - g. Town Manager's Report
  - h. Legislative Update
  - i. Selectmen's Committee Reports
  - j. Correspondence
7. Review Board Calendar
8. Adjournment

Matt Quandt, Chairman  
Board of Selectmen

Posted: 5/18/12 Town Offices, Library, and Departments

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

**1. Call Meeting to Order**

Chairman Matt Quandt convened The Board at 7:00 pm in the Nowak Room of the Town Office Building. Other members present were Selectman Frank Ferraro, Vice Chairman Don Clement, Selectman Dan Chartrand, Selectwoman Julie Gilman and Town Manager, Russ Dean.

**2. Public Comment -**

Don Woodward, Exeter Resident comes forward to extend an offer to the Board of Selectmen to carpool to the LGC Meeting he is planning to attend on June 9, 2012.

**3. Minutes & Proclamations****a. Proclamation: National Public Works Week May 20-26, 2012**

Selectman Dan Chartrand presents a proclamation to Jennifer Perry, Director of Public Works. He offers his recognition of the services provided by Public Works. He expresses his gratitude of the efficiency and dedication of the Public Works personnel. He commends their performance and reminds the Board that the services of this Department are depended upon greatly by the community as a whole. He offers his appreciation to the vital contributions Public Works makes every day to the public health, safety and comfort of all of the community. He proclaims the week of May 20, 2012 through May 26, 2012 to be National Public Works Week.

**b. Regular Meeting: April 23, 2012**

Mr. Clement moves to change page 4 under the heading of appointments to reflect Ms. Gilman's appointment of John Markel with the correct spelling of "Markle". Mr. Ferraro moves to change page 6, under permits in the first paragraph, second sentence. The sentence should reflect, "He reminds the board that two years ago (insert) and again last year, there was some confusion in regards to signage. He wishes to strike "At the time he" and insert "Mr. Ferraro." He also wishes to change Swasey Park to Swasey Parkway.

**Mr. Chartrand moves to accept the minutes reflecting the changes of Mr. Clement and Mr. Ferraro. Ms. Gilman Seconds. Vote: Unanimous**

**c. Special Meeting: May 2, 2012**

Mr. Ferraro asks for clarification on the second page, second line. The sentence indicates Mr. Chartrand asks for the street sweeper issue be brought before The Board for disposition. He wonders if this item has been added to the agenda. Chairman Quandt indicates it will be added to the agenda in two weeks.

**Mr. Chartrand moves to accept the minutes as presented. Mr. Clement Seconds. Vote: Unanimous. Mr. Ferraro abstains.**

**4. Appointments – Arts Committee, Historic District Commission**

**Mr. Clement moves to reappoint Jane Kiernan to the Arts Committee with a term to expire April 30, 2015. Ms. Gilman Seconds. Vote: Unanimous**

**Mr. Clement moves to reappoint Darius Thompson to the Technical Committee with a term to expire April 30, 2015. Ms. Gilman Seconds. Vote: Unanimous**

**Mr. Clement moves to appoint Patrick Gordon to the Historic District Commission, as an alternate, with a term to expire April 30, 2013. Ms. Gilman Seconds. Vote: Unanimous.**

**5. Discussion / Action Items****a. New Business****i. Sportsman's Club Annual Report**

Butch York, the President of the Exeter Sportsman's Club presents a summary of the status of the club. He offers a short summary of his presidential qualifications as a retired executive who has retired and been drafted to the Presidency of the Sportsman's Club. He first wishes to summarize the efforts of the Club regarding sound mitigation. The National Rifle Association (NRA) has accepted the new design and will be presented to the Planning Board shortly. The requirements

set forth are that the new design must contain sound and projectiles. The Club has conducted and test and found the new design does contain the heaviest round that is fired at the club. He summarizes the intent of the Club, if the design is approved, to build the first twenty-five yards. The purpose of the first twenty-five yards is to verify that the new design materials will in fact mitigate the sound. The sound must be reduced by 10 decibels. He explains that 10 decibels to an average person will be equivalent to a sound reduction of about half. The neighbors will notice quite an effect because 80% of the firing occurs twenty-five yards from the backstop. Many of the members only shoot hand guns until it's closer to hunting season when it's common for rifles to be sighted in.

He offers a summary of the Club efforts to provide Safety Training. The Club currently offers basic safety training to any member of the community for a cost of \$30, for a three hour course. The Club provides all the firearms and ammunition and any other materials they may need. The courses are very popular and availability is posted on The Club's sign. The "Women's only" course for handguns fills up very rapidly creating a wait list in many cases. The Club intends to increase the number of firearms instructors that will be NRA Certified. The Safety Training also includes a hunter safety training course. Training has been completed for twenty individuals from the community. The State only allows twenty applicants to each course in hunter safety training. On June 10, the State of NH will begin training ten additional firearms instructors. The Club will then be able to provide four to six hunter safety courses per season.

Mr. York comments on the progress of the annual fishing derby, indicating it is on May 12, 2012. This event is very popular with the junior citizens of the community and is sponsored by The Club and other community businesses and the State of NH. The water works pond is stocked for this event and it has proved popular and successful in past years. Mr. York also advises The Board of the joint efforts between the Club, UNH and the Boy Scouts Association. Together the organizations are partnering to offer rifle shooting instruction to the local ROTC Cadets. Members of the US Air Force are no longer provided with firearms and ammunition. Lt. Col. Tesserman has requested the participation of the Club in this education. The Club is providing instructors for three local troops to assist the Scouts in earning Merit Badges. In cooperation with the Apple Seed Project, the Club will turn the shooting range over to complete the instruction with the local PEA students.

Ms. Gilman questions the location of the sound attenuation. Mr. York indicates it is on the right side of the range. The other side has been secured with a dirt bump with one remaining gap that needs to be filled. On the south (pond) side, the barrier will run the entire 100 yard length. There will be a wall, six inches thick with peat gravel. These stones of various sizes provide rough irregular surfaces in which to disperse the sound waves. The wall will be eight feet high, 100 yards long and six inches thick. It has been fired at, at point blank range with the heaviest weapon allowed to be fired at the Club. The wall was not penetrated. The Club has met with several of the neighbors and offered to allow them to come and preview the new design. Mr. Clement wonders if The Club requires or has a permit from the Planning Board. Mr. York advises that according to his lease, any changes to the property have to be approved by the Planning Board. He advises that the drawings of the specs are available and the Club will seek approval from the Planning Board soon. In Mr. York's opinion, the only controversial party may be the need to provide twelve feet of space to service the back spot. This could require the removal of four to six trees but this is still to be determined.

#### **ii. 1 Hampton Way Sign Request**

Eric Cimon, of Access Sports Medicine presents to discuss the sign for Access Sports Medicine. Mr. Cimon apologizes that Dr. Siegel couldn't be present for the meeting but he is prepared to discuss the intent and requests on behalf of Access. Mr. Cimon has met with the Town Manager, Russ Dean and he wishes to discuss the possibility of a license agreement to move the sign and put it on the right of way. He has brought a letter from the property owner, Brooks Properties regarding all efforts they are prepared to offer in order to secure the license agreement, including a stipulation that at any time, the Town of Exeter can request the sign be removed at the cost of Access Medicine. He hopes this is a reasonable solution that satisfies both parties.

Mr. Ferraro is still opposed to the sign being placed in the public right of way. He feels it may set a precedent for future businesses. He reminds The Board that there are currently excess parking spaces on the property that were discussed the last time Access came before this Board. He feels if Brooks Properties isn't willing to utilize one parking space to accommodate the Access sign, the Town of Exeter should not allow the sign to be placed in the public way. Mr. Cimon advises that the idea of the parking space has been explored. He feels the most practical space for a sign would be straight out, but moving the sign to a parking space in the current lot has been explored and it was determined the sign would then be virtually invisible. Mr. Cimon notes that the parking area is largely used during the regular business hours by the businesses and clients of the companies in the building. On the weekends the lot is used as an over flow lot for

many Town residents to attend Town events. In order for the sign to be visible in a parking space, the surrounding four spaces would also need to be designated and would then be non functional. Mr. Cimon has also explored the idea of applying for a variance to lift the sign up into the air to allow for better recognition. He confirms the most practical space for a sign would be in the right of way. Mr. Ferraro expresses his concern. He points out that Access has been renting the space from Brooks Properties for fifteen years with the sign where it is. He questions the motive to needing a sign in a new place now. He expresses his opposition to a one year license. He would prefer the agreement indicate that at any time, without cause, the Town of Exeter can require Access remove the sign. Mr. Cimon reminds him that this clause is in the agreement he has submitted.

Mr. Chartrand expresses his favoritism of this idea. At a time when the Town is driving for more economic development and increasing the non residential property value, he feels the Town of Exeter needs to be business friendly. He feels the Town needs to be good neighbors to businesses who are good neighbors to the Town. The lot is recognized as an overflow lot for the swimming pool on the weekends. Mr. Chartrand is emphatic that the Town needs to work with the businesses that work with the Town. He further points out that the agreement does have the clause that the sign can be removed at any time, without cause.

Chairman Quandt reminds The Board that licenses of this nature have been issued to other establishments such as Provident Bank, The ATM, and the hot dog vendor. He does not feel allowing this license would be setting a new precedent. Mr. Clement asks Mr. Dean if Town Counsel has reviewed the agreement. Mr. Dean advises they have not. The intent was to get feedback from the Board of Selectman prior to sending it to Counsel for review. Mr. Clement recognizes the license would be renewed annually and wishes to know what the procedure for this renewal would be. Mr. Dean indicates this would be a license agreement with The Board. If the intent is to bring this license back annually for review, than the tenant or property owner will need to do so. The regular sign fee is an annual \$25.00. Ms. Gilman questions the annual fee and inquires its designation, as opposed to a long term fee. Mr. Dean indicates this would be a combination between a license and a sign fee.

Chairman Quandt calls for wishes of The Board. Mr. Clement would feel more comfortable sending the agreement to Town Counsel prior to approval, for review.

**Mr. Clement moves to approve the agreement, pending review by Town Counsel. Mr. Chartrand Seconds, for discussion.**

Mr. Ferraro expresses his concern at the mechanism of approval pending review. He feels if the agreement is going to be submitted for Counsel review, then it should be reviewed and represented to the Board at that time. **Mr. Clement withdraws his motion. Mr. Chartrand withdraws his second.**

**Mr. Clement moves to send the agreement to Counsel for review and comment or changes be brought back to The Board. Ms. Gilman Seconds.**

Mr. Ferraro calls upon Jennifer Perry, Public Works director to establish the opinion of Public Works on this issue. Ms. Perry refers to a brief memo written to the Town Manager expressing Public Works concerns with any signage in the right of way. The DPW does not have any additional suggestions for this matter. It is her opinion that any signage in the right of way is a concern for setting precedent and this is a very unique situation.

**The Board voted unanimously in favor of the motion. Mr. Ferraro abstained.**

### **iii. AIM Representatives Festival Planning**

Julie Tiebout, director of the American Independence Museum comes forward to speak to the issue of collecting donations in an effort to help offset some of the cost of the festival. She reminds The Board that July 21<sup>st</sup> will be the twenty-second year of this festival. Ms. Tiebout points out that the festival brings thousands of people to the Town for the event. Specifically, the battle re-enactment. As the grounds of the Museum cannot accommodate the space required for the re-enactment, the Museum utilizes the space of Swasey Parkway. In her opinion, it's the most popular event of the festival, closely followed by the Museums drafts of the US Constitution. Ms. Tebow advises The Board that the battle itself costs approximately \$5,100.00. A few years ago, it was decided by the Museum to begin charging admission to the Museum grounds. She feels the Museum, partnered with other local businesses, does its best efforts to provide an exciting and educational experience. This festival is Exeter's time to shine. The festival is followed by fireworks and the Recreation Department also provides a concert. Ms. Tiebout indicates the keyword in this entire summary is donation.

She feels the signs they are presenting are clear that there is no requirement of anyone to donate money to be on the Parkway and enjoy the battle. There is a \$6.00 admission fee to observe anything on the Museum grounds, but it is clear there is no admission fee for the festival experience on the Parkway itself. The Museum volunteers will plan to collect donations in a respectful manner. The mechanism of accepting donations on the Parkway is specifically designed to offset the cost. Ms. Tiebout is hopeful The Board will approve of the Museum exercising the collection efforts again this year.

Allison Field, of the Board of the Governors of the Museum, comes forward to speak to the issue of donations. She indicates she has, in previous years, sat at the donation table. In her experience, there are many other functions performed and services offered in addition to collecting donations. Information is provided, directions, suggestions and things of that nature. While admission fees are required for any festivities on the grounds of the Museum, she also feels it is clear that there is no admission fee to the Parkway or any festivities at that location. There is only the suggestion of a donation to support the battle. Ms. Field reminds the Board that there are many businesses that utilize the Parkway, throughout the year, for profit. She feels it's inconsistent that this nonprofit organization should not be allowed to have the same opportunity. She expresses her concern that disallowing the Museum the same opportunity may prevent the Museum from reenacting the battle in future years.

Gerry Hamel, Swasey Park Trustee, comes forward to speak to the issue of donation request. He believes all of the Trustee members feel as though donation requests are acceptable, so long as they are managed and handled properly. There should be no barricades or bars preventing people from coming in. There is no desire to have the community or visitors feel pressured to offer donations. The Trustee's wish that the donation requests are not made to look mandatory. Ms. Gilman advises The Board that she is on the Committee for organizing the festival.

Mr. Ferraro expresses his support of the Museum and what they do with the festival and agrees it does make Exeter shine as a community. His concerns are in the wording on the signs and advertisements. In past years, he has been confused, and spoken with community members who were also confused in how the sign wording ties the Museum grounds and the Parkway together. Mr. Ferraro feels the Museum has the authority to charge an admission fee for the grounds, but feels there needs to be no confusing about the cost to be on the Parkway. He advises the Museum to separate the concept of admission and donations.

Mr. Chartrand speaks to the level of importance the festival brings to the vitality of the Town. He feels the Museum, under the leadership of Carol Aten in 1991, made an enormous difference. The development of the summer program of PEA also contributes. Mr. Chartrand reminds the Board that various entities in the community strive to build the community. He reflects that first, it was the Independence Festival. He expresses his gratitude to the Museum and all of the volunteers for their efforts. Mr. Chartrand believes this is true economic development for this Town.

Allison Field inquires if the Board of Selectman has the authority and exercises that authority to define the language of signage for all profit and nonprofit organizations. She is concerned that people, in general, have short attention spans. Diluting or confusing the language is possible, but unlikely. She feels the requirement of isolating language in a way that pleases the Board of Selectman is unique, as other nonprofit organizations are not asked to do this. Ms. Field reminds the Board of the record of tenure and responsibility of the Museum and this festival. She asks the Board to be very clear, concise and specific in the language requirements. Mr. Clement agrees that the festival is unique to the Town of Exeter and it is part of the historic presence of the Town. As a Board, he feels they need to do what is necessary to keep supporting this event as it can be very difficult to raise money for festivals such as this. He speaks to Ms. Field's comment of Selectman defining language. As a Selectman, he does not wish to define the language and does not feel this is what the Board should be trying to do. He admits his first experience with the donation table, a few years ago, was confusing. He reflects that he asked about the donation at the table and it was explained to him, clearly, that there was no admission fee for any events on Swasey Parkway but donations were being accepted. The admission fee was strictly for festivities on the Museum grounds. Mr. Clement advises he does not wish to get into the business of defining the language of donations. To Ms. Field's comment, he does not want to define language, it's not what we should be doing here as a board. He reminds the Board that many of the groups who seek permits and utilize the Bandstand collect donations. He reflects on the Exeter Fire Department's annual boot collection as an example.

Stephanie Hewson, Festival Coordinator comes forward with a draft of the sign. It clearly indicates the Swasey Parkway events are free, but donations are appreciative. Mr. Ferraro indicates he is satisfied with the changes the Museum has made to the language of the signs.

**iv. PEA: Crosswalk Presentation**

Jeff Nelson, Director of Campus Safety at Phillips Exeter Academy Services presents the intent of PEA to pilot a new state of the art cross walk design. Mr. Nelson, as with many community members, has great concerns regarding the crosswalks in the Downtown Exeter area. Specifically those utilized by the student body of PEA on a daily basis. There is no method of record keeping that can provide specific data to reflect how many incidents there have been regarding pedestrians over the years. He can report that there have been 279 identified entries in the PEA Campus Safety Services office since 2007. These incidents are all crosswalk related and have been logged at PEA. Mr. Nelson advises the Board that safety education is stressed to the student body at PEA as a first line of defense for these types of incidents. Mr. Nelson has met with Police Chief Kane and Jennifer Perry, Director of Public Works. As a collaborative effort, they have devised a design to pilot a state of the art update to a crosswalk that has exhibited signs of being problematic. Mr. Nelson acknowledges that pedestrians have some responsibility in safety when crossing a road. He feels as though drivers are not currently properly clued into the presence of the crosswalks. The current signs are old and faded and the beacon lights are relatively high and for the most part, out of sight. The lights are not LED or strobe and the lights are also old and faded. PEA is presenting an update to the lighting and signage. Mr. Nelson summarizes the first type of sign as a stand up sign such as a traffic pole or traffic control device. PEA would like to introduce signs that are more decorative with LED lights around the perimeter of the sign. The second devices would be devices in ground. They would also be LED and multidirectional. These in ground devices sit flush with the roadway and are beveled so as not to impede plowing or collection of sand or salt. It is undecided if the alert mechanism for these new safety alerts will be press button or not. The in ground devices have the capacity to be self adjusting and can be fine tuned including programming light adjustment. Mr. Nelson explains that the second page of the proposal is a possible layout for a new crosswalk. He explains that twenty-five to thirty yards from the crosswalk would be the advance warning sign. The sign would be LED and there would be a secondary warning sign right at the crosswalk. The bollards would be set up, again without decision of push button or pass through motion detected. The crosswalks themselves wouldn't need to change, with an exception or two. The primary changes would be the signage and lighting. The in ground LED devices would be the only physical changes to the crosswalks. Mr. Nelson addresses the immediate obvious concerns of snow removal, material wear, and light adjustment. He points out, again that the devices are flush to the roadway and will not obstruct the blade of a plow. The devices are made of stainless steel making them rust resistant and weather resistant over the course of time. Light adjustments can be made manually including a possible frame to keep the LED on the upright signs directed forward as opposed to the sides. Chief Cane asks if a group of pedestrians passes through the bollard, in the event of motion detection, and then passes through the second set as they approach the other side of the street, would it reset. Mr. Nelson indicates the entire system can be fine tuned to prevent that.

Mr. Ferraro is concerned that the pass through type, in consideration of the age group of this student body population, might make (the students) less concerned about safety and pass through expecting someone driving to stop. He feels the push button bollard is a better solution. Mr. Ferraro also feels that training will need to be performed the PEA populations. As the local community drivers get used to them, they may not see the lights and keep driving. He believes seeing those lights begin to flash may grab the attention of drivers. This proposal is not for a stop light, but rather an advance warning light to alert drivers that there may be pedestrians in the crosswalk ahead. Mr. Nelson proposes PEA be allowed to start with the cross walk on Front Street as a pilot to test the mechanisms. This crosswalk is frequently used by students and faculty. Mr. Nelson confirms this would be the crosswalk on the way to the library.

Mr. Clement comments that many of the students pass through the current crosswalks without stopping. In his opinion, they're not paying much attention and any system that requires attention on their part would be good for their education and awareness. He also feels the signs need upgrading. It's confirmed that the inroad devices will be used as part of this pilot. Mr. Clement wonders if the pilot is successful, is it the intention of PEA to upgrade all of the crosswalks around the academy. Mr. Nelson confirms that this is the intent if the pilot is successful and proves to be worth the investment. Mr. Nelson indicates the Front Street location was chosen because there is a problem with off-road construction at the location. The crosswalk starts in a driveway and needs to be moved over to straighten the crosswalk, make it separate and distinct of the driveway.

Mr. Chartrand expresses his support of this upgrade. He feels as though local drivers are fairly well educated to the student population in the community. Much of the road net is traveled by out of town drivers who may not be aware of the student population. He feels that one injury or life lost is one too many. Mr. Clement calls upon Jennifer Perry, Public Works Director, to comment on the in road devices.

Ms. Perry first expresses her gratitude to Mr. Nelson and PEA. She reflects that Mr. Nelson has been very

accommodating and has appeared at the DPW and the Exeter Police Department to respond to all questions and concerns presented to him. She acknowledges that he has been willing to look into the additional data requests that she has asked for. The uniform traffic control devices manual has been reviewed and researched. While she admits she has no personal experience with the devices, she has spoken with the vendor and the vendor has. She has been advised that these devices have been successfully installed in heavy snow areas. She expresses her desire to see this proposal succeed and is happy to support and recommend it. Mr. Ferraro expresses his opinion that the in ground lights only activate when the button is pressed as an essential for success as it's possible the signs can be blocked by one factor or another. Mr. Nelson indicates he has sought the approval of the Board of Selectman prior to asking a civil engineer to evaluate the chosen location. Mr. Dean indicates the Board need not make any motions; the objective of this was for discussion purposes. Mr. Ferraro suggests a vote anyway.

**Mr. Ferraro moves to allow Mr. Nelson to work with the DPW and EPD to start a pilot on the crosswalk suggested. Ms. Gilman Seconds. Vote: Unanimous.**

At the suggestion of Ms. Perry, Mr. Nelson agrees to come back to the Board to report on the pilot after a year.

**v. Health Grants – Fire Department**

Assistant Fire Chief Berkenbush presents the annual grant of the Public Health Network in the amount of \$87,500.00. The purpose of the grant is to provide All Health Hazards Planning for the Town of Exeter and 23 other communities. This grant will fund the salary of Mary Cook, Coordinator of the program whom also handles the coordination for CERT and MedReserve CERT Teams. This grant is for health related emergency planning.

**Mr. Ferraro moves to accept the grant from Public Health Network as presented. Mr. Chartrand Seconds. Vote: Unanimous**

Assistant Fire Chief Berkenbush presents the final two grant presentations as a combined grant. The grant is in the amount of \$10,000.00. There are currently two checks, one for \$5,000.00 and one for \$2,500.00 from the Citizens Corps and will be utilized to train volunteer and medical reserve volunteers to help local communities in the event of natural disasters. Another class for training of these volunteers is underway and at its commencement there will be a cumulative total of fifty volunteers in the Exeter region. Mr. Chartrand asks him to clarify the total number and total amount of the grants. Mr. Berkenbush indicates there are only two grants, totaling \$10,000 paid incrementally.

**Mr. Chartrand moves to accept the grant from the Citizens Corps in the amount of \$10,000.00 Mr. Clement Seconds. Vote: Unanimous**

Assistant Chief Berkenbush updates the Board on the grant from Assistance to Firefighters, previously discussed, for the sprinklers in the Safety Complex. The final requirement has been met, and the Board can expect to see an RFP shortly. He also updates the Board on the first quarterly ambulance report. He reports the Medicare reimbursement numbers have been reviewed and are compatible, in comparison, to those of 2011 and 2012. He further reports that secondary insurances will not remit payment until Medicare or Medicaid remit so the figures will increase as those secondary carriers being making payments.

**vi. Fire Training Fund – Fire Department**

Exeter Fire Chief Comeau presents a grant that was given to the Department of Safety for fire fighter training. The statewide grant totals approximately \$4.4 million dollars. Chief Comeau asks the Board allow the department to take part in some of this training, utilizing a portion of this State wide grant. He proposes a line item be built into the budget to begin the training. He expects the estimated cost to be \$50,000 to \$90,000 in additional training between now and November 1, 2012. The line item would initially cover the expense of the training and the grant would reimburse the fund. Chief Comeau advises the State Priority Training has been authorized by the Director of the NH Firefighter Academy. He explains that a firefighter attending training can be covered for up to ten hours of back fill with no cost to the community and the grant also includes reimbursement for overtime rates and all associated earned income taxes. Firefighters from other communities are available to stand in for any Exeter Firefighters in a classroom. Chief Comeau advises there are seventeen Exeter Firefighters enrolled currently. If twenty of the twenty-five firefighters take one of the classes, the financial impact would initially be approximately \$90,000. Mr. Dean further identifies this grant as a once in a lifetime opportunity in which many other communities in the state are participating. It is highly publicized and these

are funds that would not normally be available.

Mr. Ferraro expresses his support of additional training for firefighters. He advises Chief Comeau that the budget was established for the Town by the voters in March. The budget would need appropriated line items. Chief Comeau reminds the Board of the line for FEMA. In a disaster, expenditures are made from the FEMA line and reimbursed, essentially causing a wash. Mr. Ferraro advises that the Board cannot exceed the appropriation total. Funds can be shifted, but the appropriation total cannot be exceeded.

Mr. Dean reminds the Board that this would fall under the statute on unanticipated revenue, RSA 31-95-b. As grant funds become available the Board of Selectmen would expend from the unexpected revenue to cover the cost of the training. This is like most grants that are reimbursed to the Town. He further explains the reimbursement will come gradually. Mr. Clement reflects on situations of past in which monies have been shifted for scenarios such as these.

Mr. Ferraro expresses his point again; the expenditures cannot exceed the appropriation. Mr. Dean reflects on historical experience for similar circumstances in which the funds were put up in the budget up front, and the reimbursement was later applied to the account. He is confident that as these are how these types are grants are made, it's not an increase in the budget or an increase in expenditure. It would be accounted for separately and specific to this program. Mr. Ferraro indicates that he would prefer to have the Town Counsel give a legal memo on the RSA that allows the Board to expend in this manner. Mr. Chartrand asks Chief Comeau if this is a time sensitive request. Chief Comeau indicates now is the time to act. Any unused funds from this grant in November have to be returned to the State.

**Mr. Chartrand moves to accept the grant funds pending a legal memo from Town Counsel. Mr. Clement Seconds for discussion.**

Mr. Dean clarifies that these funds are in fact a grant, for Mr. Clement.

**Mr. Chartrand amends his motion. He moves to accept the grant pending Town Counsel opinion of Mr. Ferraro's concerns. Mr. Clement amends his second. Vote: Unanimous**

#### **vii. NH Bond Bank Documents**

Mr. Dean presents the three items relating to the NH Bond Bank Documents. He advises the Board that the resolution must be read in order to satisfy the requirement of public disclosure. The actual loan agreement is present for review from the Board. The Loan Agreement is for the Jady Hill Phase 2 project, Norris Brook Culvert project and the Wastewater Treatment plant Design. Mr. Dean reports the third part in the packet as a newer requirement. The counsel of the Bond Bank has required the Town of Exeter adopt a Policy and Procedure for tax exempt obligations. He summarizes the requirement as the IRS ensuring the Town of Exeter is not borrowing money to make money. This includes a clause indicating the Town agrees to disclose any financial information if requested by the IRS to prove the funds are spent with due diligence and are not held onto for any longer than is necessary. Mr. Dean notes that the \$4,700,000 on the documents' first page is a typo and should read \$3,650,000.

**Mr. Clement moves to approve the Bond reflective of a change from \$4,700,000 to \$3,650,000.**

Mr. Chartrand reads the certificate of approval in its entirety for public record.

**Mr. Ferraro seconds Mr. Clement's motion. Vote: Unanimous.**

**Mr. Clement moves to approve the tax compliance policy and procedure. Ms. Gilman Seconds. Vote: Unanimous.**

#### **viii. Conservation Easement: 191 Epping Road**

Mr. Dean reports the Conservation easement for 191 Epping Road has been reviewed by Town Counsel. This easement was negotiated as a part of the Mobil on the Run project. He advises the Board they must vote to approve the easement, as it is currently only recommended. Mr. Dean explains the easement was a requirement of DES between the owners and DES and the final language was never really finalized or legalized. In 2011 Global came to initiate a drive through at Mobile on the Run. The finalization of the easement is part of the negotiations for that project.

**Mr. Clement moves that the Board of Selectman accept the conservation easement deed as presented for the plot of land on map 40, lot 11. Mr. Chartrand Seconds. Vote: Unanimous**

**b. Old Business**

**i. Private I and I Program: Discussion**

Mr. Dean reports that all of the questions from the previous discussion of this topic have been forwarded to Town Counsel and have not been returned as of yet. He believes they should be available for the next meeting.

**ii. Board / Committee Policy 89-19 and 92-13 Updates**

Chairman Quandt advises the Board the revised policies are presented in the packet for review. He requests a motion to approve the amended policies. Mr. Chartrand reflects on a conversation he had with a committee volunteer. In discussing these policies, the volunteer cautioned Mr. Chartrand not to make the work of volunteers too onerous. The volunteer felt as though making it difficult to serve in long term positions could drive potentially interested community members from participating on a Committee. Chairman Quandt believes these policies to be pretty standard and reminds the Board they are subject to reconsideration later on if necessary.

Mr. Clement expresses his concern regarding policy 89-19. He feels uncomfortable using the phrase "shall be subject to" and wants the verbiage changed to "may be subject to." He feels this gives the member an opportunity to stay on the committee under the circumstances that the committee does not decide to remove them. Mr. Ferraro feels that if the word "may" shall be used, a process for attendance accountability needs to be put in place that would alert the Board if a member does not attend. The Board would only take action at the point of report from the Chair of Committee indicating the member is not meeting the obligation of 40%.

**Mr. Chartrand moves to accept policy 2012-01 with the following amendment to #7, strike the word "shall" and insert the word "may." Ms. Gilman Seconds. Vote: In favor, Mr. Clement, Mr. Chartrand and Ms. Gilman. Opposed. Mr. Ferraro. Motion Carries.**

**Mr. Clement moves to accept policy 2012-02 as presented. Mr. Ferraro Seconds. Vote: Unanimous**

**6. Regular Business**

**a. Bid Openings – Sidewalk Tractor**

Chairman Quandt reads the two sealed bids for the sidewalk tractor. A bid from Chadwick and Barrows, Inc. of Concord, NH for \$137,800 for the vehicle and all side implements. A bid from Howard and Fairfield for \$139,500 including a trade. Mr. Ferraro asks Ms. Perry to confirm the amount approved for this project, and if the bids include the snow blower and or plow attachment. Ms. Perry confirms the attachments are included and she believes the budget for this purchase to be \$147,000.

**Mr. Clement moves to refer the bids to DPW and Town Manager for consideration and approval. Ms. Gilman Seconds. Vote: Unanimous.**

**b. A/P and Payroll Manifests**

**Mr. Chartrand moves to approve an accounts payable warrant for checks dated May 4, 2012 in the amount of \$9,00.00. Ms. Gilman Seconds. Vote: Unanimous**

**Mr. Chartrand moves to approve an accounts payable warrant for checks dated May 4, 2012 in the amount of \$168,833.31. Ms. Gilman Seconds. Vote: Unanimous**

**Mr. Chartrand moves to approve a weekly payroll warrant for checks dated May 2, 2012 in the amount of \$162,948.03. Ms. Gilman Seconds. Vote: Unanimous**

**c. Budget Updates – None**

**d. Tax Abatements & Exemptions – None**

**e. Water / Sewer Abatements – None****f. Permits**

A permit request from Taoist Tai Chi Society to use the Town Hall for their annual workshop on September 8, and September 9, 2012 from 9:30 am to 5:30 pm.

**Mr. Chartrand moves to approve the permit request of Taoist Tai Chi Society. Ms. Gilman Seconds. Vote: Unanimous**

Mr. Dean offers a Town Hall report indicating Seacoast Idol has reserved the Town Hall as a rain shelter from May 7<sup>th</sup> through the 10<sup>th</sup>. The Oyster River Players have finished their concert. The Amare Cantare associated with the Oyster River Players is this Friday night from 5 to 10pm. There are Seacoast Idol auditions on May 12<sup>th</sup> and 13<sup>th</sup>. He reports that next week there will be musical arts recitals and the Rockingham Planning Commission has sponsored a bike to work day on May 18<sup>th</sup>. The Hat Madness Donut sale will be Saturday morning.

**g. Town Manager's Report**

Mr. Dean would like to report that the State of NH is doing some grading work on Brentwood Road and also on Court Street. The shoulders are being graded and the Town has no jurisdiction for these improvements. Mr. Dean also reports he attended a municipal administration and finance committee meeting last Friday in Concord. This was a policy discussion forum around policy initiatives submitted by various communities including Mr. Ferraro's submittal regarding responsibility for snow removal on public ways. There was discussion on whether municipals need to be plowing sidewalks and it's been defined as an inherited responsibility from a Supreme Court case from Concord in 1890. There was some discussion relating to a case in Tilton, NH in which sidewalk maintenance in a public way and the court ruled that once a public way is accepted, all are accepted. The only exception to this would be a way that is declared a private way. Mr. Dean is pleased to announce a workforce house coalition function tomorrow evening. This event topic will be policy updates for workforce housing and it seems to be of interest. Lastly, Mr. Dean expresses his condolences to the family and friends on the passing of Roland Goupil, proprietor of Gerry's Variety and Trackside Café. Mr. Goupil was a long standing community member and proprietor in Exeter and he will be missed.

Mr. Ferraro expresses his appreciation of the report on the sidewalk clearing. He adds to Mr. Dean's report on the Tilton case that as a municipality, there is the opportunity to do something good for the community but adds the expense of having to clear it. The DPW has done an exceptional job of working to clear sidewalks. Mr. Ferraro feels this decision of the Supreme Court is worth looking into. Mr. Ferraro reflects on a group from CMS that had approached the Board regarding signs. He believes that was a year ago, and wonders if the permit for new signs has been received. Ms. Gilman indicates that event was recently a permit request and the letter the group presented with the request was dated the previous year and the event has already passed. He also inquired about the construction in the Town Offices.

Mr. Dean reports the assessing office and tax office are in the final stage of switching places. Mr. Ferraro asks about the area that was formerly finance. Mr. Dean reports that it is still undecided how that space will be utilized. The Town Clerk and Mr. Dean have met and she has a layout for her office, including the Selectman's area and possibly moving the Supervisors of the Checklist out of the Town Clerk's area. A discussion with code and fire must also be had before it comes back to the Board. Mr. Ferraro points out that the Board approved the Assessing Department taking the Collections and Finance area, which resulted in the moving of the Finance Department. Mr. Ferraro asks Mr. Dean why this did not happen. Mr. Dean responded by saying he does not recollect a mandate that someone go into the Finance area. Mr. Ferraro feels as though the plan that was approved included Assessing moving into Finance and Collections. The Board agrees to verify the approved plan in the minutes, and revisit this topic in the future.

**h. Legislative Update**

Chairman Quandt reports that there are a few interesting bills passing through the committees at the moment. One that relates to culvert manufacturers and soil engineers. The bill would certify those professions in the state. The reason to certify these positions is in the circumstance of a building project failing, traditionally all the work that

was done, those two entities would be unable to participate in the liens process to help remand some of their costs. Chairman Quandt also reports that it is almost Committee of Conference time. He summarizes this as a legislative time when the House and the Senate can sit and agree on bills that have been amended by either body.

**i. Selectman's Committee Report**

Mr. Ferraro reports an upcoming Water & Sewer Committee Meeting Wednesday evening. He reports a ZORC meeting planned for Wednesday morning, and a Planning Board meeting for Thursday evening.

Mr. Clement reports a River Study Meeting he attended. He is attending an RPC Energy workshop on Wednesday in Seabrook and also Conservation Commission and Water Sustainability meetings are scheduled for Tuesday.

Mr. Chartrand reports an EDC meeting scheduled for Tuesday evening.

Ms. Gilman reports that she has been working with the Town Clerk regarding Municipal Record Retention. She reports that the Technology Committee has finalized its vision statement. She attended an EDC event that is co-sponsored by the Chamber of Commerce at the Exeter Rinks, for a presentation regarding the Epping Road ER Zone and the baggage building projects. The form based code subcommittee has met and they are close to a presentation. The project would include dividing up Portsmouth Avenue in the "complete streets" initiative. The road will be divided into areas and named. The Historic Commission is involved in the naming of the area. She gives a summary of the complete streets initiative. One effort of this group is to encourage people to remember cars not being the only available mode of transportation. In the streets there are pedestrians, and bicycles. This is a presentation she would like to prepare for the Board at a meeting in the future.

**j. Correspondence**

A letter from the DOT indicating that a review of street lighting is in process and in the efforts to save money, any street lighting on State Highways that is deemed to be unnecessary for motorist safety will be discontinued.

The letter from NHMBB indicating the Bond loan application has been approved.

A letter from Big Brothers & Sisters of the Greater Seacoast, thanking the Town of Exeter for their donation.

A letter from Xfinity indicating the regular updates regarding their services.

A draft of results the minutes from the Goals Session Meetings.

A letter from Mike Favreau regarding pool filters issues. Mr. Dean reports that Mr. Favreau will be at the next meeting to discuss this memo. The pool filter is 38 years old and replacement of the sand in the filter is impossible. They have a recommendation to replace the filter. There is some surplus in the revolving fund from last year to offset the cost.

**7. Review Board Calendar**

The Board will meet on Friday May 18, for Goals setting session at the DPW.

**8. Non Public Session - None**

**9. Adjournment**

**Ms. Gilman moves to adjourn. Mr. Clement Seconds. Vote: Unanimous**

The Board stood adjourned at 9:27pm.

Respectfully Submitted,

Jennifer Pond  
Recording Secretary

**Suggested Board Motions – Monday, May 21<sup>st</sup>, 2012**

Agenda Items:

New Business –

**Fire Training Funds.** Move to open public hearing on fire training funds. Move to close public hearing.  
Suggested Motion: Move the Board of Selectmen accept up to \$90,000 in unanticipated grant funds from the Department of Safety for firefighter training purposes.

**Emergency Plan Update** – No suggested motion.

**Sustainability Initiative** – No motion (BOS has already authorized participation in the program in 2011) – this is a discussion on next steps.

**Grant Designation** – CLG Grant – Historic Survey of High Street. This is a grant application prepared by Selectwoman Gilman for a survey of High Street from Portsmouth Avenue to Ridgecrest Drive. Total grant amount sought is \$26,100. Suggested Motion: Move the Board of Selectmen support the grant application for the High Street Historic District Survey in the amount of \$26,100, and further authorize the Chairman to sign the application as presented.

**Resignation of Town Treasurer** – No motion is needed. This is a vacating of an elected office governed by statute.

# Memo

**To:** Russell Dean, Town Manager  
**From:** Brian Comeau, Fire Chief   
**CC:**  
**Date:** 4/27/12  
**Re:** Account needed for grant training

---

Russ,

I have attached a copy of the e-mail sent by the NH Fire Academy announcing the 4.4 million dollars in grant training.

The Department of Safety has identified a number of training needs in the fire service, such as technical rescue, and recertification of hazardous material technicians. To meet these needs the Commissioner of Safety has approved a plan that fully cover the cost of training by covering backfill coverage and paying off duty members to attend these classes.

To take advantage of this much needed training the town would have to set up an account that all Grant Fire Department Training could be billed from. The estimated cost recovery for Exeter is est. to be \$ 90,000.

Currently we have members enrolling in swift water rescue, rescue systems I and II, Haz-Mat Technician, and the Haz-Mat recertification.

This is an excellent opportunity to advance the training of the department at no cost to the tax payers in Exeter. I don't believe that we will see another opportunity like this again. Please feel free to contact me if you have any questions. Thank you for your time. Brian



John J. Barthelmes  
Commissioner

# State of New Hampshire

Department of Safety  
Division of Fire Standards and Training and Emergency Medical Services  
Richard M. Flynn Fire Academy  
98 Smokey Bear Boulevard, Concord, New Hampshire  
Mailing Address: 33 Hazen Drive, Concord, New Hampshire 03305-0002



Perry E. Plummer  
Director

## NH SHSGP (FFY 2007, 2008, 2009) Overtime/Backfill Forms Packet and Instructions

### Packet Contents

- **Overtime/Backfill Policy** – Please read this carefully. It outlines the specifics of what is allowable and what is not.
- **Overtime/Backfill Form** – This form will need to be completed for each student who successfully completes the courses outlined in the Policy mentioned above.
- **Summary Sheet (Spreadsheet)** – Use this spreadsheet to calculate the allowable overtime/backfill costs for each student member of your agency.
- **Volunteer Declaration** – This is used by volunteer agencies that do not pay their responders an hourly rate for responses or training.
- **Later Payment Statement for Call and/or Volunteer Payroll** – This is to be used by agencies that do not have a method whereby they pay their responders on a regular schedule.
- **Sample Forms** – these are samples of what the completed forms should look like.

### Basic Instructions

All reimbursement documentation packets must be submitted to the NH Fire Academy for initial review *as soon as possible* following the completion of the class. The NH Fire Academy will verify each student's successful completion of the training, which will determine their reimbursement eligibility.

1. Complete the Overtime/Backfill form for each student who attended the class.
2. Complete the Volunteer Declaration if applicable.
3. Calculate their payroll on the Summary Sheet and either 1) attach signed payroll documentation to support the amount being requested for each student, or 2) complete the Later Payment Statement in the case of Call or Volunteer responders. If you elect to pay Call or Volunteer responders prior to submitting for reimbursement, please provide signed payroll documentation. This can be either an actual payroll records or copies of canceled checks.
4. Create an invoice for the total amount being requested.
5. Submit entire packet to the Fire Academy for processing. Send the packet to:  
**Capt. Bob Pragoff**  
**NH Department of Safety**  
**Division of Fire Standards & Training and EMS**  
**33 Hazen Drive**  
**Concord, NH 03305**

Robert.pragoff@dos.nh.gov (603) 223-4200 X31023

*Fire Training – Certification – Fire Academy – Emergency Medical Services*  
Business: (603) 223-4200 Fax: (603) 271-1091 Toll Free: 1-800-371-4503 TDD Access: 1-800-735-2964  
<http://www.nh.gov/safety/divisions/fstems/>



# State of New Hampshire

## Department of Safety

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John J. Barthelmes  
Commissioner

Perry E. Plummer  
Director

### OVERTIME AND BACKFILL POLICY

#### 1. Scope

This policy shall take effect immediately and will apply to training participation for eligible classes as outlined below which are based on SHSGP fiscal years 2007, 2008 and 2009 only. This policy shall be in effect until November 1, 2012. This policy shall not be precedent setting for any other classes, programs or grant periods,

At this time only the following NH Fire Academy sponsored classes are eligible under this policy:

#### **Hazardous Materials Classes**

- Hazmat Refresher - 40 hour program (Only Hazmat Team Members)
- Hazmat Technician - 80 hour program
- Hazmat Operations - 24 hour program
- Hazmat Decon Classes - 16 hour program
- Hazmat Tank Car Course - 16 hour program
- Hazmat Hot Zone - 8 hour program

#### **Technical Rescue Classes**

- Rescue Systems I - 50 hour program
- Rescue Systems II - 40 hour program
- Rescue Skills - 32 hour program
- Trench Rescue - 32 hour program
- Confined Space Technician - 24 hour program
- Rope Rescue Operations - 40 hour program
- Fire Ground Survival Program (TtT) - 32 hour program
- Swift Water Rescue – Unit 1 (Operations) 24 hour program
- Swift Water Rescue – Unit 1 (Technician) 24 hour program

#### **ICS Classes**

- H806 ICS Class – 16 hour program
- ICS 300 – 24 hour program
- ICS 400 – 16 hour program

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## 2. Policy:

The policy set forth shall be for all first responders that attend eligible classes as outlined above.

### A. General Conditions

1. Under no circumstances is dual compensation allowed.
2. There is no reimbursement for straight time pay except in the cases of part time, paid-per-call or volunteer stipends.
3. The maximum allowable reimbursement is set by the Commissioner of the NH Department of Safety at \$600 per person per day (including benefits) for overtime and \$750 person per day (including benefits) for backfill. However, if any Communities' costs rise above this threshold, they may petition the Commissioner for a waiver. This waiver must be submitted in writing to the NH Fire Academy for review prior to submission to the Commissioner and these will be handled on a case-by-case basis.

### Only expenses outlined in this document shall be eligible for reimbursement.

Reimbursement for Overtime and/or Backfill will be paid to the community not the student. The Grant reimbursement is intended to make a "municipality whole" for the participation of an employee in training or exercises.

### B. FULL TIME PERSONNEL

Communities will be reimbursed for full time personnel participating in eligible training under the following conditions:

#### Overtime

1. Full time personnel who are paid overtime to attend training will be reimbursed for actual time in class; i.e. 8 hours of pay for an 8 hour class. Travel time and/or mileage are not eligible.

#### Backfill

2. Full time personnel who are called in on overtime to cover a duty shift for another member who is on-duty therefore receiving straight time to attend training (backfill) will be reimbursed for the actual class time plus reasonable travel time to allow for the straight time member to arrive at the training site and then return to duty. *As an example, if FF Smith is scheduled to work 12 hours from 8:00 AM to 8:00 PM, but is assigned to training that runs from 9:00 AM to 5:00 PM, and FF Jones is brought in on overtime to cover FF Smith's duty shift, FF Jones' overtime will be reimbursed from 8:00 AM to whatever time FF Smith returns to duty within reason*

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John J. Barthelmes  
Commissioner

Perry E. Plummer  
Director

When travel time appears to be excessive the Division shall use MapQuest travel time as an arbitrator. A waiver request can be granted in case of extenuating circumstances.

It is expected that the responder who is assigned to training in lieu of normal duty and whose shift is being covered will return to duty to complete their normal shift assignment.

### C. PART-TIME PERSONNEL

If an agency has budgeted employees to work less than a full time schedule, the time that these employees spend traveling to and attending approved training above and beyond their regularly scheduled hours can be considered overtime and therefore covered. For example, if an agency budgets an individual for 20 hours per week but approved training activities require that person to work 25 hours in a week, the additional 5 hours spent in training could be covered by SHSGP grants.

### D. PAID-FOR-CALL, PAID-ON-CALL, AND PAID-PER-CALL VOLUNTEER PERSONNEL

If an agency relies upon paid-for-call, paid-on-call, and/or paid-per-call volunteer personnel and opts to include them in approved training and exercises, grantees can use SHSGP grant funds to pay volunteers for their attendance at these activities in accordance with established processes. These Communities will be reimbursed for their members to attend training based on their documented rate of pay.

### E. STIPENDS FOR VOLUNTEER FIRST RESPONDERS

Stipends for purely volunteer first responders to attend approved training are allowable when volunteers are completely unpaid and no legal agreement exists to support pay for training activities with the following justification:

These Communities will be reimbursed for actual class time at the rate of \$20.80 per hour. Student travel time and mileage expenses are not eligible.

All funds will be paid to the community. Students will not receive payment made out to them.

### F. Filing Procedure

The following procedure must be followed by all Communities seeking reimbursement of payroll costs as outlined in this policy:

All documentation packages must be submitted to the NH Fire Academy for initial review. The following documents **must** be submitted as part of this package:

1. Successful completion of the specific training courses must be on file at the Fire Academy.

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Business: (603) 223-4200

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John J. Barthelmes  
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Perry E. Plummer  
Director

2. Completed NH Department of Safety Overtime/Backfill Reimbursement Forms for each person for whom reimbursement is being requested, **signed by an authorized official.**
3. Payroll documentation to support the requested reimbursement, signed by an **official authorized to approve payroll.**
4. Summary sheet listing the employee name, date of training, rate of pay, hours, benefits by percentage and total amount requested, **signed by an authorized official.** Benefits are limited to FICA, Workers Compensation, Unemployment Compensation and Retirement rate in effect at the time of the training.
5. Volunteer Stipend Justification, **signed by an authorized official.**
6. Invoice for the total amount requested, made out to NH Department of Safety, Grants Management Unit.

## TRAINING INFORMATION PREVIOUSLY SENT OUT.

The New Hampshire Fire Academy is excited to announce the acquisition of grant funds specifically for “boots on the ground training.” This “one time” money will give the New Hampshire first responder community an outstanding opportunity to raise the training and preparedness levels of full time, call and volunteer first responders while keeping the training cost neutral to participating communities.

The unique “once-in-a-lifetime” funding of training is made possible by significant changes to the administering of funds from the Homeland Security Grant Program. Those taking part in a specific training program will be eligible for overtime and backfill costs.

This includes call departments reimbursement for call salaries and volunteer first responders will receive a stipend while full time department members will have the cost of their participation covered by overtime or backfill.

Training programs offered under the \$4.4 million Homeland Security Grant Program will include a host of specific technical rescue courses which include rescue skills, Rescue Systems I & II, technical trench rescue, technical rope rescue operations, technical confined space rescue, and swift water rescue. A couple of train the trainer courses for the new IAFF Fire Ground Survival will also be conducted.

In addition to the technical rescue courses we will be looking to fill some training gaps in the area of hazardous materials. A primary focus will be to provide current Hazmat team members a much needed 40-hour refresher course. Additional Hazmat programs will include Hazmat operations, decontamination, as well as some initial technician programs.

ICS classes also eligible for expense recovery will include: H806 Incident Command, ICS 300, ICS400.

Please note that *only* the courses mentioned above are included in this offering.

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**Town of Anywhere, NH**

**INVOICE**

123 Main Street  
Anywhere, NH 03000  
Phone 603-000-0000 Fax 603-000-0001

INVOICE # 100  
DATE: APRIL 9, 2012

**TO:**  
State of New Hampshire  
Department of Safety – Grants Management Unit  
33 Hazen Drive  
Concord, NH 03305

**FOR:**  
Overtime/Backfill reimbursement  
ICS 300 Training

DESCRIPTION	AMOUNT
Overtime/Backfill reimbursement for 3 members attending ICS 300 training course	1497.60
TOTAL	1497.60

Make all checks payable to Town of Anywhere, NH  
Payment is due within 30 days.  
If you have any questions concerning this invoice, contact Ms. Payne Bills, Finance Administrator

**Thank you for your business!**



Russ Dean <rdean@town.exeter.nh.us>

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## master plan

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Brian Comeau <bcomeau@town.exeter.nh.us>

Tue, May 15, 2012 at 8:52 AM

To: Russ Dean <rdean@town.exeter.nh.us>

A brief update to the master plan. Russ, I would also like to be on the agenda for Monday the 21 to introduce the final draft of the emergency plan. this will give the board two weeks to look at it before a public hearing for the following meeting.

--

Please note my new email address is bcomeau@town.exeter.nh.us .

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 **updatemasterplan.docx**  
14K



April 5, 2012

Russell Dean, Town Manager  
Town of Exeter  
10 Front Street  
Exeter, New Hampshire 03833

**RE: Sustainable Communities Initiative – Regional Planning Program**

Dear Mr. ~~Dean~~: *Russ*

We are pleased to announce that New Hampshire's Sustainable Communities Initiative proposal submitted to Housing and Urban Development Administration (HUD) was successful. The application was submitted last October through the Nashua Regional Planning Commission on behalf of the state's nine regional planning commissions. The project, first and foremost will provide funding to each planning commission, including the RPC, to undertake the preparation of a new regional plan – one of our main purposes under the state regional planning statute. We intend to develop a regional plan that both reflects a shared vision for the region and is useful to each town's individual planning efforts. Your participation in the effort is vital to its success.

The project is just getting underway, with much preliminary work going on in the background. In the next few weeks and months we will be working on the following initial steps:

- Signing Memoranda of Understanding with participating communities
- Establishing a regional advisory committee
- Designing a public outreach component
- Working with other regional planning commissions, state agencies and partner organizations in developing several common plan elements (mapping, economic and demographic forecasts, etc.)
- Developing a framework for our regional plan, as well as a detailed outline of content.

Development of the plan will begin this fall and throughout the process we will provide our communities and other stakeholders in our region with request updates and opportunities to participate in the process. The plan will be developed over a 24 month period.

When the application to HUD was being developed last fall we asked each of our communities for letter of support. Eighteen of our 27 communities provided letters -- more than any other region in the state. Some of those support letters, including yours, indicated your willingness to sign a partnership agreement stating your commitment to provide input for the project. A one page partnership agreement is attached which commits each community signing it to *"participating in this cooperative effort by joining in the regional visioning process, advising in the development of regional policies, identifying strategies and prioritizing implementation measures to achieve the goals identified in their Regional Plan"*. No funds are requested and no

specific amount of time if required. In most cases this commitment will be satisfied simply through the participation of your existing RPC Commissioner appointees. If you are in agreement, we ask that you sign the enclosed copies of the agreement page and return one to us in the envelope provided by May 1<sup>st</sup>.

Glenn Greenwood, Assistant Director, will be managing this project and will be the primary contact for any questions or concerns. Either of us would be pleased to come talk to you about this in person at your convenience.

This is an unusual and exciting opportunity for the region. With your help, we will make the most of it.

Sincerely,



Cliff Sinnott  
Executive Director



Glenn Greenwood  
Assistant Director

Enc.

cc: Gwen English, Don Clement, Langdon Plumer and Katherine Woolhouse, RPC  
Commissioners  
Sylvia von Aulock, Town Planner

# Attachment 1

## NH Regional Planning Program Governance and Management

### A. PROGRAM OVERVIEW

The NH Regional Planning Program (to be known as A Granite State Future) is an innovative statewide project that coordinates previous long range planning efforts for transportation, land use, economic development, housing environment, energy, cultural and historic resources, public health, and environmental planning into a common framework, engages local communities to work together to develop a comprehensive plan for their region, and culminates with an overall vision for New Hampshire's future.

This endeavor will be led by the State's 9 Regional Planning Commissions (RPCs) and supported by their partners that include state agencies, non-profit organizations, the University of New Hampshire (UNH), ActionMedia, counties, and municipalities. Together, the RPCs and partners will use an extensive, coordinated and consistent public involvement process specifically designed to engage a broad cross-section of each community including traditionally underrepresented populations, building each plan from the grass roots level. The Initiative will provide a planning structure, tools and support that increase our state's ability to: engage communities; integrate planning across sectors; identify, share and replicate successful projects; and, implement high quality, cohesive development practices. Together these practices will make it possible for large communities and small villages throughout the state to achieve economic vitality while safeguarding the natural resources, character and rural landscapes that we so deeply value.

The objectives of this project are to:

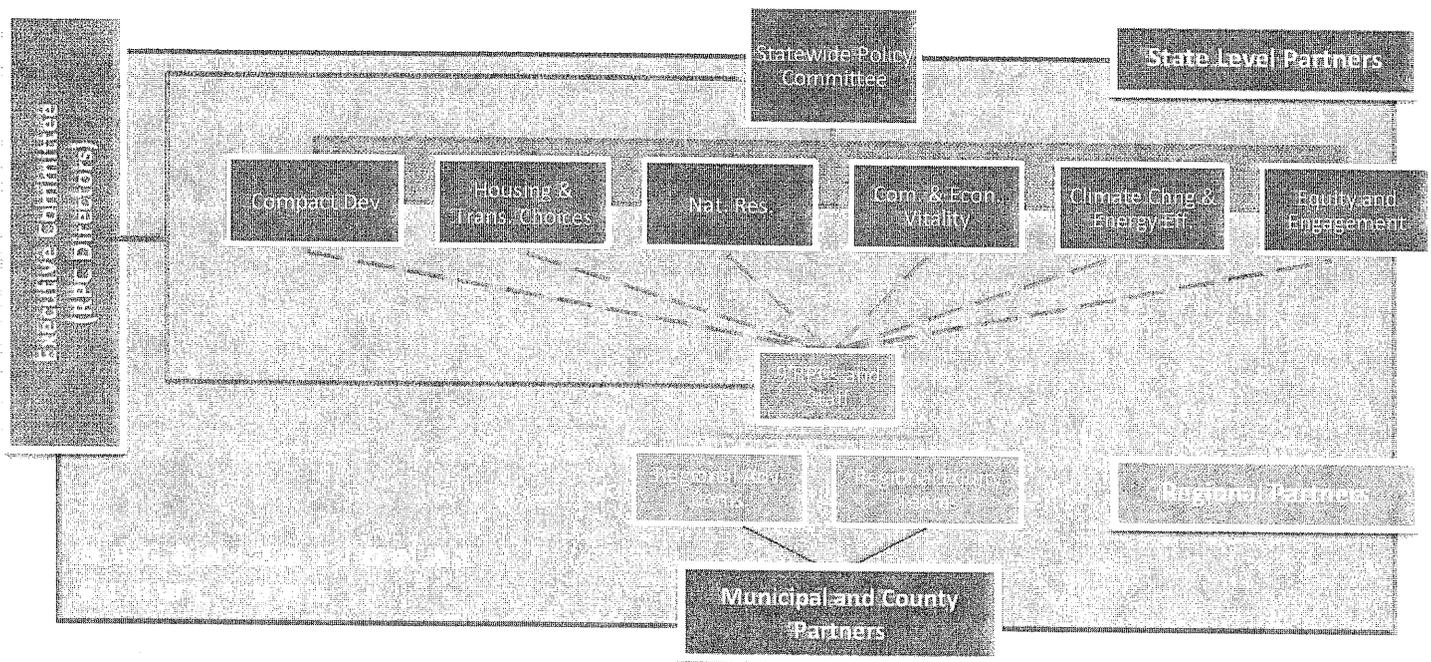
- Increase capacity within the State to create coordinated regional plans.
- Establish a consistent planning and policy framework.
- Build up from the grass roots level to coordinate local plans into an overall statewide strategy.
- Capitalize on and incorporate shared principles and policies included in our existing plans.
- Plan for public infrastructure investment in local comprehensive land use plans and direct capital investment toward appropriately scaled centers that fulfill regional needs.

Each of the nine regional plans will:

- Address the unique needs of local and regional communities.
- Develop a vision statement and set goals and priorities.
- Integrate planning for housing, transportation, water infrastructure, natural resources, economic development, cultural and historic resources, public health, climate change, and energy efficiency.
- Conduct scenario planning that informs future development patterns.
- Identify and prioritize place-based implementation projects.

*In order to protect New Hampshire's unique beauty, and maintain the success that our self-reliance has built, we need to come together to identify local assets that are important to the lasting prosperity of New Hampshire and continued opportunities for our children and grandchildren.*

## B. FORMAL STRUCTURE OF THE PARTNERSHIP



**Nashua Regional Planning Commission (NRPC)** will serve as the project lead and primary administrative point of contact with HUD.

**9 Regional Planning Commissions** (NRPC, Central NH Regional Planning Commission, Lakes Region Planning Commission, North Country Council, Rockingham Planning Commission, Southwest Region Planning Commission, Southern NH Planning Commission, Strafford Regional Planning Commission, Upper Valley Lake Sunapee Regional Planning Commission) will develop the Regional Plans for each of the 9 regions that consist of the following elements:

- Comprehensive needs assessment
- Vision statement, goals, and priorities
- Housing Plan and Analysis of Impediments to Fair Housing
- Regional Transportation
- Water Infrastructure Plan
- Environmental Plan
- Economic Development Plan
- Comprehensive Climate Change Impact Assessments
- Implementation Plan
- Scenario Planning including metrics and performance monitoring to track plan implementation progress

Additionally, the RPCs will participate in the statewide and regional organizational and committee meetings including the Transportation Land Use Roundtable, the Executive Committee, Policy Committee, Technical Advisory Subcommittees, and Regional Advisory Committees and Regional Equity

Teams. Through this involvement, the RPCs will participate in development of common, shared statewide, elements, templates and an overall framework for the Regional Plans. This will include elements for outreach and communication, community engagement, data collection and assessment, scenario planning methodology and establishing performance measures and metrics. Lastly, in addition to aiding in the development of the statewide planning structure, the RPCs will regroup at the conclusion of the Regional Plan process to participate in the development of a Statewide Development Policy Framework based on the common Regional Plan elements.

**To ensure statewide coordination and consistency among plans and integration of work between partners, the organization requires a tiered system of committees and subcommittees with cross-representation and participation.**

**The Executive Committee** comprised of the nine RPC Executive Directors, will serve as the overall decision-making body to allocate resources, set goals, guide program alignment between regions, monitor progress, establish common methodologies, ensure overall coordination and efficiencies, and resolve differences. This committee will meet monthly to monitor progress of the program provide overall direction. In conjunction with the Executive Committee, the **Program Manager**, will implement the program and coordinate partners and committees. The Program Manager will convene an initial meeting of the Policy Committee, who will caucus to elect a chairperson.

**The Statewide Policy Committee** comprised of numerous state agency and non-profit representatives as listed in Section C below, will incorporate the work of the Transportation Land Use Roundtable and recommend a consistent statewide policy framework to the Executive Committee. The Policy Committee will also review the findings and finished products of each of the nine Regional Plans and assess their consistency with each other and the Livability Principles. They will ensure consistency between the Technical Advisory Subcommittees and the Regional Advisory Committees. Policy Committee members have agreed to meet quarterly and represent state wide policy and equity planning interests.

Each RPC will establish a **Regional Advisory Committee** that meets their region's unique needs. Duties will include: conduct and facilitate the Regional Plan and outreach processes, review local information, recommend adoption of the plans to the RPC, prioritize implementation, participate in consensus plan process, and track progress. The Regional Advisory Committees will include representation from municipal partners and various policy and program experts within the region. Each RPC will establish a **Regional Equity Team** that is comprised of representatives of underserved and marginalized populations in their region that will ensure the voices of these populations are reflected in the Regional Plan. The Regional Equity Teams will be supported by the Equity and Engagement Technical Advisory Subcommittee.

**The Technical Advisory Subcommittees (TASCs)** will be created based on the NH Livability Principles developed by the TLU Roundtable plus equity and outreach. Each subcommittee will be chaired by a member of the Policy Committee or designee from the same organization. The subcommittees, comprised of subject matter experts, will provide technical assistance and statewide coordination of the planning process, over the three-year project timeline. Periodically the TASCs will hold joint meetings to identify additional opportunities for integration between planning components. Conversely, when necessary to delve deeper into specific facets, subgroups of members will convene to delve deeper into a topic of particular expertise. Duties include conducting statewide studies that can bring efficiency to the nine RPCs, advising the Policy Committee and researching methodologies and issues. The charge of the **Equity and Engagement Technical Advisory Subcommittee** is to identify underserved and marginalized populations within the regions and empower them to work with the RPCs and serve on the

Regional Equity Teams. Additionally, periodically members of the Equity and Engagement will attend meetings of the other Technical Advisory Subcommittees to ensure equity throughout the planning process.

### **Decision Making Process**

1. Technical Advisory Subcommittees review and evaluate existing conditions and trends and recommend to Policy Committee an overall framework for the regional planning process.
2. Policy Committee establishes overall sustainable development policies and priorities.
3. Regional Advisory Committees customize process template and policy framework to regional context.
4. RPC, with assistance from the Regional Advisory Committees, complete visioning and planning processes and draft all regional plan components including implementation strategies and prioritized projects.
5. The Program Manager will review each Regional Plan for consistency with the statewide policies and priorities established by the Policy Committee.
6. The Program Manager will advise the RPCs and Regional Advisory Committees of any Plan inconsistencies.
7. Each RPC formally votes to approve the region's plan using the voting procedures already in place in their current by-laws.
8. The Program Manager drafts a Statewide Development Policy Framework.
9. The 9 RPCs review and approve the Statewide Development Policy Framework.
10. Any disputes regarding the draft Consensus Plan are resolved by the Policy Committee.
11. Any disputes regarding administration or grant resources are resolved by the Executive Committee.

### **Strategy for Incorporating New Partners**

Early in the planning process, the Executive Committee will establish criteria for adding any new partners. The Committee will also have final decision-making authority during the initiative regarding the addition of new partners. In particular we will actively seek out the support and involvement of the business community including the Business and Industry Association, Chambers of Commerce and Homebuilders Association and the NH Small Business Development Center; the NH Water Works Association; NH Transit Association; and NH Departments of Agriculture, Education, and Safety.

As we embark on our communications and outreach process led by the Carsey Institute we will seek additional participation from a suite of additional organizations to identify and engage specific interest groups made up of or directly serving underserved populations.

### C. SPECIFIC MEMBER ROLES AND RESPONSIBILITIES

**Nashua Regional Planning Commission (NRPC)** as the lead applicant will assume administrative responsibility to ensure that the program is carried out in compliance with HUD requirements. This includes executing the cooperative agreement with HUD, Memorandums of Understanding, HUD Logic Model and ongoing program monitoring and reporting. The Program Manager, housed at NRPC, will implement the program and coordinate partners and committees. The Program Manager will convene the Policy Committee and Technical Advisory Subcommittees and ensure statewide coordination. Additionally, NRPC will complete all tasks defined below for the Regional Planning Commissions.

**9 Regional Planning Commissions** will each develop a Regional Plan as well as participate in the Statewide and Regional committee meetings, participate in the development of statewide elements such as plan templates and metrics, and participate in the completion of a single Statewide Development Policy Framework based on the common elements of the 9 Regional Plans. *Committed match varies by RPC and is delineated within each RPC's individual scope of work.*

**Cities, Towns and Counties** within each RPC region will participate in the development of the Regional Plan through representation on the Regional Advisory Committee, Regional Equity Team and/or another capacity to help ensure the Plan represents a strong consensus-based document that reflects common interests, perspectives and priorities. Key activities in developing the Regional Plan in this regard include developing a regional vision, advising in the development of regional policies, identifying strategies and prioritizing implementation measures to achieve the goals identified within the Regional Plan.

**Community Development Finance Authority** will participate on the Policy Committee and Energy and Climate TASC and coordinate the findings of the Better Buildings Program with the Regional Planning metrics tracking process. *The total match associated with this commitment is \$6,192 of in-kind professional contributions.*

**NH Housing Finance Authority** will participate on the Policy Committee, the Housing Choices TA Subcommittee, and the Equity and Engagement TA Subcommittee all at quarterly meetings during the three year process. NHHFA will conduct a Housing Preferences and Needs Assessment Study that will combine a quantitative analysis of current demographics, housing utilization and needs with a qualitative analysis of NH households' current housing conditions and future housing plans and preferences. Additionally, NHHFA will assist RPCs in developing housing plans that address existing and future housing needs; assist in the development of impediments to fair housing choice analysis; link to NH Legal Assistance to reach a greater range of marginalized populations. *The total match associated with this commitment is \$149,817.*

**NH Department of Cultural Resources** will serve on the Policy Committee, Compact Development Patterns Technical Advisory Subcommittee and Community and Economic Vitality TASC. DCR will assist in identifying arts and humanities issues; coordinate with the Creative Communities Network, a NH Council on the Arts partner; integrate the efforts of ongoing collaborations between the NH Division of Historical Resources, State Library, major funders, the National Park Service and others to create more livable and vibrant communities. Additionally, NHDCR will provide data collected through the statewide Arts & Economic Prosperity Survey IV to help quantify the impact the arts have on sustainable communities. *The total match associated with this commitment is \$13,269.*

**NH Employment Security, Economic and Labor Market Information Bureau** will participate in the Community and Economic Vitality Technical Advisory Subcommittee. NH Department of Employment

Security will also subcontract with the RPCs to conduct regional scenario planning using the department's 10-county based REMI econometric model. *NRPC will be contracting with Employment Security to provide \$33,600 in grant funds toward these services.*

**NH Department of Environmental Services** commits staff time to serve on the Compact Development, Natural Resource Functions and Quality, Transportation Choices, and Climate Change Technical Advisory Subcommittees and the Policy Committee. Additional DES staff will also provide expertise to the NRF&Q TASC as needed. DES will advise on environmental planning topics including land use policies for water quality protection and climate change; energy efficiency and air quality related to transportation; advise on consistency with the land use, stormwater, and water sustainability commissions; and consult on past sprawl indicators research. Additionally, DES will work to achieve cross integration of planning efforts between the state and regional initiatives. *The total match associated with this commitment is \$30,000 of in-kind professional contributions. NRPC will contract with DES for an additional \$15,000 of grant funded services.*

**NH Department of Health and Human Services, Family Assistance Division** will participate on the Policy Committee at quarterly meetings and the Community and Economic Vitality and Equity and Engagement Technical Advisory Subcommittees. Staff will provide information regarding regional childcare issues and public health data, particularly in creating linkages between and serving disadvantaged populations, economic development, and improving early childhood education opportunities. *The total match associated with this commitment is \$13,063 of in-kind professional contributions.*

**NH Department of Resources and Economic Development** will serve on the Policy Committee and the Community and Economic Vitality Technical Advisory Subcommittee. DRED will also provide expertise in sustainable economic development, jobs and business retention, procurement, energy efficiency for businesses, broadband, and employment. *The total match associated with this commitment is \$3,000 of in-kind professional contributions.*

**NH Department of Transportation** will participate on the Policy Committee at quarterly meetings and on the Transportation Choices Technical Advisory Subcommittee. DOT will provide expertise in long range transportation plans; participate in scenario planning; develop metrics to track per capita VMT over time; participate in developing metrics to track combined transportation and housing index. *The total match associated with this commitment is \$12,000 of in-kind professional contributions.*

**NH Office of Energy and Planning** will participate on the Policy Committee at quarterly meetings and Compact Development Technical Advisory Subcommittee. Staff will advise on issues related to land use development patterns, energy efficiency and green building codes, data trends, and statewide planning policy consistency. OEP will additionally supply annual population estimates and housing unit permit data. *The total match associated with this commitment is \$8,397.*

**University of New Hampshire** commits faculty and staff from the University's Carsey Institute, Complex Systems/GRANIT, and Cooperative Extension. Representatives will participate on the Policy Committee, lead the Equity and Engagement Technical Advisory Subcommittee at quarterly meetings, and through NH Listens, conduct listening sessions in each of the nine regions. UNH will develop climate change impact assessments to guide regional planning and implementation strategies. GRANIT will provide technical assistance to and advise the Executive Committee on standardization of new data sets and spatial analysis. UNH CE will further support equity and outreach efforts and provide expertise in developing outreach measures to engage underserved population and advise on outreach techniques.

*NRPC will contract with UNH to provide \$86,565 in grant funds toward these services. UNH will match the grant with an additional \$24,196 of additional in-kind professional services.*

**ActionMedia** will serve as a contractor and develop the communications strategy and train RPC staff in effective outreach techniques. Major components include conduct a leadership communications workshop on issues framing; draft a summary of the workshop with recommendations for audiences and messengers; conduct webinar trainings with RPC staff to develop the final communications strategy; develop communications and identify appropriate media forums and develop content, aid in grass-roots implementation of the communication strategy; and provide continual direct consultation to the RPCs and all partner organizations. *NRPC will contract with ActionMedia to provide \$43,500 in grant funds toward these services.*

**Conservation Law Foundation** will serve on the Transportation Choices Tech Advisory Subcommittee; provide expertise on the nexus of transportation and land use planning programs, policies and opportunities at the regional, state and federal level to improve alternative means of transportation. *The total match associated with this commitment is \$9,000 of in-kind professional contributions.*

**Family Assistance Advisory Council of NH** staff will serve on the Community and Economic Vitality Technical Advisory Subcommittee and provide consultation and support to the Regional Advisory Committees for the development of regional plans for early care and education. *The total match associated with this commitment is \$7,200 of in-kind professional contributions.*

**Healthy Eating Active Living** commits the staff time to participate on the Policy Committee and Community and Economic Vitality and Equity and Engagement subcommittees. HEAL will identify and merge appropriate HEAL strategies and partners to improve public health outcomes; provide access to HEAL's state level partners and community coalition network for input on the regional visioning and planning process; and leverage HEAL's parent organization, the Foundation for Healthy Communities' Cultural Diversity Project, to outreach to low-income persons, residents of public housing, minorities, limited English and non-English speaking persons, and persons with disabilities located within HEAL coalition project areas. *NRPC will contract with HEAL to provide \$23,487 in grant funds toward these services. HEAL will match the grant with an additional \$24,567 of additional in-kind professional services.*

**NH Charitable Foundation** will continue to convene the Transportation Land Use Roundtable during the first 3-6 months of the Regional Planning Program to complete the regional framework. NHCF will participate on the Policy Committee at quarterly meetings. *The total match associated with this commitment is \$13,000 of in-kind professional contributions.*

**NH Community Loan Fund** will participate in the Equity and Engagement Technical Advisory Subcommittee; provide expertise on outreach to low-income and marginalized populations; and work with the regional advisory committees to develop local representation for social equity issues. *The total match associated with this commitment is \$700 of in-kind professional contributions.*

**NH Creative Communities Network** will participate on the Community and Economic Vitality Technical Advisory Subcommittee and integrate development of planning resource for arts focused economic impact studies, master plan template, arts and planning briefs, and a fact sheet regarding the creative economy. *The total match associated with this commitment is \$5,000 of in-kind professional contributions.*

**NH Energy and Climate Collaborative** will participate in the Climate Change and Energy Efficiency Technical Advisory Subcommittee and work with the Executive Committee and Program Manager to incorporate sustainable community indicators into the Scorecard that measures state progress toward energy, climate and sustainability goals.

**NH Municipal Association** will participate on the Policy Committee and provide conference space for the Regional Planning Program to convene regular meetings at a central location. *The total match associated with this commitment is \$10,000 of in-kind professional contributions and meeting space donations.*

**Plan NH** will participate on the Compact Development Patterns Technical Advisory Subcommittee; provide expertise on compact settlement patterns, smart growth and community engagement techniques; provide linkages to and alignment with their ongoing Vibrant Villages program. *The total match associated with this commitment is \$6,750 of in-kind professional contributions.*

### **Expected Benefits and Contributions for Members**

#### Time Expected of Participants:

- On average one meeting per quarter for Statewide Policy Committee and Technical Advisory Subcommittee members to include:
  - 2 hour meeting at a central location, likely Concord, NH, or call-in by phone
  - 1-4 hours of review and preparation for each quarterly meeting
- One meeting per month for Executive Committee members to include:
  - 2 hour meeting at a central location, likely Concord, NH, or call-in by phone
  - 1-4 hours of review and preparation for each quarterly meeting
- On average one meeting per quarter for Regional Advisory Committee and Regional Equity Team members to include:
  - 2 hour meeting at a central location, or call-in by phone
  - 1-4 hours of review and preparation for each quarterly meeting
- Other participation by municipal and county partners as needed and requested to ensure the regional plans reflect municipal priorities and visions.

#### Specific Contributions to be made by Participants:

- Sharing explicit knowledge and expertise to benefit the regional planning process.
- Identifying barriers and opportunities for improvement in sustainable community development.
- Identifying policy change that would result in positive outcomes and plan implementation.
- Align the regional planning efforts with that of the partner agencies and organizations and vice versa to maximize the benefits of collaboration.

#### Benefits for Participants:

- Sharing knowledge will increase the potential of all participants to be well-informed and work in coordination with one another to maximize positive impact.
- Preferred Sustainability Status (PSS): This project and community has been given PSS by HUD. This status can provide official affiliates with bonus points when applying for related grant opportunities.
- Increased visibility and access to public and private funding agencies interested in supporting regional development and communities seeking to promote sustainability.
- Increased efficiency of planning initiatives statewide including enhanced ability to ensure wise investment of limited public resources.

## **Special Conditions and Issues**

Each participant may bring up special conditions and issues related to his/her involvement in the project. The Executive Committee will make sure that each participant's concerns and special instructions are added as attachments upon signing this Agreement.

Data or other information collected by the Regional Planning Commissions is for the sole purpose of regional and statewide plan development and assumed to be suitable for use in both public and private arenas unless otherwise indicated by the participants. Data or information that is semi-confidential or confidential may be designated as such by each participant prior to transfer. The Executive Committee and regional planning commissions' will document their commitment to safeguarding such designated materials in an email or written release form as required.

All participants are encouraged to utilize electronic means of sharing data and information such as email or other means established for the purposes of this project and made available to participants upon signing this Agreement.

**D. COMMITTEE AND SUBCOMMITTEE ROLES AND RESPONSIBILITIES OVERVIEW**

	Phase 1	Phase 2	Phase 3
<b>Executive Committee</b>	Determine Data Collection & GIS Framework Establish Common Methodologies	Allocate Resources, Monitor Progress, and Resolve Differences Ensure Coordination and Efficiency throughout Align work of the 9 RPCs	
<b>TLU Roundtable</b>	Develop Policy & Plan Framework and Template Identify Long Term Metrics		
<b>Statewide Policy Committee</b>	Review & Finalize TLUs Policy & Plan Framework Coordinate Statewide Policy Priorities Synthesize & Finalize TASC Work Products Method to Prioritize Implementation Projects	Act as Advisors Measure Progress Coordinate & Synthesize of TASC work	Review Regional Plans for Consistency Consolidate the 9 Regional Plans into one State Sustainability Policy Framework Seek Endorsement of the Statewide Policy
<b>Technical Advisory Sub-Committees</b>	Identify Existing Statewide Resources Coordinate Regional Planning with Statewide Planning Initiatives and Assist in Statewide Outreach and Education Identify Potential Regional Partners Identify Potential Long, Mid & Short Term Metrics Identify Potential Policies & Priorities	Provide Technical Expertise to RPCs	
<b>Regional Planning Commissions</b>	Develop Communications Framework Existing Conditions and Trends Assessment Research Methodologies and Issues Develop Regional Advisory Committees Develop Regional Equity Teams	Customize Outreach & Plan Frameworks Existing Trends Analysis Visioning Sessions Goals and Policy Development Develop Regional Plans Prioritize Implementation Projects Conduct Implementation Pilots	Adopt Regional Plans Provide Ongoing TA Seek Implementation at Local Level
<b>Regional Advisory Committees</b>	Review Local Information	Track Progress Conduct and Facilitate the Regional Outreach Process Participate in the Planning Process	Recommend Plan Adoption
<b>Regional Equity Teams</b>	Ensure Voices of Underserved, Underrepresented, and Marginalized Populations are Reflected in the Regional Plans Aid in Outreach and Education at the Local and Regional Level		

## E. INITIAL STATEWIDE COMMITTEE MEMBERSHIP

Organization	Key Organization Contact	Program Admin. Executive Committee	Technical Advisory Subcommittees							Regional Advisory Comm. & Equity Teams
		Statewide Policy Committee	Compact Development Patterns	Housing Choices	Transportation Choices	Natural Resource Functions & Quality	Community and Economic Vitality	Climate Change and Energy Efficiency	Equity and Engagement	
<b>Regional Planning Commissions</b>										
Central New Hampshire Planning Commission	Michael Tardiff, Executive Director									
Lakes Region Planning Commission	Kimon G. Koulet, Executive Director									
Nashua Regional Planning Commission	Kerrie Diers, Executive Director									
North Country Council	Michael King, Executive Director									
Rockingham Planning Commission	Cliff Sinnott, Executive Director									
Southern New Hampshire Planning Commission	David Preece, Executive Director									
Southwest Region Planning Commission	Tim Murphy, Executive Director									
Strafford Regional Planning Commission	Cynthia Copeland, AICP, Executive Director									
Upper Valley Lake Sunapee RPC	Christine Walker, Executive Director									
<b>Quasi-Governmental Organizations</b>										
Community Development Finance Authority	Kathy Bogle Shields, Executive Director									
New Hampshire Housing	Dean J. Christon, Executive Director									
<b>State Agencies</b>										
NH Department of Cultural Resources	Commissioner Van McLeod									
NH Department of Employment Security	Bruce DeMay, Director, Ec. & Labor Market Info.									
NH Department of Environmental Services	Commissioner Thomas S. Burack									
NH Dept of Health & Human Services, Family Asst Div	Director Terry R. Smith, Division of Family Assistance									
NH Dept of Resources & Economic Development	Christopher Way, Director, Div. of Economic Dev.									
NH Department of Transportation	Commissioner Christopher Clement									
NH Office of Energy and Planning	Director Joanne O. Morin									
<b>Academic Institutions</b>										
UNH: Carsey Institute	Bruce Mallory, Director, Carsey Institute									
UNH: Carbon Solutions, Sustainability Academy	Cameron Wake, Research Associate Professor									
UNH: Cooperative Extension	TBD, Project Manager									
UNH: Complex Systems Research Center (GRANIT)	Fay Rubin, Director, NH GRANIT									
<b>Non-Profit Organizations</b>										
Conservation Law Fdn, Transportation Solutions	Thomas F. Irwin, VP & NH Advocacy Center Director									
Family Assistance Advisory Council of NH	MaryLou Beaver, Chair NH Family Asst Advisory Council									
Healthy Eating Active Living (HEAL)	Terry Johnson, Director									
NH Charitable Foundation	Richard Ober, President									
NH Energy and Climate Collaborative	Stacey Doll, Coordinator									
NH Community Loan Fund	Rick Minard, Vice President for Policy									
NH Creative Communities Network	Judy Rigmont, Coordinator									
NH Municipal Association	Judy Silva, Deputy Director, Legal Services & Gov't Affairs									
PlanNH	Robin H. LeBlanc, Executive Director									
<b>Contractors</b>										
Action Media - Marketing Contractor	Michael Goldberg									

\* The NH SCI Consortium is continually looking for additional partners to enhance its coordination and outreach capacity.

Committee and Subcommittee Members  
Advisors, Participants, and other Support

**F. INITIAL COMMITMENTS FROM CITIES, TOWNS AND COUNTIES BY REGION**

Region	Municipality	Population*	
		Letter of Support	Committed to Sign MOU
CNHRPC	Town of Allentown	4,322	4,322
	Town of Bow	7,519	7,519
	City of Concord	42,695	
	Town of Henniker	4,836	
	Town of Hillsborough	6,011	6,011
	Town of Hopkinton	5,589	
LRPC	Town of Alton	5,250	
	Town of Andover	2,371	
	Town of Barnstead	4,593	
	Town of Belmont	7,356	
	City of Franklin	8,477	8,477
	City of Laconia - Planning & Zoning	15,951	15,951
	Town of Meredith	6,241	6,241
	Town of Moultonborough	4,044	
	Town of Ossipee	4,345	
	Town of Tilton	3,567	
	Town of Wolfeboro	6,269	
NRPC	Town of Hollis	7,684	
	Town of Hudson	24,467	24,467
	Town of Litchfield	8,271	8,271
	Town of Merrimack	25,494	25,494
	Town of Milford	15,115	15,115
	City of Nashua	86,494	86,494
Town of Pelham	12,897	12,897	
NCC	City of Berlin	10,051	10,051
	Coos County	33,055	33,055
	Grafton County	89,118	89,118
RPC	Town of Atkinson	6,751	6,751
	Town of Brentwood	4,486	
	Town of East Kingston	2,357	
	Town of Exeter	14,306	14,306
	Town of Fremont	4,283	4,283
	Town of Hampton	14,976	14,976
	Town of Hampton Falls	2,236	
	Town of Kingston	6,025	
	Town of Newton	4,603	
	Town of North Hampton	4,301	4,301
	Town of Plaistow	7,609	7,609
	City of Portsmouth	21,233	21,233
	Town of Rye	5,298	
	Town of Salem	28,776	28,776
	Town of Seabrook	8,693	
	Town of Stratham	7,255	
	Town of Windham	13,592	13,592

Region	Municipality	Population*	
		Letter of Support	Committed to Sign MOU
SNHPC	Town of Auburn	4,953	4,953
	Town of Bedford	21,203	21,203
	Town of Candia	3,909	3,909
	Town of Chester	4,768	4,768
	Town of Deerfield	4,280	4,280
	Town of Derry - Planning Department	33,109	33,109
	Town of Goffstown	17,651	17,651
	Goffstown Industrial Corporation		
	Town of Londonderry	24,129	24,129
	City of Manchester	109,565	109,565
Town of Raymond	10,138		
SRPC	Town of Barrington	8,576	
	City of Dover	29,987	29,987
	Town of Durham	14,638	14,638
	Town of Newmarket	8,936	8,936
	City of Rochester	29,752	29,752
	City of Somersworth	11,766	
	Town of Strafford	3,991	
SWRPC	Cheshire County	77,117	77,117
	City of Keene	23,409	23,409
UVLSRPC	Town of Acworth	891	
	City of Claremont	13,355	13,355
	Town of Grantham	2,985	
	Town of Hanover	11,260	11,260
	City of Lebanon	13,151	13,151
	Town of Newport	6,507	
Town of Sunapee	3,365		
<b>Total Population Represented</b>		<b>1,044,382</b>	<b>856,611</b>
<b>Percent of the Total NH Population</b>		<b>79%</b>	<b>65%</b>
<b>Total Count of Municipalities and Counties</b>		<b>70</b>	<b>42</b>
<b>Total Population of the State of NH</b>		<b>1,316,470</b>	

\*Populations listed in italics are included within the population of a participating county.

**NEW HAMPSHIRE DIVISION OF HISTORICAL RESOURCES  
CERTIFIED LOCAL GOVERNMENT FY 2012 GRANT APPLICATION**

**Priority I Projects**

Applications are due no later than May 11, 2012 or must be postmarked no later than May 9, 2012. Send the application to:

New Hampshire Division of Historical Resources  
19 Pillsbury Street  
Concord, NH 03301-3570 (phone: 271-3483)

**NOTE: Do not FAX  
application**

1. Applicant: Town of Exeter, Historic District Commission

Address: 10 Front Street  
Exeter, NH 03833

Contact Person Name: Julie D. Gilman

Daytime Telephone: 603-957-1348

2. Project Title: Exeter High Street Historic District Survey
3. Project Category. Complete all sections as applicable. Section 3D should be completed by all applicants.

NOTE: Survey and National Register Projects do not require donor matching share, and are reimbursable at 100% of costs.

A. For **SURVEY** Project:

Describe area to be surveyed; High Street from Portsmouth Avenue to Ridgecrest Drive. See attached map.

In 2005 a small group of Exeter residents petitioned the Exeter Planning Board to amend the Town's Zoning Ordinance to add a third Historic District overlay comprising of 2/3 of High Street properties. Previous attempts to establish an High Street Historic District had failed in part due to poor communication between the public in general, affected home owners, the Planning Board and Historic District Commission. Even though this district designation had been an established goal in the Planning Board's own Master Plan since 2004, the Board challenged this group of residents to prove the affected property owners were amenable to the designation. The group, without the assistance of a preservation planner, went door to door with Historic District Commission's Guidelines and Zoning Ordinance to explain and encourage property owners on the benefits of District designation. After satisfying the Planning Board with 90% of property

owner approval, the proposed amendment was presented to Town Meeting and was approved in 2006.

The District consists of 65 properties dating from the 17<sup>th</sup> to 20<sup>th</sup> centuries. The High Street Historic District connects to the previously established and National Register listed Downtown Historic District and is its direct lineal extension forming one of the residential gateways to downtown Exeter.

The properties are predominantly single family residential. The east end of High Street is predominantly multi-family apartments and condominiums. The buildings of the former Emerson School for Boys located in the District are examples of the changes to the multi-family uses. There are a few professional offices located in the District as grandfathered non-conforming uses which retain their residential appearance. One property is a long standing general store. One residence, the Samuel Tenney House, is listed on the National Register of Historic Places.

Estimated number of properties to be surveyed; 65

Estimated number of acres to be surveyed; 42

**B. For NATIONAL REGISTER OF HISTORIC PLACES NOMINATION(S)**

Project:

Describe area to be nominated for Historic District; or  
Describe property type or theme for Multiple Property nomination; or  
Describe property to be individually nominated;  
How many contributing properties to be contained in nomination(s)?

Not applicable

**C. For PRESERVATION PLANNING Project:**

Describe area to be covered by plan.

Not applicable

**D. For PUBLIC AWARENESS AND EDUCATION Project:**

Describe audience; types of methods and materials.

The primary audience for this survey is the Historic District Commission (HDC), District, property owners and the general public. The Historic District Commission is populated by enthusiastic volunteers but has found it is difficult to recruit more volunteers for the Commission. Current members are sometimes unsure they are making decisions that do not adversely affect the properties being reviewed. There is some reliance on the members of the HDC with history or architectural related backgrounds. Exeter's Zoning

Ordinance provides a regulatory tool and the Historic District Guidelines give more specific, although generic, architectural information, but in general potential volunteers shy away from the Commission because they feel they lack an adequate background for the Commission's charge. This project will provide a tool for HDC volunteers to use when interpreting applications and determining the outcome of any decision they make with more confidence even on projects in other Districts by providing pictorial and narrative descriptions of each property. After project completion, property owners will receive the information describing their individual properties so they understand the significance of the history and details that their properties contribute to the Town. We anticipate this information will be used for general conversations within the District with the side advantage of a continued neighborhood self-identification.

The secondary audience is the Town staff and Exeter Economic Development Commission (EEDC). The Town's Planning and Building Departments need deeper working knowledge of what are the Town's contributing resources and what defines those resources. This project will be a reference tool for them in their assistance to residents as well as in updating the Town's Master Plan and its goals.

The Exeter Economic Development Commission is planning promotional materials using Exeter's history as a background for recruitment of new businesses and enhancement of the Town's tourism opportunities. While it is an enthusiastic group it is currently composed of some residents who have lived in Town for less than ten years and who have had little exposure to the depth of the Town's heritage.

With the Exeter Heritage Commission's assistance, the HDC and EEDC can use the project results to produce informational documents and events centered not just on the High Street Historic District's contributions to the Town's Heritage but also in its association with the two other Historic Districts. This documentation will assist in creating printed material, Cable Access presentations, enhanced web site information, and associated activities with the Exeter Historical Society and American Independence Museum.

4. Describe **PROJECT SCHEDULE** assuming a start date of August-September 2012, and completion date of September 30, 2013. List dates for subcontracting with consultants, on-site meetings, public meetings, and delivery of draft products are due August 1, 2013 – including survey and National Register forms –as applicable. All products, a final project report, and auditable financial documentation are due on the completion date.

August 2012 – writing and issuing a Request for Proposals

September 2012 – awarding and signing contract with the Board of Selectmen and Town Manager

September 2012 - initial coordination meeting with HDC representative and DHR

October 2010 – letter communication with property owners

November 2012 – progress meeting with HDC – televised public meeting

January 2013 – progress report to HDC and Heritage Commission, – televised public meeting

June 2013 – draft report to HDC and Heritage Commission - televised public meeting

July 2013 -

August 1, 2013 – draft submission to DHR for comment/edits

September 28, 2013 – final product/report delivery to DHR

Please use page 4 the following information.

5. **PROJECT DESCRIPTION.** Describe reason for the project and expected results. How does the project meet the Selection Criteria? Describe the specific products which will result from the project. How will they be used? How will the public learn about the project and its purpose? Who will participate in the project and what will they do? (e.g., types and numbers of consultants, the CLG's personnel, volunteers, etc.). Describe other phases of the project, or provide any other information about the project, which might be helpful in understanding it.

The project is related to the definition of a Priority 1 project through the survey of individual properties and resultant narrative and photographic descriptions to assist the HDC in the preservation of character defining features of the District. The product will not be full Individual Inventory forms, but will have similar categories found in Individual Inventory forms and will be used for future Individual and Area surveys. The High Street Historic District has been minimally documented through photographs and approximate dating by residents during the process of legislative adoption but has had no 36CFR61 registered professional survey. The Town's existing documentation consists of a photographic album held with the Building Department and overlay map identification in the Exeter Zoning Ordinance. As stated above, the educational aspect of the project results for owners in the District will advance the idea of treating their properties sensitively and with respect for the District.

This application seeks funds to document contributing resources and character defining elements of the District in order to assist the HDC in its determinations on applications for changes to properties in the District. The results of the project will be a handbook of preliminary individual survey forms with enhanced narrative and detailed photographs of important features. Accompanying DVDs will be distributed to HDC members and Code Enforcement to reference during application submissions, deliberations, zoning amendments and marketing materials. The information gathered here may be extrapolated for reference use on similar properties in other areas of Town. Individual property owners will be contacted via mail about the project, process and with a request for any historical information and documentation they may have. Individual property information will be distributed to the owners upon project completion and discussion of the process and result will also occur at publicly held and televised HDC meetings. The information will be filed with the Building Department property files for current and new owners' reference. At project completion, the information will be shared with the Exeter Historical Society and available on the Town's website and a Town Hall meeting is anticipated to occur in October 2013. Exeter's Heritage Commission, if its Town funding is available, will seek

volunteers to assist in the production of a video documentary using cable public access facilities at the Exeter High School.

All HDC, Planning Board, Board of Selectmen and Zoning Board of Adjustment meetings where this project will be discussed are televised for the general public on Exeter's Government Channel 22 and Town Hall Streams©. This proposal and expected outcome have already been discussed at televised HDC and Board of Selectmen meetings and progress updates will be shared in this format. The Town also has a good working relationship with the local newspaper, the Exeter News-Letter, and on-line blog, Exeter Patch for press coverage of the process and product.

The Town intends to hire a preservation planner to document the District with photographs and written narratives. Digital photographs are available from private property owners as well as the Town's Building Department for the selected consultant's use, but many need to be updated. Further, the documentation will be used for complete Individual and Area survey for potential State and National Register listings.

6. If the application is for a project that is not in the sequence of Survey - National Register-Preservation Planning, please explain why. Explain how the project will significantly contribute toward the community's ability to identify, evaluate, and protect its historic and archeological resources.

This project is in sequence

**PROJECT PERSONNEL AND EXPERIENCE.** Describe administrative capabilities of applicant and applicant's involvement in similar projects. The person administering the grant must be a designee assigned by the formal local governing body of the CLG's community. When was the municipality's last audit? Enclose copy of most recent audit, if available.

The HDC intends to hire, through a Request for Proposals process, a certified consultant to conduct the survey and produce the documentation for the grant administration to distribute.

The Town's CLG personnel will consist of: Selectmen's Representative for grant administration; Town Manager's and Planning/Code Enforcement Department's office support for mailings, printing, copying, filing, meeting coordination and web site posting; Finance Department assistance in monetary documentation; HDC and Heritage Commission volunteers for review and approval of the project's result; other volunteer's assistance for public education.

The Town of Exeter has successfully completed one CLG project, The Winter Street Cemetery survey in grant round 2010. The property is now listed on the State Register of Historic Places. For 2011 the Town was granted funds to complete Phase 1 of a town-wide mapping survey which is currently in progress. Administrator of this grant, Selectwoman Julie Gilman, has been assigned this task by the Town's Board of Selectmen. (See attached meeting minutes of May 21, 2012).

**BUDGET SUMMARY:**

**A. CLG PERSONNEL:**

<u>Name/Title</u>	<u>Description of Work</u>	<u>Rate</u>	<u>Total</u>
Julie Gilman, Selectwoman	grant administration		\$100
Laura Hill, Finance,	administration support	\$25.20/hr	\$100
Sheri Riffle TM Admin Assistant	meeting support	\$19.50/hr	\$500
Christine Szostack	documentation support	\$17.20/hr	\$400
<b>TOTAL CLG Personnel</b>			<b>\$1,100</b>

**B. CONTRACTUAL WORK (Not to exceed \$82.49/Hr.):**

<u>Type of Contractor</u>	<u>Description of Work</u>	<u>Rate</u>	<u>Total</u>
Preservation Planner	Field work and documentation	Lump Sum	\$23,000
<b>TOTAL Contractual</b>			<b>\$23,000</b>

**C. CLG SUPPORT COSTS:**

Photocopying/printing, Mailings, marketing,	\$2,000
<b>TOTAL Support Costs</b>	<b>\$2,000</b>

**D. TOTAL PROJECT COST: \$26,100**

Name and title of person preparing application :

**Julie D. Gilman, Selectwoman**

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Signature and date

---

Name and Title of Chief Local Official or Designee :

**Mathew J. Quandt, Chairman, Board of Selectmen.**

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Signature and date  
ATTACHMENTS

- Please complete and attach 2-page Dept. of Interior Certifications.
- Please enclose copy of most recent audit.
- Please attach one or more clear, labeled photographs of the property or properties.  
Attach additional photographs or site plan, as appropriate, to illustrate conditions and proposed project work.

# DONALD R. BRABANT

May 14, 2012

Board of Selectmen  
Town Manager, Russ Dean  
Town of Exeter NH  
10 Front Street  
Exeter, NH 03833

Dear Honorable Selectmen, Selectwoman and Town Manager Dean:

As many of you know since the first of this year I have been working on a plan for the next stage of my life having retired from Citizens Bank in January, planning a wedding and ultimately a move to Portsmouth. My house has been on the market a short time and fortunately (for me) I have an agreement to sell. So, all of this brings me to this letter. The purpose of which is to submit to you my resignation as Town Treasurer effective June 30, 2012. I also am resigning immediately from the Budget recommendations Committee.

I have been your Town Treasurer since 10/2/1979 served on a number of committees as well as a member of the Budcom for several years. I have very much enjoyed serving the Town. While there have been many changes and accomplishments during the 33 years I am very proud of the Budget Committee's work this past year. I truly wish I could be here to serve one more term with that hard working group.

I have spoken with Russ Dean and offer my assistance at any level with the transition.

Thank you for your support and my best wishes to continued success of the Town.

Sincerely,  
  
Donald R Brabant

**Old Business –**

**License Agreement** – Suggested motion: Move the Board of Selectmen approve the license agreement between the Town and Access Sports Medicine and authorize the Town Manager to sign the agreement.

**Private I and I Program Outline** – No motion. **Motion on construction contract** – Move the Board of Selectmen approve accepting and extending the current construction contract with JA Polito and Sons through Phase II of the Jady Hill project as presented by the Department of Public Works.

**Review Street Sweeper Operation** – No suggested motion.

**Bid Awards – Sidewalk Tractor.** Move the Board of Selectmen accept and approve the sidewalk tractor bid from \_\_\_\_\_ in the amount of \_\_\_\_\_.

**Town Offices Discussion** – No suggested motion.

## License Agreement

AGREEMENT made and entered into by and between the Town of Exeter, a New Hampshire municipal corporation, of 10 Front Street, Exeter, New Hampshire 03833 (“Licensor” and the \_\_\_\_\_, a New Hampshire \_\_\_\_\_ corporation, of \_\_\_\_\_, Exeter, New Hampshire, 03833 (“Licensee”) this \_\_\_\_th day of \_\_\_\_\_, 2012.

WHEREAS, the Licensor owns certain property described as abutting frontage to 1 Hampton Road in Exeter (adjacent to Tax Map 69, Lot 36); and

WHEREAS, the Licensor has exclusive jurisdiction over this public right of way; and

WHEREAS, the Licensee desires to locate a sign within the Hampton Road Right-of-Way; and

WHEREAS, there is not a similar portion of the property to provide for maximum visibility for the public; and

WHEREAS, subject to the terms and conditions hereinafter set forth, the Licensor wishes to establish the terms of the License and the Licensee agrees to abide by such terms.

NOW, THEREFORE, in consideration of the foregoing premises and mutual promises, terms, provisions, and conditions set forth in this Agreement, the parties hereby agree as follows:

1. The License. Licensor hereby grants to Licensee the right to use a portion of the above described property for its sign, in accordance with the plan attached hereto and made a part hereof. Licensee may use only the areas as indicated on said plan.
2. Term. The term of this license shall be from May 1<sup>st</sup> through April 30<sup>th</sup> each year, for the duration of this License. The License is subject to renewal annually at the sole discretion of the Licensor. Licensee acknowledges that Licensor may terminate this License for any reason, or for no reason, upon 30 days notice to Licensee. Provided, however, that if the Licensee engages in any activity which, in the judgment of the Licensor, is harmful to the public health and safety, Licensor may terminate this License immediately.
3. Conditions and Restricted Activities
  - a. This License is expressly and exclusively granted to the Licensee. The rights being granted hereunder may not be assigned to any other person, entity, or party.
  - b. The sign shall conform to all requirements for signs in the Town of Exeter Zoning Ordinance and Town of Exeter General Ordinances regarding signage.
  - c. This License shall automatically terminate upon any sale of the Licensor’s property or upon Licensee vacating the property, regardless of any remaining term of the license.
4. Limitation of Liability

- a. Licensor shall not be liable for any injury, damage, or loss of any kind whatsoever, to the Licensee or to any third persons, resulting from or arising out of the use of the Licensor's property or the conduct of Access Sports Medicine, Inc.. Licensee agrees to indemnify, defend and hold harmless the Licensor from liability, loss, or damage resulting therefrom, including any liability, loss or damage resulting from the negligence of the Licensor, its employees or agents.
  - b. Licensee agrees to maintain liability insurance in an amount not less than one-million dollars (\$1,000,000) during the term of this License Agreement and any renewal thereof, with the Town of Exeter to be named as an additional insured. Licensee shall provide to Licensor, upon request, a certificate of insurance verifying such insurance.
5. Amendment. This Agreement may be amended or modified only by a written instrument signed by the Licensor and Licensee.
6. Entire Agreement. This License Agreement supersedes all prior oral and written agreements between the parties with respect to the subject matter hereof. Any modification or addition to the License Agreement shall be in writing and duly executed by the parties hereto.
7. Severability. If any portion or provision of this Agreement shall to any extent be declared illegal or unenforceable by a court of competent jurisdiction, then the remainder of the Agreement, or the application of such portion or provision in circumstances other than those as to which it is so declared illegal or unenforceable, shall not be affected thereby, and such portion and provision of this Agreement shall be valid and enforceable to the fullest extent permitted by law.
8. Headings. The headings and captions in the Agreement are for convenience only and in no way define or describe the scope or content of any provision of this Agreement.
9. Governing Law. This is a New Hampshire contract and shall be construed and enforced under and be governed in all respects by the laws of the State of New Hampshire, without regard to the conflict of laws principles thereof.

DRAFT

IN WITNESS WHEREOF, the parties have hereunder set their hands as of the day and year above written

LICENSOR  
TOWN OF EXETER

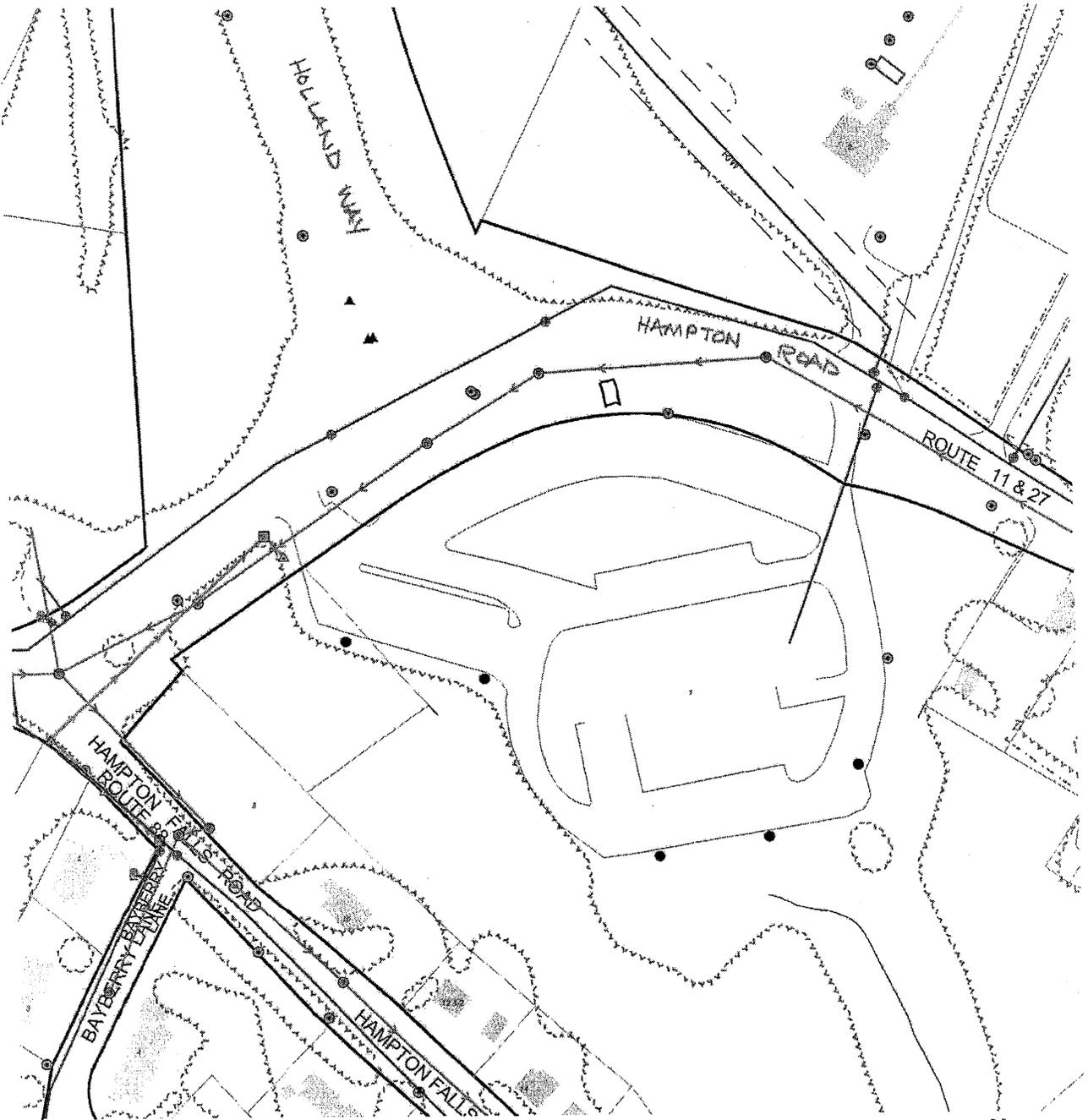
\_\_\_\_\_  
Date

\_\_\_\_\_  
Russell Dean, Town Manager  
Duly Authorized

LICENSEE  
\_\_\_\_\_, INC.

\_\_\_\_\_  
Date

By \_\_\_\_\_  
Its President



# Hampton Road ROW

Town of Exeter, NH

Scale: 1 inch = 150 feet

03/30/2012

# MEMORANDUM

Date: May 17, 2012

To: R. Dean – Town Manager

From: P.Vlasich PE – Town Engineer *PV*

Re: Jady Hill Phase II – Construction Contractor

The Public Works Department is recommending a change order be executed with J.A. Polito & Sons for the construction of the Jady Hill Phase II construction work. The change order amount is:

\$2,756,241 - including a 4.7% contingency

With the following funding sources:

\$ 164,827	- 2010 Waterline Replacement \$1.6M Warrant
\$ 185,995	- 2012 Jady Hill \$200,000 Warrant – Gen. Fund
\$2,405,419	- 2012 Jady Hill \$2.65M Warrant – Sewer Fund

This recommendation comes from an analysis performed by the design engineer, Wright-Pierce, which investigated the options of a change order for the contractor already performing the work on Phase I or rebidding the construction of Phase II. (see attached memo dated May 16, 2012) Briefly highlighting the consultant's findings:

1. Phase I contractor J.A. Polito & Sons has been performing admirably to date.
2. J.A. Polito & Sons will hold the same unit prices as their September 2011 Phase I bid.
3. J.A. Polito & Sons has offered to lower bid prices regarding the General Fund Phase II drain repairs so the replacements could occur within budget.
4. There is an estimated savings of \$161,700 by executing this change order instead of rebidding.
5. J.A. Polito & Sons could be substantially complete with Phase II this construction season. Rebidding the project would push substantial completion to July 2013.
6. Having the same contractor constructing both phases will simplify the work with traffic detours and coordination of utility installations in the right-of-way and on private properties.

Also attached, please find a spreadsheet showing the anticipated expenditures for the 2010 Waterline Replacement, 2010 Sewer Line Replacement and 2012 Jady Hill Phase II Warrants.

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TO: Paul Vlasich, P.E. - Town of Exeter      DATE: May 16, 2012

FROM: Peter Atherton, P.E. - W-P      PROJECT NO.: 12199A  
Ryan Wingard, P.E. - W-P  
Andy Morrill, P.E. - W-P

SUBJECT: Jady Hill - Phase II Contractor Options

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The purpose of this memorandum is to present discussion items for Town consideration related to the contractor selection options available for the Phase II work in Jady Hill. The information below is intended for consideration at the Town staff level and eventual presentation to the Water and Sewer Advisor Committee and/or the Board of Selectmen upon request.

**Current Jady Hill Status**

As of the date of this memorandum, the following status is presented:

1. Construction of the Jady Hill Phase I project has begun.
2. The current contractor for Phase I is J.A. Polito and Sons.
3. Construction of Phase I is roughly 20% complete.
4. The design of Phase II is roughly 99% complete.
5. The funding of Phase II was approved on March 13, 2012 by an affirmative vote for Town Warrant Article No. 6.
6. NHDES SRF funding for Phase II is not a viable option, therefore, funding will come from the Town sewer fund.

**Contractor Selection Options**

The following two contractor selection options are available for consideration for Phase II work:

- Option 1 - Award Phase II to the current contractor (J.A. Polito) through a change order.
- Option 2 - Receive new bids for Phase II work as a separate project.

**Option 1 Considerations**

Option 1 would be to award the Phase II work to the current contractor through a change order. The following considerations are presented for discussion:

1. Cost Impacts:

Estimated Construction Cost <sup>a</sup>	\$2,756,241
<u>Estimated Construction Engineering Cost<sup>b</sup></u>	<u>\$170,000</u>
<b>Estimated Phase II Project Cost</b>	<b>\$2,926,241</b>

- a. Estimated Construction Cost includes J.A. Polito Phase I Unit Prices, less \$86,000 savings noted below in item 5.
  - b. Estimated Construction Engineering Cost is based on 8 months of construction at \$25,000 per month based on Phase I budget minus \$30,000 for an overlap of Phase I and II construction for approximately two months. Once a decision has been made on contractor option, a more detailed estimate for desired scope would be developed.
2. Schedule Impacts:
- a. Construction can begin immediately after issuance of change order.
  - b. Given the potential overlap of Phase I and Phase II, J.A. Polito has stated that substantial completion of Phase II could be possible in **December of 2012** assuming work begins by June 1, 2012.
3. The project was originally envisioned as one project. It was separated into two phases due to funding limitations.
4. The J.A. Polito Phase I Bid was approximately \$144,834 (7.48%) lower than the next bidder, therefore showing that this was a very competitive bid for September 2011.
5. J.A. Polito has offered to complete the CIP storm drainage work at reduced unit prices to keep the construction cost within the \$200,000 CIP budget. This is a savings of roughly \$86,000.
6. J.A. Polito has proven to be an excellent contractor to work with on the Phase I project and has been sensitive to meeting the needs of the town and residents.
7. Having J.A. Polito work on both phases of the Jady Hill project concurrently will considerably simplify the project with regards to traffic control and coordination of utility installation both in the roadway and on the private properties.
8. A project change order will reduce the engineering design and bidding effort since formal bid packages would not need to be prepared.

### **Option 2 Considerations**

Option 2 would be to receive new bids for Phase II work as a separate project. The following considerations are presented for discussion:

1. Cost Impacts

Estimated Construction Cost <sup>c</sup>	\$2,887,989
Estimated Construction Engineering Cost <sup>d</sup>	\$200,000
<b>Estimated Phase II Project Cost</b>	<b>\$3,087,989</b>

- c. Estimated Construction Cost includes J.A. Polito Phase I Unit Prices plus an increase of 4.78% for the Boston CCI increase from September 2011 to May 2012.
- d. Estimated Construction Engineering Cost is based on 8 months of construction at \$25,000 per month based on Phase I budget. Once a decision has been made on contractor option, a more detailed estimate for desired scope would be developed.

2. Schedule Impacts:

- a. Bidding and award of the project would not take place until August 2012. With a winter shutdown from December 2012 to April 2013, final completion would be approximately **August of 2013**.
  - b. If a second contract is used for Phase II, the Phase I schedule may slip due to needed coordination between separate contractors.
3. Bidding as a separate project assumes the risk of the unknown. Bids could come in lower or higher than the current J.A. Polito bid prices. The low bid could also come from a contractor that is less or more respected in the industry.

		ESTIMATED SCHEDULE																				
Options		2012										2013										
		A	M	J	J	A	S	O	N	D	J	F	M	A	M	J	J	A	S	O	N	D
Phase I	SC	1	2	3	4																	
	FC					5																
Phase II as C.O.	SC			1	2	3	4	5	6	7												
	FC												8									
Phase II as Bid	Bid			*	*																	
	SC					1	2	3	4				5	6	7	8						
	FC																	9				

## 2010 Water and Sewer Line Replacement

5.16.12

	<u>Water</u>	<u>Sewer</u>	<u>Gen. Fund</u>
2010 Warrant	\$ 1,600,000	\$ 1,050,000	\$ -
2012 Jady Hill PhII Warrant	\$ -	\$ 2,650,000	\$ 200,000
	<b>\$ 1,600,000</b>	<b>\$ 3,700,000</b>	<b>\$ 200,000</b>
<b>Other Utility Projects</b>			
	\$ 34,470	\$ 21,612	
<b>Legal &amp; Bond Expenditures</b>			
Devine, Mill. & Branch	\$ 2,496	\$ 1,648	
Bond Issue	\$ 7,929	\$ 5,203	
<b>Jady Hill Utility Project</b>			
Design (\$343,000)	\$ 102,900	\$ 240,100	
Design Amend (\$24,952)		\$ 24,952	
Construction (\$1,770,763)	\$ 1,190,536	\$ 580,227	
Constr. Eng (\$125,000)	\$ 84,310	\$ 41,090	
<b>Phase II Jady Hill Project</b>			
Construction (\$2,756,241)	\$ 164,827	\$ 2,405,419	\$ 185,995
<u>Est. Constr. Eng. (\$170,000)</u>	\$ 10,166	\$ 148,362	\$ 11,472
	<b>\$ 1,597,634</b>	<b>\$ 3,468,613</b>	<b>\$ 197,467</b>
Balance	\$ 2,366	\$ 231,387	\$ 2,533

DRAFT

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**AGREEMENT**

WHEREAS \_\_\_\_\_ (“the Owner”) is the owner of property located at \_\_\_\_\_, Exeter, New Hampshire (“the Property”) with a mailing address of \_\_\_\_\_; and

WHEREAS, the Town of Exeter (“the Town”), is a municipal corporation with a mailing address of 10 Front Street, Exeter, New Hampshire 03833; and

WHEREAS, the Town proposes to replace the pipe which is located on the Property and which connects the Property to the Town’s sewer main (“the Pipe”) despite the fact that maintenance of the Pipe is generally the responsibility of the Owner; and

WHEREAS, the Town has obtained funding for the replacement of the Pipe such that the Owner will be responsible for only \$1,000 of the cost of replacing the Pipe, with the Town paying any remaining cost;

NOW THEREFORE, the parties hereby agree as follows:

1. The Town may enter onto the Property to remove, replace and upgrade the existing Pipe in its existing location. The Town’s authority to enter the Property shall expire on \_\_\_\_\_, 201\_\_\_. Following replacement of the Pipe, the Town shall restore the Property to as close to its original condition as is reasonably practicable.

**WE SHOULD EXPAND THIS TO INCLUDE EXACTLY WHAT WORK WE WILL AND WILL NOT BE DOING.**

2. The Owner shall be responsible for payment of the \$1,000 cost over a period of ten years. The \$100 due each year shall be invoiced as a separate sewer bill on or about \_\_\_\_\_ of each year. Failure of the Owner to make any annual payment shall result in the Town exercising any and all of its rights to collect payment, including right to commit the bill to the tax collector for placement of a lien on the Property. The Owner may at any time prepay the outstanding amount without penalty at which time the Town shall cause a release of this Agreement to be recorded in the Rockingham County Registry of Deeds.

3. The obligation to make the payments referenced in Paragraph 2 shall run with the land and be binding on all present and subsequent owners.

4. This Agreement shall be recorded in the Rockingham County Registry of Deeds.

OWNER

Date: \_\_\_\_\_

\_\_\_\_\_  
(Print Name)

Date: \_\_\_\_\_

\_\_\_\_\_  
(Print Name)

TOWN OF EXETER

Date: \_\_\_\_\_

\_\_\_\_\_  
Russell Dean, Town Manager  
Duly Authorized



Russ Dean <rdean@town.exeter.nh.us>

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## Sewer questions

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Laura Spector-Morgan <laura@mitchellmunigroup.com>

Mon, May 14, 2012 at

10:32 AM

To: Russ Dean <rdean@town.exeter.nh.us>

Cc: Steven <steven@mitchellmunigroup.com>

Hi Russ. As I understand the situation, the town is going to be replacing sewer pipes that go from the town's sewer main to people's homes and has obtained bond authority to cover the cost of this replacement. The homeowners are going to have a maximum outlay of \$1000, payable over 10 years. The questions you asked are:

1. What is this payment?
2. Can the town charge interest?
3. What happens when the owner moves? Can you require payment in full upon sale of the property?
4. How are charges liened?

1. This is simply a sewer rental fee pursuant to RSA 149-1:8, which permits towns to charge those whose property is specially benefitted for the cost of constructing and maintaining the sewer. The town may pass on any interest it is incurring on the bond, but there is no clear authority to impose interest on the payments beyond that. The charge would run with the property, not the owner, and for this reason we recommend entering into written agreements with each of the owners and recording those agreements at the registry so that potential purchasers are aware of the charge and can address it at closing. Since you are allowing payment over 10 years for everyone else, you would need a really good reason to require payment in full upon the sale of the property. I cannot think of such a justification right now, other than bookkeeping, and that is not going to rise to the level we'll need. Finally, you would not record a lien until the charges are delinquent and at that point it would be just like a tax lien, except for the sewer fee.

Would you like me to put together a sample agreement with the homeowners at this time, or are we waiting on further approval before we do that? Thanks.

Laura

Laura Spector-Morgan, Esquire

Mitchell Municipal Group, P.A.

25 Beacon Street East

Laconia, NH 03246

(603) 524-3885

fax (603) 524-0745

# Memo

To: Russell Dean, Town Manager  
From: Jennifer R. Perry, P.E., Public Works Director  
Cc: Jay Perkins, Highway Superintendent  
Date: May 18, 2012  
Re: Recommendation of Award, Sidewalk Tractor

---

The Board of Selectmen opened two bids for the sidewalk tractor and attachments (plow, snow blower, sand/salt spreader) on May 7, 2012, which the Public Works Department has reviewed. The bids were as follows:

Vendor	Make/Model	Tractor Price	Trade In	Total Bid Price
H.P. Fairfield	Trackless MT6	\$139,500	\$10,000	\$129,500
<b>Chadwick-BaRoss</b>	<b>Prinoth/Bombardier SW4S</b>	<b>\$143,300</b>	\$5,500	\$137,800

After careful consideration the Highway Department recommends the purchase of a Prinoth/ Bombardier Model SW4S Sidewalk tractor. Competitive models were delivered to the DPW complex for side by side comparison and trial. The operators and mechanics were in unanimous agreement that the SW4S Bombardier was by far the highest quality machine. The Bombardier is the only model of the two submitted that has tracks making it by far the most reliable heavy duty machine. The H.P. Fairfield bid of the Trackless MT6 did not meet the bid specifications, being a wheeled vehicle. The snow blower also did not meet specification.

The Department also recommends keep the old Trackless for spare parts, as we still have one identical unit in service. Spare parts for this unit are hard to find and expensive. The old unit is worth approximately \$20,000 in parts alone.

We therefore recommend award to Chadwick-BaRoss in the amount of \$143,300. This is within the budgeted amount of \$147,500.



Russ Dean <rdean@town.exeter.nh.us>

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## Fwd: Town Offices

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mjqquandt@comcast.net <mjqquandt@comcast.net>

Wed, May 16, 2012 at 8:29 PM

To: "Dean, Russ" <rdean@town.exeter.nh.us>

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**From:** "Frank Ferraro" <fferraro2010@gmail.com>  
**To:** "matt quandt" <mjqquandt@comcast.net>  
**Sent:** Wednesday, May 9, 2012 4:08:38 PM  
**Subject:** Re: Town Offices

Matt,

By contacting Don and soliciting his opinion on this issue, you may have violated RSA 91-A. According to 91-A:2-a.II, "Communications outside a meeting, including, but not limited to, sequential communications among members of a public body, shall not be used to circumvent the spirit and purpose of this chapter as expressed in RSA 91-A:1."

Soliciting the opinion of one other selectman on whether to take an action constitutes "sequential communications" between 3 or more Exeter selectmen (you, Don and me.) on a possible action where a decision is being made.

As is the right of a selectman, I am calling for a non-public session under 91-A:2.II(a) to discuss disciplinary action against the Town Manager for failure to comply with directions of the Board of Selectmen and abuse of authority; such meeting to be held no later than 3:00 pm, Friday, May 11.

Frank Ferraro

On Wed, May 9, 2012 at 12:32 PM, matt quandt <mjqquandt@comcast.net> wrote:  
hi frank don dose not want to cease

Frank Ferraro <fferraro2010@gmail.com> wrote:

>Thank you. Let me know what decision you make.  
>Please remember that the more time that passes, the more the unauthorized  
>work will be completed.  
>  
>

>On Tue, May 8, 2012 at 9:48 PM, <mjquandt@comcast.net> wrote:  
>  
>> Frank  
>>  
>>  
>>  
>> I will Talk to the vice chair about this if he agrees with you we will  
>> cease if not we can make this an agenda item or a nonpublic under personel.  
>>  
>>  
>>  
>> matt  
>>  
>> -----  
>>  
>> \*From: \*"Frank Ferraro" <fferraro2010@gmail.com>  
>> \*To: \*"Matt Quandt" <mjquandt@comcast.net>  
>> \*Sent: \*Tuesday, May 8, 2012 12:36:11 PM  
>> \*Subject: \*Town Offices  
>>  
>>  
>> Matt,  
>>  
>> Last night I raised the issue that the Town Offices are being rearranged  
>> inconsistent with the direction of the Board. No one seemed to recall this  
>> as I did, so I checked the minutes.  
>>  
>> I have attached the discussion of the relocation plan from the January 23,  
>> 2012 minutes, where the Board approved the relocation plan. It is very  
>> clear that the Board approved a plan that included the Assessing Office  
>> moving into the Finance Department space. However, that is not what is  
>> happening.  
>>  
>> Without a vote of the Board to the contrary, the Town Manager is not  
>> complying with the Board's decision. The Town Manager should be ordered to  
>> immediately cease all work not in compliance with the approved plan and to  
>> immediately proceed with the plan as approved by the Board.  
>>  
>> Frank Ferraro  
>>  
>>



Russ Dean <rdean@town.exeter.nh.us>

**Fwd: Town Offices**

mjqquandt@comcast.net <mjqquandt@comcast.net>

Wed, May 16, 2012 at 8:30 PM

To: "Dean, Russ" <rdean@town.exeter.nh.us>

**From:** "Frank Ferraro" <fferraro2010@gmail.com>

**To:** "matt quandt" <mjqquandt@comcast.net>

**Sent:** Wednesday, May 9, 2012 1:16:56 PM

**Subject:** Re: Town Offices

Then expect a sh\*\* storm at the next meeting. It is clear from the minutes that Russ is not following the plan approved by the Board. There were already plans drawn up in conformance with the Board's decision, so Russ can't claim any "misunderstanding." While others on the Board may decide to look the other way and have Board decisions ignored, I will not stand by and allow it.

I may not wait for the next meeting, which isn't for two weeks, before letting the taxpayers know what is going on and the lack of interest by other Board members.

On Wed, May 9, 2012 at 12:32 PM, matt quandt <mjqquandt@comcast.net> wrote:

hi frank don dose not want to cease

Frank Ferraro <fferraro2010@gmail.com> wrote:

>Thank you. Let me know what decision you make.

>Please remember that the more time that passes, the more the unauthorized

>work will be completed.

>

>

>On Tue, May 8, 2012 at 9:48 PM, <mjqquandt@comcast.net> wrote:

>

>> Frank

>>

>>

>>

>> I will Talk to the vice chair about this if he agrees with you we will

>> cease if not we can make this an agenda itam or a nonpublic under personel.

>>

>>

>>  
>> matt  
>>  
>> -----  
>>  
>> \*From: \*"Frank Ferraro" <fferraro2010@gmail.com>  
>> \*To: \*"Matt Quandt" <mjquandt@comcast.net>  
>> \*Sent: \*Tuesday, May 8, 2012 12:36:11 PM  
>> \*Subject: \*Town Offices  
>>  
>>  
>> Matt,  
>>  
>> Last night I raised the issue that the Town Offices are being rearranged  
>> inconsistent with the direction of the Board. No one seemed to recall this  
>> as I did, so I checked the minutes.  
>>  
>> I have attached the discussion of the relocation plan from the January 23,  
>> 2012 minutes, where the Board approved the relocation plan. It is very  
>> clear that the Board approved a plan that included the Assessing Office  
>> moving into the Finance Department space. However, that is not what is  
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>> immediately cease all work not in compliance with the approved plan and to  
>> immediately proceed with the plan as approved by the Board.  
>>  
>> Frank Ferraro  
>>  
>>

# List for Selectmen's meeting May 14, 2012

## Intent to Cut

<u>Map/Lot</u>	<u>Location</u>
4777	Epping Road

<u>Tax Warrant</u>	<u>Amount</u>
Due date 7/2/2012	19,735,406.93

**Town Facilities / Permits**  
**May 21 - June 4, 2012**

<b>Date</b>	<b>Time</b>	<b>Facility/Permit</b>	<b>Group/Purpose</b>
5/23	5:30 - 8:30 p.m.	Town Hall	Exeter River Study
5/26	8:00 - noon	Bandstand	Firefighter Boot Drive
6/1 - 6/3	all day	Town Hall	Exeter Women's Club - Yard Sale

## Doug Eastman

---

**From:** Frank Ferraro  
**Sent:** Friday, May 11, 2012 11:38 AM  
**To:** Doug Eastman  
**Subject:** Fwd: Plastic WalMart benches ?

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

**From:** Julie <[i\\_love3kids@myfairpoint.net](mailto:i_love3kids@myfairpoint.net)>  
**Date:** Fri, May 11, 2012 at 11:35 AM  
**Subject:** Plastic WalMart benches ?  
**To:** "[fferraro2010@gmail.com](mailto:fferraro2010@gmail.com)" <[fferraro2010@gmail.com](mailto:fferraro2010@gmail.com)>

Hello Frank

Please notice the dollar store looking plastic benches in front of the icecream store near the park. This business came after the big ordeal about signs so maybe they do not know about your efforts to keep the downtown neat and clean? I heard that Willow had to remove the pretty rocking chairs but these are alright?

That shop already causes icecream mess all down the sidewalk.

Thank you very much.

Janet

Sent from my iPhone

## Doug Eastman

---

**From:** Frank Ferraro  
**Sent:** Friday, May 11, 2012 1:31 PM  
**To:** Doug Eastman  
**Subject:** Re: Plastic WalMart benches ?

Under what provision are they getting a permit?

If it is the sidewalk "sales display", that's a stretch, but it can't extend more than 24 inches into the sidewalk and must be kept against the wall.

On Fri, May 11, 2012 at 1:25 PM, Doug Eastman <[deastman@town.exeter.nh.us](mailto:deastman@town.exeter.nh.us)> wrote:

I spoke with owner and they are coming in to get a permit with proof of insurance

---

**From:** Frank Ferraro [<mailto:fferraro2010@gmail.com>]  
**Sent:** Friday, May 11, 2012 1:08 PM  
**To:** Doug Eastman  
**Subject:** Re: Plastic WalMart benches ?

Thanks Doug.

I haven't seen them, but placing benches on the sidewalk would violate the 502 Ordinance, wouldn't it?

On Fri, May 11, 2012 at 11:51 AM, Doug Eastman <[deastman@town.exeter.nh.us](mailto:deastman@town.exeter.nh.us)> wrote:

Frank , I will talk to the ice cream place about keeping it clean ,The Willow was not required to remove any chairs by us.  
Doug

---

**From:** Frank Ferraro [<mailto:fferraro2010@gmail.com>]  
**Sent:** Friday, May 11, 2012 11:38 AM  
**To:** Doug Eastman  
**Subject:** Fwd: Plastic WalMart benches ?

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

From: **Julie** <[i\\_love3kids@myfairpoint.net](mailto:i_love3kids@myfairpoint.net)>  
Date: Fri, May 11, 2012 at 11:35 AM  
Subject: Plastic WalMart benches ?  
To: "[fferraro2010@gmail.com](mailto:fferraro2010@gmail.com)" <[fferraro2010@gmail.com](mailto:fferraro2010@gmail.com)>

## Doug Eastman

---

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**Sent:** Friday, May 11, 2012 11:38 AM  
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----- Forwarded message -----

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**To:** "[fferraro2010@gmail.com](mailto:fferraro2010@gmail.com)" <[fferraro2010@gmail.com](mailto:fferraro2010@gmail.com)>

Hello Frank

Please notice the dollar store looking plastic benches in front of the icecream store near the park.  
This business came after the big ordeal about signs so maybe they do not know about your efforts to keep the downtown neat and clean? I heard that Willow had to remove the pretty rocking chairs but these are alright?

That shop already causes icecream mess all down the sidewalk.

Thank you very much.

Janet

Sent from my iPhone

## **Doug Eastman**

---

**From:** Frank Ferraro  
**Sent:** Friday, May 11, 2012 3:44 PM  
**To:** Doug Eastman  
**Subject:** Re: Plastic WalMart benches ?

Doug,

### **502.2 Signs and Other Obstructions on Sidewalks or in Rights-of-Way**

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

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

A bench isn't a merchandise display and isn't allowed by ordinance.

Frank

On Fri, May 11, 2012 at 1:25 PM, Doug Eastman <[deastman@town.exeter.nh.us](mailto:deastman@town.exeter.nh.us)> wrote:

I spoke with owner and they are coming in to get a permit with proof of insurance

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Frank , I will talk to the ice cream place about keeping it clean ,The Willow was not required to remove any chairs by us.  
Doug

---

**From:** Frank Ferraro [<mailto:fferraro2010@gmail.com>]  
**Sent:** Friday, May 11, 2012 11:38 AM

Arielle x wolfe @ yahoo com



Town of Exeter, NH  
10 Front Street  
Exeter, NH 03833  
Phone: 603-778-0591 Fax: 603-772-4709

**PERMIT REQUEST**

- Block Off Street/Road
- Fireworks
- Parade
- Picketing
- Structure on Sidewalk - Bench
- Other \_\_\_\_\_

Liability Insurance Required: Certificate of Insurance to be submitted with completed application.  
Required Amounts: General Liability/Bodily Injury/Property Damage (combined): \$300,000-\$1,000,000 with additional personal injury of \$300,000; the Town of Exeter must be listed as an additional insured.

If permit involves overnight use of blocking off an area then it is suggested to have them in place before dark, applicants are responsible for all barricades.

Applicant Information:

Name: Arielle Wolfe Address: 25 Fordway St.  
Town/State: Derry NH Phone: 603 819 6540 Email: \_\_\_\_\_

Organization/Company Information:

Name: Stillwells Riverwalk Ice Cream Address: 190 Water St. Unit 6  
Town/State/Zip: Exeter NH 03833 Phone: 777-5077

Describe Activity: Ice Cream Shop

Describe Location: Bench in front of store window (side walk) against building

Date(s) of Activity: Daily Time of Activity: Operating hrs. (will bring in at night)

Arielle Wolfe  
Applicant Signature Date: 5.17.12

Highway Superintendent (Perkins): \_\_\_\_\_ Date \_\_\_\_\_

Code Enforcement (Eastman): \_\_\_\_\_ Date \_\_\_\_\_

Police Chief (Kane): \_\_\_\_\_ Date \_\_\_\_\_

This permit is issued for the purpose indicated and shall be valid only during the times/dates indicated on this permit.

As authorized by the Board of Selectmen/Designee (Dean):

\_\_\_\_\_ Date \_\_\_\_\_

**NAMED INSURED AND ADDRESS**

STILLWELLS RIVERWALK ICE CREAM  
C/O ARIELLE WOLFE  
25 FORDWAY ST.  
DERRY, NH 03038-0000

**AGENT NAME AND ADDRESS**

CUNNINGHAM ASSOCIATES INS.  
295 MAPLEWOOD AVE.  
PORTSMOUTH, NH 03801

Phone: (603) 334-3343

NH 08084

FORM OF BUSINESS: Corporation

EXTERIOR GLASS DEDUCTIBLE \$250

In return for the payment of the premium and subject to all the terms of this policy, we agree with you to provide the insurance as stated in this policy.

**PREMIUM SUMMARY**

PREMIUM FOR THIS TRANSACTION	COVERAGES	\$479.00
	FEDERAL TERRORISM COVERAGE	Included
	NEW POLICY PREMIUM	\$479.00

**POLICY LEVEL COVERAGES**

**DEDUCTIBLE**

Liability	\$1,000,000
Medical Expenses	\$5,000 per person

Except for Fire Legal Liability, each paid claim for the above coverages (Liability Limit and Medical Expenses) reduces the amount of insurance we provide during the applicable annual period. Please refer to paragraph D.4. of the Businessowners Liability Coverage Form.

**DESCRIBED PREMISES**

Prm 1 Bld 1

OCCUPANCY: ICE CREAM PARLOR  
LOCATION: 190 WATER STREET UNIT 6  
EXETER, NH 03833

**COVERAGE LIMITS**

**DEDUCTIBLE**

Contents - R/C	\$11,000	\$500
Tenants Fire Legal(Any one fire or explosion)	\$50,000	

**POLICY FORMS**

Forms and endorsements referenced here are for identification only. Consult the documents themselves to learn of the coverage provided by this policy. Items shown apply to (Policy form) building (bld) items listed on the declarations unless specifically noted below.

NUMBER	EDITION DATE	DESCRIPTION
AAAPETR	01-08	Policy Holder Notice-Terr
ABP7012	01-08	Adv Notice-Viol of Statutes
ASDTRIA1	01-08	Supp. Dec. - TRIA
BP0002	12-99	Businessowners Special
BP0006	01-97	Businessowners Liability
BP0009	01-97	Business Common Policy

*Union Mutual*

Policy # BOST116347



# State of New Hampshire Department of Revenue Administration



109 Pleasant Street  
PO Box 1313, Concord, NH 03302-1313  
Telephone (603) 230-5950  
www.nh.gov/revenue

Kevin A. Clougherty  
Commissioner

PROPERTY APPRAISAL DIVISION  
Stephan W. Hamilton  
Director

Margaret L. Fulton  
Assistant Commissioner

April 30, 2012

David M. Cornell  
Assistant Director

TOWN OF EXETER  
OFFICE OF SELECTMEN  
10 FRONT STREET  
EXETER NH 03833

Dear Assessing Officials:

Earlier in 2012, you were notified of your town's 2011 sales-assessment weighted mean ratio. Since that time, the Department of Revenue Administration has completed the process of calculating the total equalized values for each municipality and unincorporated places throughout the state pursuant to RSA 21-J:3 XIII.

Two total equalized figures were calculated for each municipality: The "Total Equalized Valuation **Including** Utility Valuation and Railroad Monies Reimbursement" will be used to calculate your municipality's portion of the county tax and cooperative school district taxes, if applicable. The "Total Equalized Value **Not Including** Utility Valuation and Railroad Monies" used to calculate each municipality's portion of the state education property tax.

In order to fulfill the requirements of RSA 21-J:3 XIII, adjustments have been made to the modified assessed valuation to bring such valuation to true and market value. Enclosed with this letter are informational sheets that summarize how each of the following figures was calculated.

Town Name: EXETER	Including Utility Valuation and Railroad Monies Reimbursement	Not Including Utility Valuation and Railroad Monies Reimbursement
2011 Modified Local Assessed Valuation	1,603,489,293	1,577,416,562
+ D.R.A. Inventory Adjustment	467	8,000
= 2011 Equalized Assessed Valuation	1,603,489,760	1,577,424,562
+ Equalized Payment in Lieu of Taxes	1,463,608	1,463,608
+ Equalized Railroad Tax	28,105	0
<b>= 2011 Total Equalized Valuation</b>	<b>1,604,981,473</b>	<b>1,578,888,169</b>
2011 Equalized Assessed Valuation	1,603,489,760	
+ Adjustment RSA 31-A (Shared Revenues)	0	
<b>= Base Valuation for Debt Limits</b>	<b>1,603,489,760</b>	

This letter is official notification of your 2011 Total Equalized Valuation(s). You have the right to appeal these valuations to the N.H. Board of Tax and Land Appeals pursuant to RSA 71-B:5 II. The appeal period is not extended due to any communication, either verbal or written, between the D.R.A. and a municipality regarding the total equalized valuations.

If you have any questions regarding the computation of your total equalized assessed valuation(s), please contact this office at 230-5950.

Sincerely,

  
Linda C. Kennedy, Manager  
Equalization Bureau

TDD Access: Relay NH 1-800-735-2964

*Individuals who need auxiliary aids for effective communication in programs and services of the Department of Revenue Administration are invited to make their needs and preferences known to the Department.*



# State of New Hampshire Department of Revenue Administration

109 Pleasant Street  
PO Box 487, Concord, NH 03302-0487  
Telephone (603) 230-5950  
www.nh.gov/revenue



Kevin A. Clougherty  
Commissioner

Margaret L. Fulton  
Assistant Commissioner

May 11, 2012

PROPERTY APPRAISAL DIVISION  
Stephan W. Hamilton  
Director

David M. Cornell  
Assistant Director

Exeter, NH  
Board of Selectmen  
10 Front Street  
Exeter, NH 03833

RE: 2011 Assessment Review

Honorable Members of the Board of Selectmen:

The New Hampshire Department of Revenue Administration has completed its review based on the six assessment areas specifically identified in RSA 21-J:11-a and RSA 21-J:14-b I. (c).

They are:

- A. Level of assessments and uniformity of assessments are within acceptable ranges as recommended by the Assessing Standards Board by considering, where appropriate, an assessment-to-sales-ratio study conducted by the Department for the municipality;
- B. Assessment practices substantially comply with applicable statutes and rules;
- C. Exemption and credit procedures substantially comply with applicable statutes and rules;
- D. Assessments are based on reasonably accurate data;
- E. Assessments of various types of properties are reasonably proportional to other types of properties within the municipality; and,
- F. For all revaluations including full revaluations, partial revaluations, cyclical revaluations and statistical updates conducted on or after the April 1, 2006 assessment year by either an independent contractor or an in-house assessor, a report based on the most recent edition of the Uniform Standards of Professional Appraisal Practice (USPAP) Standard 6 shall be produced.

In accordance with RSA 21-J:11-a, II, the Department shall report its findings to the Assessing Standards Board and the municipality.

TDD Access: Relay NH 1-800-735-2964

*Individuals who need auxiliary aids for effective communication in programs and services of the Department of Revenue Administration are invited to make their needs and preferences known to the Department.*

We are pleased to report that you have met most of the above guidelines as recommended by the Assessing Standards Board (ASB), with the exception of the following:

ASB III B.2, 95% of property record cards sampled should reflect assessments as of April 1, 2011 – please refer to the cover and work sheets.

ASB III B. 4 C, Municipality's current use assessments comply with Current Use Board's 304 value ranges – please refer to the current use cover and work sheets.

The Department has assisted many communities in areas that needed attention. Please feel free to call us anytime and we would be more than willing to assist in any way we can.

Prior to release of this report to the ASB you have an opportunity to respond to any DRA recommendations made. Your response should be made within 30 days of the date of this letter. Shortly, we will be in contact to schedule a meeting to review this report and help with any questions you may have.

Special thanks to those staff members assisting with information retrieval as well as working in an understanding and cooperative manner.

I would like to take this opportunity to remind you that pursuant to RSA75: 8-a Five-Year Valuation as well as Part 2 [Art.] 6. [Valuation and Taxation.] of the State Constitution your next town-wide reappraisal must be completed no later than 2015.

If you have any questions, feel free to contact me.

Sincerely,



Stephan W. Hamilton, Director  
Property Appraisal Division

cc: File



**NH DEPARTMENT OF REVENUE ADMINISTRATION  
PROPERTY APPRAISAL DIVISION**

**APPLICATION OF CURRENT USE COVER SHEET as of APRIL 1, 2011**

ASB III, B. 4. a-c

<b>Name of Municipality:</b>	<b>Exeter</b>
------------------------------	---------------

<b>Total Number of Parcels</b>	63
<b>Total of Parcels Sampled</b>	25
<b>Percent of Total Parcels Sampled</b>	39.68%
<b>Samples with Errors</b>	25
<b>Samples without Errors</b>	0
<b>Percent of Samples without Errors (minimum 85%)</b>	0.00%

**Municipality of Exeter** in the category of **APPLICATION OF CURRENT USE:**

<b>Falls Within Guidelines</b>	<input type="checkbox"/>
<b>Does Not Fall Within Guidelines</b>	<input checked="" type="checkbox"/>

**COMMENTS:**

Issues resulting in "Does Not Meet Guidelines", is a result of two requirements per CUB rules; not applying the last known town Equalization factor, and not valuing acreage in a way to satisfy the BTLA "Marlow Decision". When these issues were discussed with Mr. DeVittori, he replied saying, applying the last known Equalization factor is rather futile due to the town's ratio being near 100%; in most cases, due to computer rounding would have little-to-no affect on values. On the latter issue, Mr. Devittori showed evidence of a prior mailing to property owners asking them to rate site quality, location, and grade of their parcels. Of the property owners responding, assigned values reflected those responses, however, if the property owner did not respond, the land characteristics of over a site quality was not used to value the acreage.

Mr. Devittori indicated he would be receptive to correcting the above issues in 2012.

<b>DRA Monitor Signature:</b> <i>Bonnie MacEachern</i>	<b>Date:</b> 10/20/11
<b>DRA Supervisor Initials:</b> <i>CKR</i>	<b>Date:</b> 1/5/12



NH DEPARTMENT OF REVENUE ADMINISTRATION  
PROPERTY APPRAISAL DIVISION

APPLICATION OF CURRENT USE as of APRIL 1, 2011

ASB III, B. 4. a-c

Name of Municipality:		Exeter								Date of Review:		October 20, 2011					
Current Use RSA 79-A																	
Sample	Parcel ID	a				b				c		Guidelines Met					
		(i) A current use A-10 Application for Assessment, timely filed, per RSA 79-A:5 II		(ii) Recreational Discount being applied		(iii) Site Map outlining current use categories		(iv) The Equalization Ratio is being applied, per RSA 79-A:5 I		A completed Form CU-12, Summary of Forest Stewardship Plan for Current Use Assessment, or a letter from the NH Tree Farm Committee, or a plan developed and signed by a NH licensed forester per Cub 304.09 (a)(3)		All municipality's current use assessments comply with Cub 304 value ranges		Guidelines Met			
		Yes	No	Yes	No	Yes	No	Yes	No	Yes	No	Expired	Yes	No	Yes	No	
1	112-7	X				X			X					X		X	
2	85-25	X				X			X	X				X		X	
3	47-7	X					X		X					X		X	
4	43-1	X			X	X			X				X			X	
5	26-15	X				X			X				X			X	
6	49-9		X			X			X				X			X	
7	29-32	X				X			X				X			X	
8	30-2-1	X				X			X				X			X	
9	101-6-1	X				X			X				X			X	
10	44-6	X				X			X				X			X	
11	11-7-1	X				X			X					X		X	
12	47-9	X				X			X					X		X	
13	66-2		X			X			X					X		X	
14	46-1	X			X	X			X					X		X	
15	79-10	X				X			X					X		X	
16	71-119	X				X			X				X			X	
17	97-41	X				X			X				X			X	
18	54-5	X				X			X					X		X	
19	113-3	X				X			X					X		X	
20	53-4	X					X		X					X		X	
21	112-2	X				X			X					X		X	
22	99-114	X				X			X				X			X	
23	107-3	X					X		X					X		X	
24	32-23	X				X			X				X			X	
25	66-1	X				X			X					X		X	
26																	
27																	
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33																	
34																	
35																	
<b>Total</b>		23	2	0	2	22	3	0	25	1	0	0	11	14	0	25	
%		#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	

COMMENTS: Per John D., does not apply Equalization Factor.

2010 Equalization Ratio = 97.5

DRA Monitor Signature: <i>Kristin Mae Easler</i>	Date: Oct. 20, 2011
DRA Supervisor Initials: <i>OKR</i>	Date: 11/5/12



NH DEPARTMENT OF REVENUE ADMINISTRATION  
PROPERTY APPRAISAL DIVISION

INVENTORY PROGRAM COVER SHEET as of APRIL 1, 2011

ASB III, B. 2. & 3.

Name of Municipality:	Exeter
-----------------------	--------

B2 - 95% of PRCs sampled should reflect assessments as of April 1.

B3 - Revised Inventory program that addresses compliance with RSA 75:8

Municipality of **Exeter** in the category of **ASSESSMENTS AT APRIL 1, & REVISED INVENTORY PLAN.**

	B2	B3
Falls Within Guidelines		X
Does Not Fall Within Guidelines	X	

COMMENTS:

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DRA Monitor Signature: <i>Lionel MacEcher</i>	Date: Nov. 22, 2011
DRA Supervisor Initials: <i>CKR</i>	Date: "12/3/11"





NH DEPARTMENT OF REVENUE ADMINISTRATION  
PROPERTY APPRAISAL DIVISION

ASSESSMENTS as of APRIL 1, 2011

ASB III B. 2.

Name of Municipality: Exeter				Date Review From:	April 1, 2010		
				Date Review To:	March 31, 2011		
Assessments RSA 74:1							
Sample No.	Parcel ID	Values Reflect April 1		Sample No.	Parcel ID	Values Reflect April 1	
		YES *	NO			YES *	NO
1	11-18-16	X		19	74-66	X	
2	17-9-2	X		20	80-11	X	
3	22-3-1	X		21	83-74	X	
4	52-7	X		22	84-1	X	
5	52-17	X		23	85-2	X	
6	52-57		X	24	89-4-5		X
7	55-12	X		25	95-64-38	X	
8	61-25	X		26	95-64-249	X	
9	62-4	X		27	104-32		X
10	63-2	X		28	90-33-1	X	
11	69-24	X		29	88-1-6	X	
12	72-60	X		30			
13	72-192	X		31			
14	73-144	X		32			
15	73-192	X		33			
16	73-239	X		34			
17	73-311	X		35			
18	74-5	X		36			

\* Verify any of the following methods the municipality uses to ensure that values are reflected as of 4/1.

1. Physically checks building permit status on April 1 of each year.	Yes	X
	No	
2. Records building status by taking photographs on April 1 of each year.	Yes	
	No	X
3. Checks water/sewer records for April 1 of each year.	Yes	X
	No	
4. Checks for Certificate of Occupancies issued on or before April 1 of each year.	Yes	X
	No	
5. Checks Building Inspector's records for property status on April 1 of each year.	Yes	X
	No	
6. Other method, Please describe.	Yes	
	No	

COMMENTS:

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DRA Monitor Signature: <i>Lionel MacEachern</i>	Date: Nov. 22, 2011
DRA Supervisor Initials: <i>CKR</i>	Date: <i>11/23/11</i>



## NEW HAMPSHIRE DIVISION OF HISTORICAL RESOURCES

State of New Hampshire, Department of Cultural Resources  
19 Pillsbury Street, Concord, NH 03301-3570  
TDD Access: Relay NH 1-800-735-2964  
[www.nh.gov/nhdhr](http://www.nh.gov/nhdhr)

603-271-3483  
603-271-3558  
FAX 603-271-3433  
[preservation@dcr.nh.gov](mailto:preservation@dcr.nh.gov)

8 May 2012

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

Dear Mr. Dean,

The New Hampshire Division of Historical Resources (DHR) would like to congratulate you on the listing of the Winter Street Cemetery, Exeter in the New Hampshire State Register of Historic Places. We would like to recognize your efforts and the property's significance with the enclosed certificate.

We will add you to our mailing list and let you know about future educational programs and technical assistance that may be of interest. The DHR has created a plaque that owners may order to mark listed properties; information on this plaque is enclosed. Another benefit of listing is a complimentary one-year membership to the New Hampshire Preservation Alliance, the state's membership organization dedicated to the preservation of New Hampshire's irreplaceable historic buildings, landscapes and communities.

The DHR has mailed the enclosed press release to major news outlets in the state noting the property's listing to the State Register. Please feel free to use this press release if you would like to announce the listing in your local newspaper as well. The Division publishes the list of State Register properties on our web site with a photo, the property name, street, town, and date of listing. If you have any questions or concerns about this, please give me a call at 603 / 271-6435.

We very much appreciate your stewardship and commitment to preserving an important part of New Hampshire's heritage. As you plan for needed maintenance or changes, staff members at the DHR are always available for questions and assistance. Also enclosed are handouts on rehabilitation standards, and State Register benefits that may be helpful as you maintain your buildings.

As always, please feel free to contact us if we can assist you.

Sincerely,

Mary Kate Ryan  
State Survey Coordinator

Encl.



Congress of the United States  
Washington, DC 20515

May 16, 2012

Administrator Lisa P. Jackson  
Environmental Protection Agency  
Ariel Rios Building  
1200 Pennsylvania Avenue; NW  
Washington, DC 20460

Re: Great Bay Municipal Coalition Meeting Request

Dear Administrator Jackson:

We are writing on behalf of the New Hampshire Great Bay Municipal Coalition, consisting of the towns of Dover, Exeter, Newmarket, Portsmouth and Rochester, who have requested our assistance setting up a meeting with you. The Coalition would like to bring to your attention concerns with the Agency's actions regarding the nutrient permitting issue.

It is our hope that you will agree to meet with the Coalition and that we can continue to work collaboratively to address the challenging issues facing the Great Bay Estuary.

Thank you for your consideration of this request.

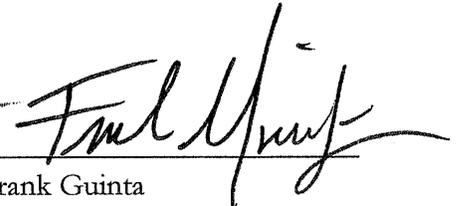
Sincerely,



Jeanne Shaheen  
U.S. Senator



Kelly Ayotte  
U.S. Senator



Frank Guinta  
U.S. Congressman (NH-01)

Cc: Curt Spalding, EPA Region I Administrator  
Thomas Burack, Commissioner of NH DES  
The Honorable Dean Trefethen, Mayor, City of Dover  
Matthew Quandt, Chair, Exeter Board of Selectmen  
Philip Nazzaro, Chair, Newmarket Town Council  
The Honorable Eric Spear, Mayor, City of Portsmouth  
The Honorable T. J. Jean, Mayor, City of Rochester