



**Town of Exeter**  
**Boards, Commissions & Committees**  
**Appointment Application**

**Committee Selection:**

1<sup>st</sup> Choice: Economic Development Comm. 2<sup>nd</sup> Choice: \_\_\_\_\_

Name: Cynthia Tokos

Address: 156 Front Street Tower #420 Exeter

Email: CTOKOS@COMCAST.NET

Phone: \_\_\_\_\_ Cell: 603-812-5112

Please describe your interest in serving on this committee.

Economic development is critical to Exeter's future. I like that the first goal of the Commission is to retain and expand existing businesses. Others will come to the area if those that are here are successful. I'm also interested in being creative re the types of businesses we attract.

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

Much of my career has been in marketing, economic and community development. I moved to Exeter in 2009 after almost 20 years in Vermont. My masters is in public administration. I've had a consulting business for over 10 years that focuses on marketing and communication. I'd love the opportunity to serve on

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

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

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

Signature: Cynthia Tokos Date: 10/25/12

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

## CYNTHIA TOKOS

156 Front Street Tower #420 Exeter NH 03833

Phone: 603 812 511

Email: ctokos@comcast.net

### SKILLS

Communications; documentary photography; policy analysis; government relations; community outreach and project development/implementation.

### EMPLOYMENT

<b>Cynthia Tokos - Entrepreneur</b>	
Exeter, NH – <a href="http://cynthiatokos.com">cynthiatokos.com</a>	Present
Montpelier, VT	1997 –
<b>Monarch School of New England, Rochester NH</b>	
Director (part-time) of Marketing/Community Relations	2007 – Present
<b>FEMA – Washington DC</b>	
External Affairs Reservist - Communications	2009 – 2012
<b>People of Addison County Together, Middlebury VT</b>	
Regional Partnership Coordinator	1995 – 1997
<b>Vermont Bicycle Touring Inc., Bristol VT</b>	
Bicycle Tour Leader	1995
<b>Governor Howard Dean, Montpelier VT</b>	
Senior Policy Analyst	1991 – 1995
<b>Department of Public Administration, University of Vermont</b>	
Graduate School and MPA Assistant	1989 – 1991
<b>West Central Services Mental Health, Lebanon NH</b>	
Public Information Manager	1988 – 1990
<b>James Tallon, New York State Assemblyman, Binghamton NY</b>	
District Office Manager	1984 – 1987

### EDUCATION

<b>Master's of Public Administration:</b> University of Vermont	1991
Thesis: Economic Development Partnerships	
<b>Bachelor of Arts in Political Science:</b>	
State University of New York at Binghamton	1980

### TRAINING

Constant Contact Email Marketing Bootcamp	2012
Center for Digital Storytelling	2011
FEMA External Affairs	2010
Red Cross Disaster Relief	2006 – 2007
International Center of Photography, NYC	2005
The Maine Photographic Workshops	2001
Outward Bound – Hurricane Island School for Facilitators	1998
National Governors' Association – Systems and Facilitation	1993 – 1995

**Cynthia Tokos**

**AWARDS**

*Quebec-Labrador Foundation*  
Sustainable Communities Exchange participant 2000  
*Marshall E. Dimock Award*  
For contributions to Public Administration 1994

**VOLUNTEER**

SF AIDS Ride: Rode 550 miles on my bicycle in 6 days, raising \$3,000  
San Francisco to Los Angeles AIDS ride 2009  
Hands-On USA: Helped to rebuild community  
Biloxi, Mississippi after Hurricane Katrina 2006  
Norris Cotton Cancer Center: Assisted in patient waiting rooms  
Dartmouth-Hitchcock Hospital 2005 – 2006  
Cross Cultural Solutions: Worked at an orphanage in a shantytown  
Villa El Salvador, Lima, Peru 2003

## **CLIENTS**

### **AGRICULTURE**

Cabot Creamery Co-operative, Inc.  
Vermont Cheese Council  
Connecticut Maple Sugar Producers Association  
Vermont Council on Rural Development: Vermont Agriculture Viability Council  
Vermont Department of Agriculture  
Vermont Specialty Food Association

### **BUSINESS**

Human Resources Investment Council  
Lake Champlain Regional Chamber of Commerce  
Vermont Business Roundtable

### **COMMUNITY DEVELOPMENT**

City of Barre  
City of Brattleboro  
The Snelling Center for Government  
Town of Morristown/Village of Morrisville  
Town and Village of Johnson

### **HERITAGE**

Friends of the Vermont State House  
Vermont Historical Society

### **HUMAN SERVICES**

Center for Crime Victim Services  
Central Vermont Crimestoppers  
Council of Vermont Elders (COVE)  
Granite State Independent Living  
United Way of Chittenden County  
Vermont Department of Corrections  
Vermont State Housing Authority  
Washington County Mental Health Services

### **NATURAL RESOURCES**

Smartwood, a Program of the Rainforest Alliance  
Vermont WoodNet

### **SPIRITUALITY**

Institute for Spiritual Development

### **TOURISM**

Vermont Department of Tourism and Marketing  
Vermont Lodging and Restaurant Association

# BOARD OF SELECTMEN DRAFT MINUTES OCTOBER 15, 2012

## 1. Call Meeting to Order

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

## 2. Board Interview – Economic Development Commission

The Board interviewed Jason Proulx for a position on the Economic Development Commission in the Wheelwright Room at 6:50 p.m. prior to the regular business meeting.

## 3. Bid Opening: Surplus Vehicles

The following bids were received for the surplus vehicles:

Chicago Motors, Inc.	2001 Ford Crowne Victoria	\$607	
	2000 Ford Explorer	\$607	
	2001 Ford Taurus	\$707	Total bid: \$1,921.00

Robert Webb	2001 Ford Crowne Victoria	\$250	
Bob;s Heavy Equip.	2000 Ford Explorer	\$250	
	2001 Ford Taurus	\$250	Total bid: \$750

Mr. Ferraro moved to award the sale of the three surplus vehicles to Chicago Motors, Inc. for their bid of \$1,921.00. Mr. Chartrand seconded. Motion carried.

## 4. Public Comment

Don Woodward thanked Town Manager Russell Dean and Mr. Quandt for hosting the tour of the manufactured home communities last week. He was grateful they were able to attend on behalf of the Town.

## 5. Minutes & Proclamations

- a. Regular meeting: October 1, 2012 – Mr. Chartrand moved to accept the minutes as written, seconded by Ms. Gilman. Motion carried.

## 6. Appointments - none

## 7. Discussions/Action Items

### a. New Business

#### i. Paul Kirshen, UNH presentation – Sustainability Grant

Paul Kirshen provided a presentation on the “Community-based Climate Change Management in Exeter” project which will focus on the Exeter-Squamscott River watershed. Mr. Kirshen said the first step in the project will be listening to the residents about their concerns, what they would like to learn and what results they would like to see from this study. This interaction with residents will occur Spring-Summer 2013 and then recommendations will be made in 2014. Mr. Kirshen said that this study will be useful to the dam removal study. Mr. Chartrand thanked Town Planner Sylvia von Aulock and Mr. Kirshen for coordinating this presentation to the Board.

#### ii. Finance Department Quarterly Report – Doreen Ravell, Financial Director

On the revenue side, Ms. Ravell pointed out that many of the revenues categories currently with a low percentage of collection would increase by the end of year. Overall, the revenue trending is in line with targets amounts.

Mr. Ferraro asked about the spending for the Recreation Revolving Fund and for EMS. Ms. Ravell will provide the Board with the specifics of those expenditures.

This was discussion concerning the outstanding property tax bills for Tax Years 2005-2008 and 2009. Ms. Ravell said the remaining amounts for 2005-2008 cannot be pursued due to bankruptcies. For 2009, Mr. Clement said residents who have passed the two-year time limit will be sent letters encouraging them to make arrangements for the overdue taxes. The Tax Collector will be compiling an updated list of those still in arrears from 2009. Mr. Dean noted that tax-deeded properties are listed on the Town website.

A discussion on the Water & Sewer receivables also focused on overdue bills. Currently, bills that are overdue by 90 days or more account for 37% of what is still due and this will be further reduced by payment plans. Ms. Ravell noted that many of these overdue bills are for sewer-only customers which cannot be shut off

Mr. Dean said that other towns have utilized liens for sewer and perhaps that is a process that should be evaluated for Exeter. Mr. Clement agreed that this is a subject that should be discussed. Ms. Ravell noted that other methods are used by the Town, such as houses in short sales and working with the real estate agent, and asking if the buyer will pay the bill at closing.

**iii. Police Grant Funds Closeout**

Police Chief Kane had submitted a memo to Mr. Dean listing 8 grants that need to be closed out as advised by the Finance Department. The impact on the General Fund is a deficit of \$3,885.00.

Mr. Chartrand moved to close out the 8 grants listed on Chief Kane's memo. Ms. Gilman seconded. Motion carried.

Mr. Ferraro requested that, in the future, that an explanation be provided for any deficits listed. Mr. Dean agreed when such information is available, i.e., the item is not very old and therefore that information would be readily available.

**iv. Transportation Fund Report**

The figures for this fund were updated as of 9/30/12 for the Board's review. Mr. Clement and Mr. Woodward noted the Taxi Ticket program has been very successful.

Mr. Ferraro commented that the Transportation amounts that are not deficits should not be parentheses and doing so can cause confusion. Mr. Dean noted that, as a general practice, towns list revenues as offsets in parentheses.

**v. Fire CIP Updates: Fire Substation, Ladder Truck**

Fire Chief Brian Comeau, accompanied by Assistant Chiefs Ken Berkenbush and Eric Wilking, provided presentations on 1) the proposed sub-station to be situated on a 2.05 acre parcel on Continental Drive off of Epping Road and 2) the need for a leased ladder truck with an aerial device which is now required.

The primary goal of a new sub-station is to have a reduction in response time. There has been approximately \$70K spent in various studies on a new sub-station and one key finding is that the

new station could potentially improve response time from 63% to 84%. The new sub-station would be designed to last 25-50 years, have an apparatus bay for 2 engines and 1 ambulance, provide a kitchen and day rooms, have space for operational support and also space for the utilities needed in a fire station.

Asst. Chief Wilking referred to the listing he compiled comparing costs of recently constructed fire stations. The proposed cost per square foot for the new sub-station (\$276.76) falls well within the range of the costs per square foot for the other stations listed in his comparison. The estimated cost to construct the concrete block building is \$1.9M plus costs to outfit the station brings the total estimated cost to \$2.4M.

Chief Comeau explained the project timeline: 2013 – to the voters, 2014 – start construction, and open for operations in 2015 with 4 additional staff to the Department. He explained the cost to the community: a bond for \$2.4M over 20 years comes to \$119,800 a year. That amounts to a tax rate increase of 8 cents per 1,000.

There was some discussion on Chief Comeau's staffing requests and also the grant/property from Riverwoods which has remained unused.

Mr. Clement thanks Chief Comeau for an excellent presentation and report and explained that the process for the 2013 budget warrant is just beginning. The budget review is on-going and the provided information will be reviewed further.

The lease purchase of the ladder truck is \$880,000.00. This would cost \$101,986 a year with a 10-year term at 3%. The requirement for a truck with an aerial device is based on the number of three-story buildings in the town. An information sheet on the proposed truck was provided.

#### **b. Old Business**

##### **i. ESC Barrier Report**

The barrier report from Cross-Spectrum Acoustics was reviewed. Town Planner Sylvia von Aulock reported that Kevin Small, DPW, had discussed the report with the ESC and suggested they hire a structural engineer because the barrier are very high and heavy and may require footing. Members of the Board agreed that once the ESC had reviewed this report, any proposed plans for going forward should be reported to the Board. It was suggested this occur at the October 29<sup>th</sup> Board meeting. Either Ms. Von Aulock or Mr. Dean will invite the ESC to attend the October 29<sup>th</sup> meeting.

Mr. Clement suggested inviting Lance Meister of Cross-Spectrum Acoustics to the next meeting. Ms. Von Aulock said she has already proposed that to Mr. Meister but he prefers communication via email. Mr. Ferraro requested that Ms. Von Aulock bring any questions to Mr. Meister via email for the Board.

#### **8. Regular Business**

##### **a. A/P and Payroll Manifests**

Mr. Chartrand moves a 10/5/12 accounts payable warrant in the amount of \$88,205.06. Ms. Gilman seconded. Motion carried.

Mr. Chartrand moves a 10/12/12 accounts payable warrant in the amount of \$112,001.79 for expenditures including chemicals, legal fees and electric bills. Ms. Gilman seconded. Motion carried.

Mr. Chartrand moves 9/30/12 payroll warrant checks dated 10/3/12 in the amount of \$166,574.99. Ms. Gilman seconded. Motion carried.

Mr. Chartrand moves 10/7/12 payroll warrant checks dated 10/10/12 in the amount of \$163,696.53. Ms. Gilman seconded. Motion carried.

Mr. Chartrand moved dispersements from the General Fund in the amount of \$419,450.56. Ms. Gilman seconded. Motion carried.

Mr. Dean informed the Board that the leasing company for the ambulance requires that the Board read the leasing resolution into the record. Mr. Chartrand read the resolution and moved to approve the resolution. Ms. Gilman seconded. Motion carried.

b. Budget Updates – see Financial Director’s report above

c. Tax Abatements & Exemptions - none

d. Water/Sewer Abatements – none

e. Permits

The following permits were reviewed by the Board for approval:

Submitted by the Exeter Newsletter for use on October 23, 2012, 6:30-9:30pm. Mr. Clement moved to approve the permit, Ms. Gilman seconded, motion carried.

Submitted for Seacoast Idol shows on May 4-5 and May 18-19, 2012. Mr. Ferraro moved to approve the approve the permit, Ms. Gilman seconded, motion carried.

Mr. Clement informed the Board that it needs to sign a document about notification that polls will be open for the upcoming election. The document then needs to be returned to the Town Clerk.

f. Town Manager’s Report

Mr. Dean reported the health insurance ratings were received: Blue Choice went up .08% and Matthew Thornton increased by 2.3%. The budget will be revised to incorporate these increases. Dental coverage went up 1.2%.

LGC returning surplus through the towns in December 2012. Exeter will receive \$106,883.03 as budget surplus, August 2013 budget surplus \$108,372.73. In addition the Town will receive a surplus payment of \$16,371.68 for dental insurance in August of 2013. These amounts will help the 2012 surplus and also the 2013 budget.

The Water Street interceptor project is going smoothly with good reports from the field. Second letters went out to residents to call Public Works to get water meters charged out because there was little response to the first notice. Mr. Dean noted other projects that are proceeding: ground water RQ project, waste stream project, grease interception inspections, Front Street roof, and flushing of the lines next week.

g. Legislative Update - none

h. Selectmen’s Committee Reports

Mr. Ferraro reported that Jay Childs filmed the Victoria Arlen event and it will be available on Channel 98. Mr. Ferraro attended the Water & Sewer Advisory Committee at which Mr. Dean

gave a summary of projects. The Committee is looking at fund balances and recommendations from the Board.

Mr. Chartrand the EDC meeting and said they are doing good work and attracting great companies to the town.

Ms. Gilman attended the Heritage Commission. There was discussion on the tear-down of the garage on Front Street. At an October 16 meeting, SAU 16 will discuss parking coordination for voting day.

Mr. Clement attended the Housing Authority meeting concerning the Water Street interceptor. Mr. Clement said the residents of 277 Water Street have endured a lot during this project and thanked them for their patience. Mr. Clement also attended the Conservation Commission meeting on October 9<sup>th</sup>. There was a discussion of the forest management cut at the Henderson/Swasey Town Forest. This is done periodically by a certified forester. The Commission will have a table at the Fall Festival on October 20<sup>th</sup> offering tours of Raynes Farm and Barn.

i. Correspondence

- A notice from the Exeter Firefighters Relief Association on the Annual Holiday Party on October 26, 2012.
- A letter from Nancy Casco of Families First thanking the Town for their support and the check in the amount of \$750.00.
- A letter from Pati Frew-Waters of Seacoast Family Promise thanking the Town for the donation of \$500.00.
- A letter from the NH Department of Safety announcing the FFY 2012 Competitive Local Grant Application Period. Applications are due by January 31, 2013.
- A letter from Jay Somers, Sr. Manager of Government & Regulatory Affairs at Xfinity on grandfather cable packages.
- A letter from Peggy Small-Porter of Richie McFarland Children's Center thanking the Town for social services funding in the amount of \$1,575.00.
- A copy of the letter, with attached maps and documentation, from Town Planner Sylvia von Aulock inviting Exeter property owners to attend a meeting on zoning changes on October 24, 2012, at 8:30 a.m. at the Town Offices.
- A letter from Nicholas A. Toumpas, Commissioner, NH Department of Health and Human Service, thanking the Exeter Fire Department employees and local volunteer groups for their work at the blood testing clinics.
- A letter from Superintendent of Schools Michael A. Morgan inviting senators, representatives and candidates to attend a meeting on October 29 to discuss a mandatory increase to the H&HS budget concerning retirement costs.
- An email to Mr. Dean from the NH Retirement System with dates for upcoming member education sessions.

**9. Review Board Calendar**

The next meeting of the Board is scheduled for October 29, 2012.

**8. Non Public Session - none**

**9. Adjournment**

Mr. Clement moved to adjourn, Mr. Chartrand seconded. Roll call vote: unanimous.  
The Board stood adjourned at 9:30 p.m.

Respectfully submitted,  
Chris deZarn-O'Hare  
Recording Secretary

Appointment

Monday, October 29, 2012

Jason Proulx, Economic Development Commission

Term to Expire: April 30, 2014



# Cross-Spectrum Acoustics

Cross-Spectrum Acoustics LLC

P.O. Box 90842  
Springfield MA 01139

P.O. Box 540609  
Waltham, MA 02454

## TECHNICAL MEMORANDUM

To: Sylvia VonAulock, Town Planner – Exeter, NH  
From: Lance Meister, Cross-Spectrum Acoustics  
Date: October 4, 2012  
Project Reference: J2012-1290 – Exeter Sportsman’s Club Noise Barrier Assessment

This technical memorandum summarizes the noise assessment of the proposed Exeter Sportsman’s Club barrier in Exeter, NH conducted by Cross-Spectrum Acoustics (CSA). The town of Exeter retained CSA to address the town’s concerns regarding the potential noise effects of the Club’s plans to install a barrier on the southern side of the firing range. A consultant from CSA met with town officials and toured the gun club and surrounding communities on September 27, 2012. The purpose of the meeting and tour was to discuss the town’s concerns, to conduct a site visit and to meet with Club representatives to understand the proposed action. The goals of the assessment were to:

- Assess the effectiveness of the proposed barrier as designed to reduce noise from Club activities for the neighborhoods to the south of the Club on Thornton Street and Windemere Lane.
- Assess the potential for any reflections from the barrier increasing noise from Club activities for the neighborhood to the north of the Club on Allen Street.
- Conduct a sensitivity analysis of the barrier performance based on changes in the barrier location and height and the shooter locations.

## BARRIER ASSESSMENT

The assessment of the barrier effectiveness used a standard noise barrier calculation model. Because no measurements were conducted, the assessment only looked at the relative performance of the barrier, and not the absolute noise levels with and without the barrier. The barrier analysis assumed the following:

- An 8 foot high barrier approximately 12 feet to the south of the edge of the existing structures
- The shooting would occur at shoulder height (5 feet)
- The shooter would stand approximately 5 feet to the north of an imaginary line running through the southern edge of the existing structures (17 feet from the proposed barrier)
- The distances from the Club to the residences and elevations above sea level of the Club and residences were obtained from available mapping

The results of the barrier analysis indicate that, as designed, the barrier would achieve approximately a 3-4 dB reduction in noise for the Thornton Street and Windemere Lane neighborhoods with the above assumptions. The residents in these neighborhoods might notice a slight reduction in the noise levels. For reference, a 3 dB reduction in noise level is barely perceptible in an outdoor setting and a 10 dB reduction in noise level is perceived as a halving of the noise.

It is important to note that the removal of several trees to the south of the range to construct the barrier will have no effect on the noise levels in the communities to the south of the Club. Generally, a stand of trees must be at least 100 feet deep before there is any reduction in noise levels. Removing a few trees will not change the noise levels for the residences to the south of the Club. In addition, removing the dead trees from the berm to the north of the range will have no effect on the noise levels at any location.

**BARRIER REFLECTIONS**

The proposed barrier is a hard, reflective surface, and would have no (or minimal) absorptive properties as currently designed. However, based on a review of the geometry of the proposed barrier, the existing berm to the north of the range and the locations of the neighborhoods to the north on Allen Street, it is unlikely that any paths exist for reflections off the proposed barrier to increase noise on Allen Street. The existing berm to the north of the range should be sufficient to limit any reflections in that direction. Without conducting an extensive analysis, it is not clear what effect, if any, the gap in the berm would have. Ideally, the gap would be closed, resulting in a continuous berm on the north side of the range.

In the worst case scenario, a potential reflection would only increase the noise by a maximum of 3 dB (and most likely less than that), which is barely perceptible in an outdoor setting.

**BARRIER SENSITIVITY ANALYSIS**

Because the effectiveness of any barrier is dependent on the locations of the source of the noise, the barrier and the receiver (both the heights and distances) any changes to the geometry can change the effectiveness of a barrier. In order to test the sensitivity of the analysis a number of additional alternatives were examined. These included changing the barrier location relative to the existing structures, changing the barrier height at the proposed location, and changing the location of the shooter relative to the barrier. The results of the sensitivity analysis are contained in the tables below.

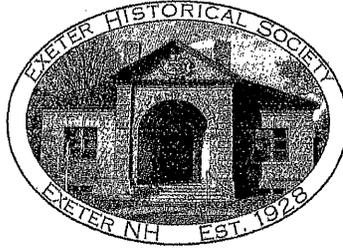
<b>Barrier Location</b>	<b>Reduction</b>
Proposed location	3-4 dB
Barrier at the edge of the existing structures	8-9 dB
Barrier at halfway point between proposed location and existing structures	5-6 dB

<b>Barrier Height at Proposed Location</b>	<b>Reduction</b>
Proposed 8 foot high barrier	3-4 dB
10 foot high barrier	7-8 dB
12 foot high barrier	9-10 dB

<b>Shooter Location with Barrier at Proposed Location</b>	<b>Reduction</b>
17 feet from the proposed barrier	3-4 dB
20 feet from the proposed barrier	2-3 dB
22 feet from the proposed barrier	2-3 dB

Generally speaking, the closer the barrier can be to either the source of the noise or the receiver, the more effective it will be. This is shown in the first table. Locating the barrier at the edge of the existing structures will improve the performance. In addition, increasing the height of the barrier will improve the performance. Finally, the location of the shooter relative to the barrier can also affect the performance.

If the town elects to conduct pre- and post-construction noise measurements to determine the effectiveness of the barrier as ultimately built, it is important that the same conditions be used for both cases, including the shooter location, measurement locations, weather, and the caliber and make of the gun. Ideally, the same gun would be used for both measurements.



October 2, 2012

Selectmen, Town of Exeter

10 Front Street

Exeter, NH 03833

To the Town of Exeter Board of Selectmen,

The Exeter Historical Society would like to begin the process of petitioning the State of New Hampshire for the placement of a historic highway marker. Costs for this project will be covered by a private donor. The marker would be similar to the one in front of the Exeter Town Office and would stand, if approved by the board, in front of the Exeter Town Hall. The proposed wording on the sign would be:

"Lincoln Speaks in Exeter

On March 3<sup>rd</sup>, 1860, just prior to his nomination for the presidency, Abraham Lincoln spoke here at the Exeter Town Hall on issues surrounding the extension of slavery. Lincoln was visiting his son, Robert, who was attending Phillips Exeter Academy"

Sincerely,

Lionel Ingram

Chairman, Exeter Historical Society Board of Trustees

EXETER HISTORICAL SOCIETY

47 FRONT STREET ♦ P.O. BOX 924 ♦ EXETER ♦ NEW HAMPSHIRE ♦ 03833  
603-778-2335 ♦ INFO@EXETERHISTORY.ORG ♦ WWW.EXETERHISTORY.ORG

**TOWN OF EXETER  
MEMORANDUM**

TO: Board of Selectmen  
FROM: Russell Dean, Town Manager *RD*  
RE: General Fund Balance Report  
DATE: October 29, 2012

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The Town's auditors have certified our non-GAAP general fund balance at \$1,174,458 as of December 31, 2011.

Keeping the non-GAAP fund balance at 1,000,000 as in years' past would mean applying \$174,458 to lower the 2012 tax rate.

In March, 2012, it was projected passage of all warrant articles and the budget at Town Meeting would have a .20 cent per 1,000 rate impact (due to a lower budget compared to prior years) on the Town's tax rate. All warrant articles then passed.

Implementing this tax rate would put the Town's tax rate at 8.07, a .20 cent increase over FY11.

The tax rate impacts of the warrant articles passed by the Town Meeting, standing alone, would be a combined .37 cents on the tax rate. The warrant articles identified were those whose funding source was taxation. The other warrant article, the purchase of the Getty property, was to be paid from surplus. \$5,000 of this amount was paid in 2011 and accounted for in 2011.

It is my recommendation the Town should strive to use as little general fund balance as possible, until the gap of the non-GAAP fund balance is eventually closed. This should be a goal set incrementally to achieve at least a "zero" GAAP-adjusted fund balance in the future. Using 12/30/11 figures, this would mean leaving a non-GAAP fund balance of \$1,976,831.

<b>Fund Balance Discussion</b>			
<b>Board of Selectmen Meeting</b>			
<b>10/29/2012</b>			
FY12 Targeted Fund Balance Usage - MSG	250,000		Mar-12
Getty Property appropriation from surplus	49,000		Mar-12
2011 Unassigned Fund Balance (non-GAAP)	1,174,458		
2011 Unassigned Fund Balance (GAAP Adjusted)	(802,373)		
Recommended usage to reduce 2012 tax rate	44,000		
Rate Impact of Usage	0.03		
Adjusted Unassigned Fund Balance (non-GAAP)	1,130,458		
Adjusted Unassigned Fund Balance (GAAP adjusted)	(846,373)		
<b>Footnotes</b>			
A) Every \$100,000 of fund balance used represents .06 per 1,000 on tax rate or \$18 per 300K home			
B) Fund balance is not cash - it is an equity position recognized on a budget basis and a GAAP basis by Exeter			
C) Deferred revenues of \$ 1,174,458 impact GAAP adjusted unassigned fund balance as of 12/31/11			
D) Town should strive to increase reserves to 10% of budget to offset outstanding property taxes due (1.4m as of 9/30/12 for 2012)			
E) Bond rating/Interest rate impacts			
<b>GFOA</b>	<b>GF Budget</b>	<b>Remainder</b>	<b>Including School, County</b>
5% of 2012 GF Budget	16,131,624	806,581	1,975,757
8% of 2012 GF Budget	16,131,624	1,290,530	3,161,212
10% of 2012 GF Budget	16,131,624	1,613,162	3,951,515
Usage	294,000	7.94	
Usage	174,458	8.01	
Usage	44,000	8.10	
<b>2012 Property Tax Base</b>		<b>1,576,917,568</b>	
<b>2012 Warrant Articles</b>			
<b>Description</b>	<b>Amount</b>	<b>Rate Impact</b>	
Supplemental Paving Funds	250,000	0.16	
Town Office HVAC	198,000	0.13	
47 Front Street Roof	99,900	0.06	
Human Services	38,400	0.02	
<b>Totals</b>	<b>586,300</b>	<b>0.37</b>	

# FINANCIAL REPORT OF THE TOWN OR CITY BUDGET

Enter TOWN/CITY Name Here >

Enter Calendar Reporting Year Here >   
(January 1 to December 31)

Enter Optional Reporting Year Here >   
(July 1 to June 30)

DOES THE TOWN/CITY ACCOUNT FOR SOME EXPENDITURES AS PROPRIETARY FUNDS OR CAPITAL PROJECT FUNDS?  Enter Yes or No in box above & see instructions.

Enter town or city name in cell C5 and calendar reporting year for this report in C7 (optional reporting year in cell C9). In cell C12 enter yes if the municipality accounts for some expenditures as proprietary or capital project funds.

State of New Hampshire Department of Revenue Administration  
Municipal Services Division  
P.O. Box 487  
Concord, NH 03302-0487  
Telephone: (603) 230-5090

Return Completed Form By April 1 For Calendar Fiscal Year and By September 1 for Optional Fiscal Year

### GOVERNING BODY (SELECTMEN)

Date Signed:

Under penalties of perjury, I declare that I have examined the information contained in this form and to the best of my belief it is true, correct and complete.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

<b>PREPARER</b>	
Under penalties of perjury, I declare that I have examined the information contained in this form and to the best of my belief it is true, correct and complete. (If prepared by a person other than the city/town officials, this declaration is based on all information of which the preparer has knowledge.)	
Preparer (Please print or type)	Signature
Regular Office Hours	Email address

FOR DRA USE ONLY

**MUNICIPAL SERVICES DIVISION**  
P.O. BOX 487, CONCORD, NH 03302-0487  
(603)230-5090

1	2	3	4	5
Acct. #	EXPENDITURE	Voted Appropriations Final MS-2	Other Authorizations* Explain Below	Actual Expenditures
<b>GENERAL GOVERNMENT TOTAL =</b>				
show detail below				
4130-4139	Executive	261,714		274,235
4140-4149	Election, Reg. & Vital Statistics	338,999		322,998
4150-4151	Financial Administration	564,734		669,615
4152	Property Assessment	2,500		
4153	Legal Expense	60,000		89,718
4155-4159	Personnel Administration	345,099		322,392
4191-4193	Planning & Zoning	208,783		191,471
4194	General Government Buildings	955,012		948,337
4195	Cemeteries			
4196	Insurance	165,699		168,558
4197	Advertising & Regional Assoc.			
4199	Other General Government	190,375		20,930
<b>PUBLIC SAFETY TOTAL =</b>				
show detail below				
4210-4214	Police	2,974,790		2,717,527
4215-4219	Ambulance	232,532		237,213
4220-4229	Fire	3,231,695		3,204,694
4240-4249	Building Inspection	222,701		217,180
4290-4298	Emergency Management	21,035		20,180
4299	Other (Incl. Communications)	412,862		402,102
<b>AIRPORT/AVIATION CENTER TOTAL =</b>				
show detail below				
4301-4309	Airport Operations			
<b>HIGHWAYS &amp; STREETS TOTAL =</b>				
show detail below				
4311	Administration	322,406		290,870
4312	Highways & Streets	1,725,018		1,755,942
4313	Bridges			
4316	Street Lighting	123,000		135,986
4319	Other	286,140		278,967
<b>SANITATION TOTAL =</b>				
show detail below				
4321	Administration			
4323	Solid Waste Collection	868,628		802,912
4324	Solid Waste Disposal			
4325	Solid Waste Facility Clean-up			
4326-4329	Sewage Coll. & Disposal & Other			
Page Sub-totals		13,031,774	0	13,021,827

Acct. #	Explanation for "Other Authorizations" (Column 4) (Examples: Emergency expenditure; non-lapsing appropriations; grants; agents on capital reserve or trust, transfers)

1	2	3	4	5
Acct. #	EXPENDITURE	Voted Appropriations Final MS-2	Other Authorizations* Explain Below	Actual Expenditures
<b>WATER DISTRIBUTION &amp; TREATMENT -</b> show detail below				
4331	Administration			
4332	Water Services			
4335-4339	Water Treatment, Conserv. & Other			
<b>ELECTRIC -</b> show detail below				
4351-4352	Admin. and Generation			
4353	Purchase Costs			
4354	Electric Equipment Maintenance			
4359	Other Electric Costs			
<b>HEALTH -</b> show detail below				
4411	Administration	116,481		105,000
4414	Pest Control	1,250		1,172
4415-4419	Health Agencies & Hosp. & Other	75,095		86,900
<b>WELFARE -</b> show detail below				
4441-4442	Administration & Direct Assist.	119,933		82,924
4444	Intergovernmental Welfare Pymts			
4445-4449	Vendor Payments & Other			
<b>CULTURE &amp; RECREATION -</b> show detail below				
4520-4529	Parks & Recreation	530,132		514,426
4550-4559	Library	865,602		879,028
4583	Patriotic Purposes	13,000		11,076
4589	Other Culture & Recreation	21,250		10,000
<b>CONSERVATION -</b> show detail below				
4611-4612	Admin. & Purch. of Nat. Resources	11,475		9,841
4619	Other Conservation			
4631-4632	Redevelopment and Housing			
4651-4659	Economic Development			
<b>DEBT SERVICE -</b> show detail below				
4711	Princ.- Long Term Bonds & Notes	602,008		602,008
4721	Interest-Long Term Bonds & Notes	159,218		161,247
4723	Int. on Tax Anticipation Notes	5,000		0
4790-4799	Other Debt Service			
Page Sub Totals		2,320,747	0	2,163,622

Acct. #	Explanation for "Other Authorizations" (Column 4) (Examples: Emergency expenditure; non-lapsing appropriations; grants; agents on capital reserve or trust, transfers)

1	2	3	4	5
Acct. #	EXPENDITURE	Voted Appropriations Final MS-2	Other Authorizations* Explain Below	Actual Expenditures
<b>CAPITAL OUTLAY</b> show detail below				
4901	Land			
4902	Machinery, Vehicles & Equipment	196,218		235,184
4903	Buildings			
4909	Improvements Other Than Bldgs.			
<b>OPERATING TRANSFERS OUT</b> show detail below				
4912	To Special Revenue Fund	854,042		834,848
4913	To Capital Projects Fund			
4914	To Enterprise Fund			
	- Sewer	1,733,150		1,748,121
	- Water	2,018,276		2,077,541
	- Electric			
	- Airport			
4915	To Capital Reserve Fund			
4916	To Expend. Trust Fund - not #4917			
4917	To Health Maint. Trust Funds			
4918	To Nonexpendable Trust Funds			
4919	To Fiduciary Funds	500		
	<i>Page Sub-Totals</i>	<i>4,802,436</i>	<i>0</i>	<i>4,895,894</i>
	<i>Total Local Expenditure Sub-Totals</i>	<i>20,836,351</i>	<i>0</i>	<i>20,461,143</i>
<b>PAYMENTS TO OTHER GOVERNMENTS</b>				
4931	Taxes Assessed for County			1,658,368
4932	Taxes Assessed for Village Dist.			
4933	Taxes Assessed for Local Educ.			21,725,156
4934	Taxes Assessed for State Educ.			3,777,831
4939	Payments to Other Governments			
Less Proprietary Funds or Capital Project Funds				
<b>TOTAL GENERAL FUND EXPENDITURES</b>		<b>20,836,351</b>	<b>0</b>	<b>47,592,498</b>

Acct. #	Explanation for "Other Authorizations" (Column 4) (Examples: Emergency expenditure; non-lapsing appropriations; grants; agents on capital reserve or trust, transfers)

**NOTE:** NH law requires all municipalities to cross appropriate. Full disclosure of those appropriations and offsetting revenues are required on this report. Those amounts accounted for in proprietary or other funds are subtracted from this report for purposes of general fund balance sheet disclosure. See the municipality's audited financials for more information on proprietary funds or capital project funds.

1	2	3	4
Acct. #	SOURCE OF REVENUE	Estimated Revenues Used to Set Tax Rate	Actual Revenues
	<b>TAXES</b>		
3110	Property Taxes (commitment less overlay)	38,974,593	38,129,869
3120	Land Use Change Taxes - General Fund	7,100	7,119
3121	Land Use Change Taxes - Conservation Fund		
3180	Resident Taxes		
3185	Timber Taxes	6,961	6,901
3186	Payment In Lieu of Taxes	37,000	32,745
3187	Excavation Tax (\$.02 cents per cu yd)		
3189	Other Taxes	386	1,004
3190	Interest & Penalties on Delinquent Taxes	213,000	264,957
	Inventory Penalties		
	<b>LICENSES, PERMITS &amp; FEES</b>		
3210	Business Licenses & Permits		
3220	Motor Vehicle Permit Fees	1,938,000	1,990,860
3230	Building Permits	100,000	100,149
3290	Other Licenses, Permits & Fees	125,000	145,824
3311-3319	From Federal Government	282,240	45,708
	<b>FROM STATE</b>		
3351	Shared Revenues		
3352	Meals & Rooms Tax Distribution	639,030	639,030
3353	Highway Block Grant	295,960	295,960
3354	Water Pollution Grant	63,602	63,602
3355	Housing & Community Development		
3356	State & Federal Forest Land Reimbursement		
3357	Flood Control Reimbursement		
3359	Other (Including Railroad Tax)	24,000	16,507
3379	From Other Governments		
	<b>CHARGES FOR SERVICES</b>		
3401-3408	Income from Departments	1,200,000	1,235,619
3409	Other Charges		
	<b>MISCELLANEOUS REVENUES</b>		
3501	Sale of Municipal Property	18,714	18,714
3502	Interest on Investments	10,000	8,543
3503-3509	Other	36,000	35,887
	<b>INTERFUND OPERATING TRANSFERS IN</b>		
3912	From Special Revenue Funds		
3913	From Capital Projects Funds		
3914	From Enterprise Funds		
	Sewer - (Offset)	1,674,438	2,291,198
	Water - (Offset)	2,018,276	2,475,157
	Electric - (Offset)		
	Airport - (Offset)		
3915	From Capital Reserve Funds		
3916	From Trust & Fiduciary Funds	24,600	165,173
3917	Transfers from Conservation Fund		
	<b>OTHER FINANCING SOURCES</b>		
3934	Proceeds from Long Term Bonds & Notes	575,000	0
	Less Proprietary Funds or Capital Project Funds		
	<b>TOTAL GENERAL FUND REVENUE</b>	<b>48,263,900</b>	<b>47,970,526</b>

General Fund Balance Sheet for Town/City of		Town of Exeter		2011
or Optional Reporting Year = n/a				
A. ASSETS	Acct. #	Beginning of Year	End of year	
Current assets	(a)	(b)	(c)	
a. Cash and equivalents	1010	12,931,787	17,241,313	
b. Investments	1030	7,361	7,367	
c. Restricted Assets				
d. Taxes receivable	1080	2,049,074	1,699,123	
e. Tax liens receivable	1110	695,773	668,777	
f. Accounts receivable	1150	174,612	138,290	
g. Due from other governments	1260		45,028	
h. Due from other funds	1310	810,157	1,298,438	
i. Other current assets	1400	40,792	80,802	
j. Tax deeded property (subject to resale)	1670			
<b>TOTAL ASSETS</b>		<b>16,709,556</b>	<b>21,179,138</b>	
B. LIABILITIES AND FUND EQUITY	Acct. #	Beginning of Year	End of year	
Current liabilities	(a)	(b)	(c)	
a. Warrants and accounts payable	2020	371,726	618,148	
b. Compensated absences payable	2030			
c. Contracts payable	2050			
d. Due to other governments	2070			
e. Due to school districts	2075	11,720,636	12,162,637	
f. Due to other funds	2080	2,824,823	6,297,013	
g. Deferred revenue	2220			
h. Notes payable - Current	2230	69,059		
i. Bonds payable - Current	2250			
j. Other payables	2270			
<b>TOTAL CURRENT LIABILITIES</b>		<b>14,986,244</b>	<b>19,077,798</b>	
<b>Fund equity</b>				
a. Nonspendable Fund Balance	2440	192,458	443,521	
b. Restricted Fund Balance	2450	141,689		
c. Committed Fund Balance	2460			
d. Assigned Fund Balance	2490		483,361	
e. Unassigned Fund Balance	2530	1,389,165	1,174,458	
<b>TOTAL FUND EQUITY</b>		<b>1,723,312</b>	<b>2,101,340</b>	
<b>3. TOTAL LIABILITIES AND FUND EQUITY</b>		<b>16,709,556</b>	<b>21,179,138</b>	

Note: To be GASB 64 compliant, the fund balance classifications have changed. See tab called Fund Balance Explanation.

**NOTE:** NH law requires all municipalities to gross appropriate, but this balance sheet only reflects the general fund. See the municipality's audited financials for more information on proprietary funds or capital project funds.

MS-5	<b>RECONCILIATION</b> (to assist in balance sheet preparation)				
<b>A. GENERAL FUND BALANCE SHEET RECONCILIATION</b>					
	Total Revenues From Page 5	47,970,526			
	Less Expenditures From Page 4	47,592,498			
	Increase (decrease)	378028			
	Ending Fund Equity From Balance Sheet	2,101,340			These cells should be equal
	Less Beginning Fund Equity From Balance Sheet	1,723,312			
	Increase (decrease)	378028			
<b>B. RECONCILIATION OF SCHOOL DISTRICT LIABILITY ACCT #2075</b>					
				Amount	
	1. School district liability at beg. of year (From balance sheet Acct # 2075, column b)			11,720,636	
	2. ADD: School district assessment for current year			21,725,156	
	3. TOTAL LIABILITY WITHIN CURRENT YEAR (Sum of lines 1 and 2)			33,445,792	
	4. SUBTRACT: Payments made to school district			< 21,288,156 >	
	(To balance sheet Acct # 2075, column c)			12,162,637	
<b>C. RECONCILIATION OF TAX ANTICIPATION NOTES</b>					
				Amount	
	1. Short-term (TANS) debt at beginning of year	\$			
	2. ADD: New Issues during current year				
	3. SUBTRACT: Issues retired during current year	<		>	
	4. Short-term (TANS) debt outstanding at end of year (Lines 1 + 2 - 3) (To balance sheet in Acct # 2230, column c)				
<b>**SAMPLE FIGURES USED FOR ILLUSTRATION. USE THE MUNICIPALITY'S ACTUAL FIGURES**</b>					

MS-5

**OPTIONAL RECONCILIATION (to assist in balance sheet preparation)**

A. USE OF OVERLAY & ALLOWANCE FOR UNCOLLECTIBLES/ABATEMENTS	Year of this report	For Prior Year	TOTAL
	(a)	(b)	(c)
1. Overlay/Allowance for Uncollectibles/Abatements (Beginning of year) *			-
2. SUBTRACT: Abatements made (From pgs. 2-3 of tax collector's report)			-
3. SUBTRACT: Discounts (From pg. 2 of tax collector's report)			-
4. SUBTRACT: Refunds (Cash abatements - from treasurer or bookkeeper)			-
5. ESTIMATED ALLOWANCE FOR ABATEMENTS AT END OF YEAR ** (These amounts should be carried down to Section B, line 2)			-
6. Excess of estimate (Add to revenue on page 5)			-
<p>*Use overlay amount from tax rate for column (a) and use last year's balance of line 5, Allowance for abatements for column b (see your form from last year).</p> <p>**The amount in column c will go into line 1(b) for next year's worksheet.</p>			
B. TAXES/LIENS RECEIVABLE WORKSHEET <i>(From pgs. 2-3 of tax collector's report)</i>	Acct. #1080	Acct. #1110	TOTALS
	Taxes	Liens	(a)
1. Uncollected, end of year			-
2. SUBTRACT: "Overlay" carried forward as Allowance for Abatements (from Section A above, line 5)	↓	↓	↓
3. Receivable, end of year (To Balance Sheet Acct. #1080 and 1110, column c)			-

**\*\*SAMPLE FIGURES USED FOR ILLUSTRATION. USE THE MUNICIPALITY'S ACTUAL FIGURES\*\***

AMORTIZATION OF LONG-TERM DEBT (including promeary and capital project funds)									
Reporting Year = 2011 Op FY Reporting Year = n/a									
(a)	(b)	(c)	(d)	(e)	(f)	(g)	(h)	(i)	(j)
Description	Original obligation	Purpose	Annual installment	Interest rate	Date of final payment	Bonds o/s at beginning of year	Bonds issued this year	Bonds retired this year	Bonds o/s at end of year
Conservation	\$ 3,000,000	G	\$ 300,000	3.900%	2015	\$ 1,500,000		\$ 300,000	\$ 1,200,000
Langdon Ave Pump Station	378,982	G	54,140	1.790%	2016	324,842		54,140	270,702
SRF - Outfall Sewer	432,499	S	21,625	3.980%	2022	259,499		21,625	237,874
Sewer Construction	2,004,802	S	209,049	2.490%	2011	209,047		209,047	-
Sewer Construction	1,285,000	S	85,000	Var	2016	510,000		85,000	425,000
Water Tank	2,138,600	W	1,400	3.97%	2029	1,921,400		1,400	1,920,000
Water Tank Distribution	3,900,000	W	296,860	1.352%	2028	3,755,052		296,860	3,458,192
Water Street Diversion	245,000	W	49,000	1.170%	2014	147,000		49,000	98,000
Water Lines	1,534,986	W	154,386	3.55%	2021	1,534,986			1,534,986
Sewer Lines	1,013,670	S	101,920	3.55%	2021	1,013,670			1,013,670
Great Dam	347,544	G	34,944	3.55%	2021		347,544		347,544
<b>TOTAL</b>	<b>\$ 16,281,083</b>					<b>\$ 8,626,840</b>	<b>\$ 2,896,200</b>	<b>\$ 1,017,072</b>	<b>\$ 10,505,968</b>

Remarks

**INSTRUCTIONS FOR THE NEW MS-5 FINANCIAL REPORT OF THE TOWN OR CITY BUDGET**

The Form MS-5 is to be used by every NH town or city to report the year end financial status of the budget. The report is to be completed at the end of the reporting year and submitted to the NH Department of Revenue Administration (DRA) pursuant to RSA 21-J:34. V.

**PAGE 1 COVER SHEET**

- Cell C5 Enter the Town or City Name.
- Cell C7 Enter year of the report if a calendar fiscal year end. Example: 2012
- Cell C9 Enter year of the report optional fiscal year end. Example: 06/30/12
- Cell C12 ENTER "YES" IF THE TOWN/CITY ACCOUNTS FOR SOME EXPENDITURES AS PROPRIETARY FUNDS OR CAPITAL PROJECT FUNDS

**NOTE:** NH law requires all municipalities to gross appropriate. Full disclosure of those appropriations and offsetting revenues are required on this report. These amounts accounted for in proprietary or other funds are later removed from this report for purposes of general fund balance sheet disclosure. See the municipality's audited financials for more information on proprietary funds or capital project funds.

The governing body and preparer must sign in ink, date, and mail the form to DRA at the address on the cover by April 1 after a calendar reporting year and by Sept. 1 for optional reporting year.

**PAGES 2-4 EXPENDITURES OF THE BUDGET**

- Column 3 Enter gross appropriations as voted at the prior year's annual and any special meetings and as approved by DRA on the MS-2. In the future, DRA will pre-populate this column.
- Column 4 Enter expenditure authorizations in addition to amounts in column 3 and detail in the box at the bottom of the page.  
Examples: Emergency expenditures under RSA 32:11; grant expenditures under RSA 31:35-b; additional expenditures from capital reserve or trust by agents.
- Column 5 Enter actual expenditures (sum of columns 3+4). (Proprietary funds and capital project funds are to be netted out for this report, generally in acct.#4914).

Box on Bottom of Page Provide detail for amounts in column 4.

**PAGE 5 REVENUES**

- Column 3 Enter estimated revenues from reporting year MS-4 used to set the tax rate. In the first row, acct. #3110, add property tax amount from tax collector's warrant, less overlay.
- Column 4 Enter actual revenues for the reporting year. Proprietary funds and capital project funds are to be netted out for this report at the bottom of the column.
- Enter general fund revenue amounts in the last row.

**PAGE 6 GENERAL FUND BALANCE SHEET**

- Column (b) Enter Beginning of the Year amounts using prior year's End of Year amounts or as adjusted by your auditors.
- Column (c) Enter End of Year amounts from your records or as adjusted by your auditors.

See Pages 7-8 for reconciliation worksheets to calculate amounts.

To be GASB 54-compliant, the fund balance classifications have changed. See the next worksheet tab for further explanation.

**PAGE 7 RECONCILIATION WORKSHEET**

The cells have sample data for illustration.

- Section A This section illustrates how revenues and expenditures flow through to fund balance.
- Section B Enter amounts to determine end of year school district liability, or call your SAU for year end amounts.
- Section C Enter amounts to determine end of year TAN liability amount.

**PAGE 8 OPTIONAL RECONCILIATION WORKSHEET**

The cells have sample data for illustration.

- Section A Enter amounts and confer with assessors for amount on line 5 to determine estimated Allowance for Uncollectibles/Abatements.
- Section B Enter year end uncollected amounts from tax collector's report, MS-61, and subtract estimated Allowance for Uncollectibles/Abatements from Section C.

**PAGE 9 AMORTIZATION OF LONG-TERM DEBT**

Enter long-term debt information.

AS PREVIOUSLY CLASSIFIED IN PRIOR YEARS

a. Assigned (formerly reserve for encumbrances)	2440
b. Committed (formerly reserve for continuing appropriations)	2450
c. Restricted (formerly reserve for appropriations voted for CRF/ETF)	2460
d. Committed (formerly reserve for appropriations voted)	2460
e. Assigned (formerly reserve for special purposes)	2490
f. Unassigned (formerly unreserved fund balance)	2530

Non-cash items such as contracts or prepaid items.  
 Funds legally restricted, such as a grant or library funds.  
 Special warrant articles  
 N/A  
 Fund balance reserved for encumbrances.  
 Spendable fund balance (formerly called unreserved or surplus)

AS REQUIRED UNDER GASB 54

a. Nonspendable Fund Balance	2440
b. Restricted Fund Balance	2450
c. Committed Fund Balance	2460
d. Assigned Fund Balance	2490
e. Unassigned Fund Balance	2530

= Non-cash items such as inventories or prepaid items.  
 = Funds legally restricted, such as a grant or library funds.  
 = Can only be used for a specific voted purpose, like a special warrant  
 = Intended for specific purpose such as an encumbrance.  
 = Spendable fund balance (formerly called unreserved or surplus)



PLEASE SIGN BELOW  
AND FAX BACK TO:  
(617) 226-4569

**SALES AGREEMENT CONFIRMATION**

Contact: Kevin Smart

Company: Town of Exeter, NH

This will confirm the telephone conversation of October 17, 2012 between seller and buyer in which the following agreement was reached.

<b>Seller: Dennis K. Burke, Inc.</b>	284 Eastern Avenue	P.O. Box 6069	Chelsea, MA 02150
<b>Attention: Joseph Cote, CFO</b>	Phone: (617) 884-7800		Fax: (617) 884-7638
<b>Buyer: Town of Exeter, NH</b>	10 Front Street		Exeter, NH 03833
<b>Attention: Kevin Smart</b>	Phone: (603) 773-0391		Fax: (603) 772-1353

**Product: Unleaded Gasoline**

<u>Gallons (Gross)</u>	<u>Price (\$/Gallon)</u>	<u>Date (Month/Day/Year)</u>
37,000	\$3.1800 gross	November 2012 -- November 2013

**Terms: Gross 30 days \*\*\* Price does not include taxes \*\*\***

Product is to be delivered ratably. Over-deliveries are payable at seller's prevailing delivery price(s). Under-deliveries may be liquidated by Burke at a charge of less than \$.0500 per gallon plus the NYMEX differential. This charge is not a penalty but Burke's best effort to minimize cost for both Burke and the customer. Burke is solely responsible for the calculation. Customer is responsible for all applicable taxes and fees. A \$.0020 per gallon NORA fee will be added for all heating oil, dyed low-sulfur diesel and dyed kerosene deliveries, unless buyer is exempt. Margin payment as determined by seller may be required in advance, upon receipt of this sales confirmation.

Special Conditions:

Seller shall not be liable for failure to perform any obligations under this agreement where such failure may be due to causes reasonably beyond seller's control, including acts of God, (e.g., storms, floods, lightning or earthquakes), fires, explosions, wars, civil unrest, labor disputes, transportation breakdowns, harbor closings, government restrictions (e.g., allocations, priorities or price controls) or any other such cause. Seller's ability to supply petroleum products further is dependent on their continued availability from seller's usual and anticipated supply sources. In the event such products are not readily available in sufficient quantities to meet seller's total commitments, seller shall have the right to allocate in a fair and reasonable manner. No such occurrence shall relieve buyer of the obligation to pay in full for product actually delivered.

The General Terms and Conditions of Dennis K. Burke, Inc. are incorporated by reference. This confirmation is the operative instrument with respect to the referenced transaction. If any of the above is contrary to your understanding of our agreement, please notify Dennis K. Burke, Inc. immediately. In the event no such notification is received by the close of business on the next working day following this transmission, the provisions set forth herein shall be binding upon both parties.

We appreciate the opportunity to conclude this transaction with your company.

\_\_\_\_\_  
Buyer Date

10/18/2012  
*Melanie Wheeler*  
\_\_\_\_\_  
For: Dennis K. Burke, Inc. Date

## List for Selectmen's meeting October 29, 2012

### Jeopardy Tax

<u>Map/Lot</u>	<u>Location</u>	<u>Amount</u>
104/79/518	518 Exeter River Landing	276.80



# Application for Use of Town Facility

Forms can be mailed: Town of Exeter, 10 Front Street, Exeter, NH 03833  
Faxed #: 603-772-4709 or emailed: [townmgr@town.exeter.nh.us](mailto:townmgr@town.exeter.nh.us)

Facility Requested: Town Hall (Main Floor)  Town Hall Stage  Bandstand

### Representative Information:

Name: Claudia Frost Address: PO Box 1553  
Town/State/Zip: Portsmouth, NH 03802 Phone: 978 408-1579  
Email: frostyc@comcast.net Date of Application: 10/10/12

### Organization Information:

Name: Women Singing Out Address: PO Box 1553  
Town/State/Zip: Portsmouth, NH Phone: \_\_\_\_\_

### Reservation Information:

Type of Event/Meeting: Rehearsal for concert Date: 12/12/12  
Times of Event: 7:00 - 9:00 PM Times needed for set-up/clean-up: 6:00 - 9:30 PM  
# of tables: \_\_\_\_\_ # of chairs: \_\_\_\_\_  
List materials being used for this event: sound system  
Will food/beverages be served? No Description: \_\_\_\_\_

### Requirements:

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

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

**Rental Fee:** For Town Hall use there is a fee of \$75.00 per day, a payment of \$250 may be required for use of main floor and stage for more than a single day. You may request a waiver of the rental fee in writing.

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

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

Applicant signature: Claudia C. Frost Date: 10/10/12

Authorized by the Board of Selectmen/Designee: \_\_\_\_\_ Date: \_\_\_\_\_

### Office Use Only:

Liability Insurance: On file  In-process  Will receive by \_\_\_\_\_  
Fee: Paid  Will pay by \_\_\_\_\_ Non-profit fee waiver requested



# Application for Use of Town Facility

Forms can be mailed: Town of Exeter, 10 Front Street, Exeter, NH 03833  
Faxed #: 603-772-4709 or emailed: [townmgr@town.exeter.nh.us](mailto:townmgr@town.exeter.nh.us)

Facility Requested: Town Hall (Main Floor)  Town Hall Stage  Bandstand

### Representative Information:

Name: Claudia Frost Address: P.O. Box 1553  
Town/State/Zip: Portsmouth, NH 03802 Phone: 978 468-1579  
Email: frostyc@comcast.net Date of Application: 10/10/12

### Organization Information:

Name: Women Singing Out Address: P.O. Box 1553  
Town/State/Zip: Portsmouth, NH 03802 Phone: \_\_\_\_\_

### Reservation Information:

Type of Event/Meeting: Concert Date: 12/15/12  
Times of Event: 7:00 - 9:00 PM Times needed for set-up/clean-up: 5:00 - 10:00 PM  
# of tables: \_\_\_\_\_ # of chairs: \_\_\_\_\_  
List materials being used for this event: sound system (we will rent tables + chairs)  
Will food/beverages be served? Yes Description: Desserts + coffee + tea

### Requirements:

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

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

**Rental Fee:** For Town Hall use there is a fee of \$75.00 per day, a payment of \$250 may be required for use of main floor and stage for more than a single day. You may request a waiver of the rental fee in writing.

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

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

Applicant signature: Claudia C. Frost Date: 10/10/12

Authorized by the Board of Selectmen/Designee: \_\_\_\_\_ Date: \_\_\_\_\_

Office Use Only:

Liability Insurance: On file  In-process  Will receive by \_\_\_\_\_

Fee: Paid  Will pay by \_\_\_\_\_ Non-profit fee waiver requested

TENANT USERS LIABILITY INSURANCE

CERTIFICATE BINDER

THIS CERTIFICATE/BINDER REPRESENTS A SUMMARY OF THE INSURANCE PROVIDED. INSURANCE PROVIDED IS SUBJECT TO THE TERMS AND CONDITIONS OF THE POLICY.

**Date:** 10/11/2012 3:10 PM  
**Certificate Number:** 41063  
**Broker:** Alliant Insurance Services, Inc.  
**Tenant User:** Women Singing Out  
**Event Title:** Christmas Concert  
**Type of Event:** Choirs - Indoors  
**Daily Attendance:** 100  
**Period of Insurance:** 12/15/2012 12:01 AM To 12/16/2012 12:01 AM  
**Policy #1:** GL00854-03  
**Insurance Company:** Employers Fire Insurance Company

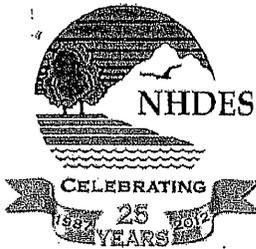
<u>Coverage</u>	<u>Limits</u>
General Agg.	None
Products Completed Ops	\$1,000,000
Personal/Adv. Injury	\$1,000,000
Each Occurance:	\$1,000,000
Fire Damage:	\$50,000
Medical Payments:	Excluded

**Premium Computation**

General Liability	\$77.00
Liquor Liability	\$0.00
Third Party Property Damage	\$0.00
Excess Liability	\$0.00
Total Premium	\$77.00
Total Fees	\$0.00
<b>Total Due</b>	<b>\$77.00</b>

**Certificate Holder/Additional Insured** PRIMEX - New Hampshire Public Risk Management Exchange  
Bow Brook Place  
46 Conovan Street  
Concord, NH 03301  
Town of Exeter  
10 Front St  
Exeter, NH

To obtain a complete copy of the policy with the terms, conditions and exclusions of the policy, you must contact us at:  
tulip@ebi-ins.com or (800) 507-8414.



The State of New Hampshire  
**Department of Environmental Services**

**Thomas S. Burack, Commissioner**



*Celebrating 25 Years of Protecting  
New Hampshire's Environment*

October 19, 2012

Thomas J. Jean, Mayor  
City of Rochester  
31 Wakefield Street  
Rochester, NH 03867

Dean Trefethen, Mayor  
City of Dover  
288 Central Avenue  
Dover, NH 03820

Eric Spear, Mayor  
City of Portsmouth  
1 Junkins Avenue  
Portsmouth, NH 03801

Re: Request for Meeting to Discuss New Information Regarding Nutrient Effects on the Great Bay Estuary and Independent Peer Review

Dear Mayors Jean, Trefethen, and Spear:

On August 14, 2012, the Department of Environmental Services received letters from your offices, on behalf of the Great Bay Municipal Coalition, asserting certain "new" facts regarding nitrogen pollution in the Great Bay Estuary. In addition, you requested that the Department conduct an additional peer review of the relevant scientific information. We also received a follow-up letter from you on October 4, 2012 that reiterated these claims and this request. The Department has carefully reviewed your letters, developed a detailed response, and arranged for a face-to-face meeting with you to discuss your concerns.

The Department appreciates and shares your interest in basing restoration decisions on a sound scientific footing. We also recognize the potential high costs to your respective communities for wastewater treatment to remove nitrogen. As described in more detail in the attached document, DES refutes the various claims and allegations in your August 14, 2012 letter. In summary, DES maintains that the Great Bay Estuary exhibits all the classic signs of eutrophication and that excessive nitrogen is causing or contributing to the water quality problems in the estuary. Many of the claims in your letter over-simplify the situation, exclude key information, or extrapolate site-specific results to the whole estuary. Some key points from our response include:

- 1) The Coalition claims that eelgrass is recovering. This claim is based on an incomplete and inaccurate subset of the data. In fact, eelgrass is not "rebounding". The total eelgrass cover in the estuary in 2009, 2010, and 2011 was essentially unchanged and was still 35% below earlier levels. Looking at the whole dataset, it is unfortunate but indisputable that the 15-year trend for eelgrass remains downward.
- 2) The Coalition claims that algal levels have not increased since 1980. This claim focuses on one type of algae (phytoplankton) and only in certain areas of the estuary, and ignores the information provided by respected UNH scientists about increasing macroalgae. In fact, the Coalition has already stated in writing that, "Great Bay waters (excluding the tidal rivers)

[www.des.nh.gov](http://www.des.nh.gov)

29 Hazen Drive • PO Box 95 • Concord, NH 03302-0095  
(603) 271-3503 • TDD Access: Relay NH 1-800-735-2964

should be identified as impaired due to excessive macroalgae growth.” (See November 14, 2011 letter from Dean Peschel to Harry Stewart.)

- 3) The Coalition claims that nitrogen levels have returned to 1970-1980 levels. DES agrees that average annual *dissolved inorganic nitrogen* (DIN) concentrations in some parts of the estuary have fallen in recent years. However, dissolved inorganic nitrogen is highly variable because it is rapidly taken up by plants. Total Nitrogen (TN) concentrations show a more complete picture of nitrogen levels in the Estuary. Total Nitrogen concentrations show either no or increasing trends in locations across the estuary.

Full responses, including detailed citations and supporting information, to the claims in your letters are provided in the attached document. There is strong evidence that the state’s narrative water quality standard for nutrients is violated in most parts of the Great Bay Estuary. It is the hope of the Department of Environmental Services that all interested parties can all put any disagreements aside and begin to work together to develop effective solutions to this problem.

Your letters also request that the Department conduct an additional review of the scientific information. Please be reminded that the nitrogen thresholds developed by the Department in 2009 were peer reviewed by two independent experts from Cornell University and the University of Maryland. Both reviewers found the thresholds to be reasonable and well-supported by the data presented. The reviewers were privy to all the comments and criticisms provided by the municipalities at the time. For the reasons stated in the attached document, DES does not believe that any of the “new” information or additional information developed by the Coalition since that time would lead to a change in findings from those of the initial peer reviewers. Nonetheless, the Department is not opposed to another peer review, on the conditions that all parties, including EPA, agree to the need, the guidelines in the EPA Peer Review Handbook are followed, the charge questions are reasonable, the reviewers are objective, and the requesting communities are able to find a source of funding for the peer review. In our opinion, however, the considerable funds required for an additional peer review would be better spent on enhanced monitoring and site-specific nutrient threshold development.

Thank you for your letter and for your efforts to restore the Great Bay Estuary. If you have any questions, please feel free to contact Harry Stewart, Water Division Director, at 271-3308 or [Harry.Stewart@des.nh.gov](mailto:Harry.Stewart@des.nh.gov); Vicky Quiram, Assistant Commissioner, at 271-8806 or [Vicki.Quiram@des.nh.gov](mailto:Vicki.Quiram@des.nh.gov); or me at 271-2958 or [Thomas.Burack@des.nh.gov](mailto:Thomas.Burack@des.nh.gov).

Sincerely,



Thomas S. Burack  
Commissioner

Enc.

**Responses of the New Hampshire Department of Environmental Services (DES)  
To Claims of New Information Regarding Nutrient Effects on the Great Bay Estuary  
Included in Letters to Commissioner Burack dated July 20, 2012  
From the Mayors of Rochester, Portsmouth, and Dover**

October 19, 2012

Note: The three letters from the mayors of Rochester, Portsmouth, and Dover contained the same six claims of new information regarding nutrient effects on the Great Bay Estuary. The claims from these letters appear below in bold, followed by DES's responses. Many of the claims contain multiple aspects, and these have been parsed to facilitate the DES response. The referenced figures appear at the end of this document.

**Claim #1**

**1.A "Algal levels in the system did not change materially from 1980 to present, ..." <sup>1</sup>**

DES Response:

"Algal levels" is a broad term. The depositions cited refer specifically to phytoplankton, which is one of many types of algae. Similarly, "the system" is not defined but assumed to mean Great Bay proper because that is the only place for which phytoplankton records extend back to 1980. With those definitions, it is correct that there have been no clear trends in chlorophyll-a (a specific measurement of phytoplankton) measured in Great Bay over the full period of record from 1974 to 2011 in Great Bay (PREP, 2012 at 90).

However, the statement ignores the fact that phytoplankton are not the only form of algae that is important in a shallow estuary like the Great Bay. For shallow systems, it is expected that changes in macroalgae will precede changes in phytoplankton (McGlathery et al., 2007; Valiela et al., 1997), which is what is actually happening in Great Bay. At the mouth of Lubberland Creek in Great Bay, macroalgae increased from 0.8 to 39.3 percent cover between 1980 and 2010 (PREP, 2012 at 86). Dr. Art Mathieson provided comments to DES and PREP stating that macroalgae populations in the estuary have increased:

*"Prior to the 1980s no major algal blooms were apparent and the nutrient levels were much lower than today (cf. Mathieson and Hehre, 1981). During the past 2-3 decades the following macroalgal patterns have occurred along with increased nutrients:*

- *"Extensive ulvoid green algae (Ulva spp.) or "green tides" (Fletcher, 1996) have begun to dominate many of these estuarine areas during the past 15-20 years, particularly within Great Bay proper (Nettleton et al.*

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<sup>1</sup> Citation listed as "Trowbridge deposition - June 21, 2012" (no page numbers provided). After reviewing the transcript, the relevant section is likely pp. 132-137 which discusses trends in phytoplankton levels. During the second Trowbridge deposition on July 11, 2012, the same topic was discussed and is covered in pp. 343-345. In both cases, it is clear that the discussion is about phytoplankton levels only.

2011). Such massive blooms of foliose green algae can entangle, smother and cause the death of eelgrass (*Zostera marina*) within the low intertidal/shallow subtidal zones (pers. obs. A C Mathieson). They primarily represent annual populations that can also regenerate from residual fragments buried in muddy habitats.

- “Extensive epiphytic growths of seaweeds on eelgrass (*Zostera marina*) have also occurred during the past 15-20 years, particularly within Great Bay proper (pers. obs. A C Mathieson). These epiphytes, which are mostly filamentous red algae and colonial diatoms, may completely cover the fronds of eelgrass, limiting the host's growth and photosynthesis and compromising its viability.” (Mathieson, 2012 at 1)

The Great Bay Municipal Coalition (GBMC) has previously acknowledged that macroalgae has increased in the estuary. In a letter from Dean Peschel to Harry Stewart on November 14, 2011, the GBMC stated that “Great Bay waters (excluding the tidal rivers) should be identified as impaired due to excessive macroalgae growth, and the parameter of concern causing the impairment should be identified as DIN.” (Peschel, 2011b at 3)

Accordingly, the statement that “algal levels in the system did not change” is only theoretically accurate if it is read as pertaining solely to phytoplankton and not to all types of algae, including some that may be more significant.

**1.B “...despite an estimated 59% increase in TN levels between 1980 and 2004.”<sup>2</sup>**

**DES Response:**

This statement is incorrect. Total Nitrogen (TN) was first measured in the Great Bay Estuary starting in 2003. There are no known measurements of TN in the Great Bay Estuary from the 1970s, 1980s, or the 1990s. For the TN data that exist, for the period starting in 2003 and running through 2011, there has been no trend in TN at Adams Point in Great Bay (PREP, 2012 at 69). TN has been measured routinely since 2003 at eight trend stations, as well as occasionally at other stations across the estuary.

This incorrect statement seems to refer back to the 2006 State of the Estuaries report (NHEP, 2006 at 12), which was superseded by a 2009 report and is now six years out-of-date. The 2006 report showed that Dissolved Inorganic Nitrogen (DIN) had increased by 59 percent between the year periods of 1974-1981 and 1997-2004. Apparently, the GBMC is assuming that DIN concentrations are the equivalent of TN concentrations. HydroQual, consultants for the GBMC, have specifically advised against making this assumption, stating: “The use of inorganic nitrogen as an indicator of total nitrogen trends can be inaccurate” (HydroQual, 2011 at 4).

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<sup>2</sup> The source of this fact is cited as the 2006 State of the Estuaries report from the New Hampshire Estuaries Project (NHEP, 2006 at 12).

DES uses TN for surface water quality assessments of the estuary. DIN is an inferior indicator of nitrogen pollution compared to TN. DIN does not include nitrogen that is incorporated into plants and organic matter and is a more reactive and unpredictable form of nitrogen. For example, DIN concentrations in the water can be very low during periods of high plant growth because the DIN is pulled out of the water and incorporated into phytoplankton, macroalgae, and other plants. As shown in Figure 1, the percent of TN that consists of DIN varies widely during the year.

DES concurs that TN concentrations have likely increased over time as the population in the watershed has increased. However, the statement quoted in the claim is incorrect and, at best, out-dated.

**1.C “Therefore, TN inputs could not have caused changed transparency in the system and reducing TN inputs will not improve system transparency as is assumed by DES.”<sup>3</sup>**

DES Response:

The assumption underlying this statement is that the only way for nitrogen to affect eelgrass is by causing phytoplankton blooms that shade eelgrass so that there is not enough light for eelgrass to survive. This assumption is incorrect. In fact, there are multiple ways in which excess nitrogen can affect eelgrass. In response to comments from the GBMC on the 2012 Consolidated Assessment and Listing Methodology, DES provided the following explanation.

*“There are multiple ways that excess nitrogen impacts eelgrass in the Great Bay Estuary. First, like all plants, eelgrass needs light to survive. Increasing nitrogen concentrations cause algae blooms (Figure 3) and elevated primary productivity in general. The plant matter floating in the water shades the eelgrass plants so they do not get enough light to survive. Figure 4 shows that light attenuation in the Great Bay Estuary is more strongly correlated with plant/organic matter in the water than any other factor. Second, excess nitrogen creates an environment in which epiphytes can grow on the leaves of eelgrass and macroalgae can out-compete and smother eelgrass. Field studies in Nettleton et al. (2011) and Pe’eri et al. (2008) have demonstrated that macroalgae has increased, dramatically in some places, as nitrogen has increased in the estuary. Finally, excess nitrogen disrupts cellular processes for eelgrass (Burkholder et al., 2007).*

*“The dominant mechanism by which nitrogen affects eelgrass is different in different parts of the Great Bay Estuary and can vary over time. Light attenuation, a general measure of water clarity, is a good indicator of the presence or absence of eelgrass especially in the deeper areas of the estuary. Subtidal eelgrass beds in these areas need clear water to transmit light to the growing depths. In shallower areas, overgrowth and smothering by macroalgae*

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<sup>3</sup> This statement has been assumed to be a conclusion drawn by the letter’s author. The only section of the deposition transcripts related to this topic is on July 11, 2012 pp. 345-348. This deposition date was not cited with the claim.

*and/or cellular disruption may be the immediate cause of eelgrass loss. However, even in shallow areas, light attenuation is still an important contributing factor for eelgrass viability because sufficient light is a requirement for plant survival in all areas."*

(DES, 2012b at 8)

Because the assumption underlying the above GBMC statement on transparency is incorrect and invalid, the statement is also not correct. The opposite is, however, a well accepted scientific conclusion: reduced TN levels can only help to improve the light available to eelgrass, reduce the growth of macroalgae, and reduce direct nitrogen toxicity to submerged aquatic plants (Burkholder et al., 2007).

**Claim #2**

**2.A “Transparency in the major tidal rivers (Squamscott, Lamprey, Upper Piscataqua) is poor, but the available data (not previously analyzed by DES) show that (a) the effect of algal growth on transparency is negligible,”<sup>4</sup>**

DES Response:

The portion of the July 11, 2012 deposition relevant to this statement is based on a series of graphs created by the GBMC that relate phytoplankton as chlorophyll-a to water clarity in the Squamscott, Lamprey, and Upper Piscataqua Rivers. The graphs used in the deposition show data from each river separately. Different types of graphs were used for the different rivers and, in the case of the Upper Piscataqua River graph, unproven assumptions about Secchi disk measurements were used. The point of the graphs was to attempt to show that chlorophyll-a was not well correlated with water clarity and, therefore, that other factors such as turbidity and colored dissolved organic matter (CDOM) must be controlling light attenuation. During the deposition, DES staff agreed that the graphs supported those conclusions.

**2.B “(b) naturally occurring CDOM and turbidity are the key factors controlling transparency in the system, and”<sup>5</sup>**

DES Response:

DES does not dispute that colored dissolved organic matter (CDOM) and turbidity are important factors related to water clarity in the tidal rivers. However, eelgrass was mapped in significant quantities in the tidal rivers in 1948 (DES, 2012 at 14). If “naturally occurring CDOM and turbidity” were the only factors controlling transparency (and presumably eelgrass survival) in the rivers, it would not have been possible for eelgrass to have existed in these areas at all.

**2.C “(c) regulating TN in the tidal rivers will not result in any demonstrable improvement in transparency or allow for eelgrass re-establishment.”<sup>6</sup>**

DES Response:

The assumption that regulating TN will not have any “demonstrable improvement in transparency or allow for eelgrass re-establishment” is a conclusion that is predicated on the assumption that the only way that nitrogen affects eelgrass is through phytoplankton blooms that cause shading. In fact, there are several other ways that excess nitrogen can affect eelgrass (see explanation in response to Claim #1).

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<sup>4</sup> Citation listed as “Trowbridge deposition – July 11, 2012” (no page numbers provided). The relevant section of the deposition transcript is pp. 421-434. The following graphs were discussed in this section: Short Exhibit 18, Short Exhibit 21, and Short Exhibit 22.

<sup>5</sup> Same citation as previous.

<sup>6</sup> Same citation as previous.

In response to similar comments from the GBMC on the 2012 Consolidated Assessment and Listing Methodology, DES showed that TN accounts for 27% of the variability in light attenuation (see Figure 2) in the tidal rivers and provided the following explanation:

*"The impairments for light attenuation ("transparency/TN-based listings") cannot be deleted from the 303(d) list because light attenuation is a good indicator of eelgrass survival and there is a statistically significant relationship between light attenuation and total nitrogen in the estuary. The Great Bay Municipal Coalition has argued that light attenuation is naturally occurring and unrelated to nitrogen, especially in the tidal rivers. In the N.H. Surface Water Quality Regulations, "naturally occurring" means conditions which exist in the absence of human influences (Env-Wq 1702.29). Figure 2a shows that light attenuation and total nitrogen have statistically significant relationships in the estuary, including in the tidal rivers (Figure 2b). Total nitrogen concentrations are a strong indicator of human influence. Therefore, given the relationship between light attenuation and total nitrogen in the estuary, including in the tidal rivers, it cannot be justified that light attenuation is "naturally occurring" nor can it be justified that light attenuation is unrelated to nitrogen concentrations."*  
(DES, 2012b at 8)

It must also be recognized that eelgrass has been present in New Hampshire's tidal rivers in recent times. The fact that eelgrass has been detected in the tidal portions of the Winnicut, Lamprey, Oyster, Bellamy, and Upper Piscataqua Rivers in recent years (i.e., since 1981 when the first modern comprehensive mapping was conducted) demonstrates that it should be possible to restore eelgrass in these areas (DES, 2012 at 14).

Claim #3

**“Great Bay itself is generally not a transparency limited system because eelgrass populations receive sufficient light during the tidal cycle.”<sup>7</sup>**

DES Response:

DES assumes that the term “transparency limited” in the claim was intended to mean that the clarity of the water is not the limiting factor for eelgrass survival. DES agrees that one of the reasons why eelgrass still exists in Great Bay proper is the exposure of eelgrass plants to direct sunlight during low tide. However, water clarity is not the only way in which nitrogen affects eelgrass (see response to Claim #1). Therefore, the claim that Great Bay proper is not transparency limited does not mean that nitrogen does not affect eelgrass in the Great Bay proper.

In response to similar comments from the GBMC on the 2012 Consolidated Assessment and Listing Methodology, DES provided the following explanation of why water clarity is still important even in shallow areas:

*“The dominant mechanism by which nitrogen affects eelgrass is different in different parts of the Great Bay Estuary and can vary over time. Light attenuation, a general measure of water clarity, is a good indicator of the presence or absence of eelgrass especially in the deeper areas of the estuary. Subtidal eelgrass beds in these areas need clear water to transmit light to the growing depths. In shallower areas, overgrowth and smothering by macroalgae and/or cellular disruption may be the immediate cause of eelgrass loss. However, even in shallow areas, light attenuation is still an important contributing factor for eelgrass viability because sufficient light is a requirement for plant survival in all areas.” (DES, 2012b at 8)*

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<sup>7</sup> Citation listed as “Trowbridge deposition – June 21, 2012 and Short deposition – May 14, 2012, as discussed in numerous emails between DES, EPA, and Dr. Short” (no page numbers listed). The relevant section of the transcript appears to be pp. 177-178. Transcript pp. 360-364 from the July 11, 2012 deposition also appear to be relevant.

**Claim #4**

**4.A “A large increase in rainfall and major floods occurring from 2006-2008 (a natural condition) could be the primary cause of significant eelgrass declines that occurred in Great Bay during that period due to salinity changes, increased turbidity and increased colored dissolved organic matter (CDOM).”<sup>8</sup>**

DES Response:

The actual data for eelgrass in the Great Bay do not support this claim (see Figure 3). The data show a steady decline over time with the 2006-2008 years falling slightly below the regression line and the last three years unchanged and slightly above the line. The odds of this trend occurring by chance are less than 1 in 15,000, which, for such a complicated ecosystem, demonstrates a very robust trend. Eelgrass cover in the entire estuary is still 35% below its extent in 1996 (PREP, 2012 at 126). It is not “rebounding”. Even if the 2006-2008 years were disregarded, there would still be a statistically significant declining trend in eelgrass since 1990. Finally, it is not possible that heavy rainfalls in 2006-2008 could have caused the eelgrass declines that were evident in 2005 when DES initiated the study of nitrogen in the Great Bay.

DES agrees that changes in CDOM (colored dissolved organic matter), turbidity, and salinity during floods can affect eelgrass. However, another explanation for the worse conditions during heavy rainfall years is that more nitrogen is delivered from the watershed during those years as shown by Figure 4. CDOM itself is organic matter typically exported from wetlands in the watershed. Organic matter necessarily contains a certain fraction of nitrogen. Therefore, CDOM is not an independent parameter from nitrogen. Moreover, delivery of nitrogen from human sources in the watershed is not a “natural process”.

**4.B “DES failed to assess the importance of these events in triggering the eelgrass decline in the system despite the obvious temporal correlation.”<sup>9</sup>**

DES Response:

DES protocols for assessing eelgrass populations for the 303d report use eelgrass data from all years and look at trends over the full period of record and averages from the most recent three years (DES, 2012 at 67). Multiple years are used to make assessments to account for year-to-year variability in weather and other factors. It is not clear what is meant by the statement: “DES failed to assess the importance of these events”. As stated above, even if the presumed wet years of 2006-2008 were disregarded, there would still be a statistically significant declining trend in eelgrass since 1990.

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<sup>8</sup> The citation for this claim is “Trowbridge deposition – July 11, 2012” (no page numbers provided) and “charts: CDOM changes from 2004-2010 and eelgrass changes with freshwater inputs”. The relevant sections of the deposition transcript are likely pp. 381-384.

<sup>9</sup> Same citation as previous.

The attachments to the July 20, 2012 letter supporting these claims contain invalid data and are, therefore, incorrect. The GBMC figure showing eelgrass cover versus precipitation shows nearly 2,000 acres of eelgrass in Great Bay in 2010 and no data for 2011 (see Figure 5). The correct values are 1,722 and 1,623 acres for 2010 and 2011, respectively. Despite repeated reports provided by DES and PREP to the GBMC transmitting the correct eelgrass data for 2010, the GBMC continues to use the wrong numbers for eelgrass in the Great Bay. In addition to using the incorrect eelgrass data, the figure presented by the GBMC showing CDOM measurements at the Great Bay Buoy is based on unverified, raw data that have not been quality assured by the UNH researchers.

**Claim #5**

**“The various DES/PREP analyses that confirmed (a) TN increases did not cause changes in transparency, algal levels or DO and (b) a “cause and effect” relationship between TN and transparency/DO did not exist, were excluded from the technical information presented in the 2009 numeric nutrient criteria document and, therefore, were never presented to EPA’s internal peer review panel.”<sup>10</sup>**

**DES Response:**

Estuaries are very complicated environments. Consequently, the DES study of the impacts of nutrients in the estuary considered multiple approaches and evolved over four years. Some of the initial analyses done by DES at the beginning of the five years of research between 2005 and 2009 failed to show simple relationships between nitrogen and transparency, phytoplankton, or dissolved oxygen. However, these analyses did not prove that relationships between these parameters did not exist. The initial methods and datasets used were simply inadequate for the task. Therefore, the analyses that the GBMC uses to demonstrate the absence of cause-and-effect relationships, do not prove anything.

For the final report in 2009 (DES, 2009), DES ultimately adopted an approach that used long-term averages to take into account delays in the biological response and nonlinear feedback in the complicated estuarine system. Published papers by Burkholder et al. (2007) and Li et al. (2008) demonstrate that eelgrass loss and algae blooms are not expected to directly follow nitrogen concentrations and that plots of monthly data will not illustrate relationships in estuaries. The approach used by DES in the final report was able to illustrate the underlying relationships between nutrients and their effects. The initial analyses that had not been effective were not included in the final report, as was appropriate.

After the 2009 report was completed, DES continued to refine the methods for analyzing data. In response to comments by the GBMC, DES demonstrated that the relationships between TN and chlorophyll-a and transparency were independent of salinity effects (see Figure 6). This result confirmed that the approach taken by DES in the 2009 report to aggregate data from different parts of the estuary, with different salinities, was appropriate.

Finally, the GBMC claims that the 2009 DES report was reviewed by “EPA’s internal peer review panel”. This is not correct. The peer review of the 2009 report was performed by two independent university professors, not a panel of EPA employees. The two professors who conducted the peer review are widely recognized as being among the top estuarine researchers in the world.

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<sup>10</sup> The citation is listed as “Trowbridge deposition – July 11, 2012” (no page numbers provided). The relevant section of the transcript appears to be pp. 436-440. This topic was also discussed on June 21, 2012 as recorded on pp. 232-241.

**Claim #6**

**6.A “Dissolved nutrient concentrations have now returned to 1970-1980 levels. This dramatic change in ambient DIN levels appears to be the result of reduced rainfall and increased eelgrass growth.”<sup>11</sup>**

DES Response:

DES agrees that average annual DIN concentrations at Adams Point have decreased in the last few years and are similar to concentrations measured in the 1970s. However, as discussed previously, DIN is an inferior indicator of nitrogen pollution compared to TN because DIN is a subset of TN that is the most reactive in the environment. DIN does not include nitrogen that is incorporated into plants and organic matter. DIN concentrations in the water can be very low during periods of high plant growth because the DIN is pulled out of the water and incorporated into phytoplankton, macroalgae, and other plants. TN concentrations in the Great Bay have been measured since 2003. There are no known measurements of TN taken in the 1970s, 1980s, or the 1990s. For the TN data that exist, starting in 2003 and continuing through 2011, there has been no trend in TN at Adams Point (Figure 7). The average TN concentration in 2009-2011 is only 14% lower than in 2006-2008, which is most logically explained by reduced nitrogen loads as a result of more normal rainfall amounts during this period (PREP, 2012 at 30).

While Adams Point is a good location for monitoring, trends at this site do not necessarily reflect changes throughout the estuary. Complex interactions at this location add variability to the dataset. At Chapmans Landing, which is close to nitrogen sources in the Squamscott River, there are increasing trends for nitrate+nitrite, total dissolved nitrogen, and total nitrogen (PREP, 2012 at 35).

**6.B “These results indicate that natural processes were primarily controlling eelgrass populations and variations in nitrogen levels in the system.”<sup>12</sup>**

DES Response:

Since the first part of this claim is not correct, as noted above, this conclusion is not supported. Moreover, the DIN data cited by the GBMC show a long-term increasing trend. The long-term trend for eelgrass is downward, even if the heavy rainfall years were disregarded. Macroalgae abundance is increasing in the estuary, as GBMC consultants have already acknowledged (Peschel 2012 at 1). These facts do not support the conclusion that “natural processes” are the sole factors affecting nitrogen levels and eelgrass populations in the estuary.

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<sup>11</sup> The citation listed for the first sentence are charts from the PREP 2013 State of the Estuaries report (draft).

<sup>12</sup> No citation provided.

### Literature Cited

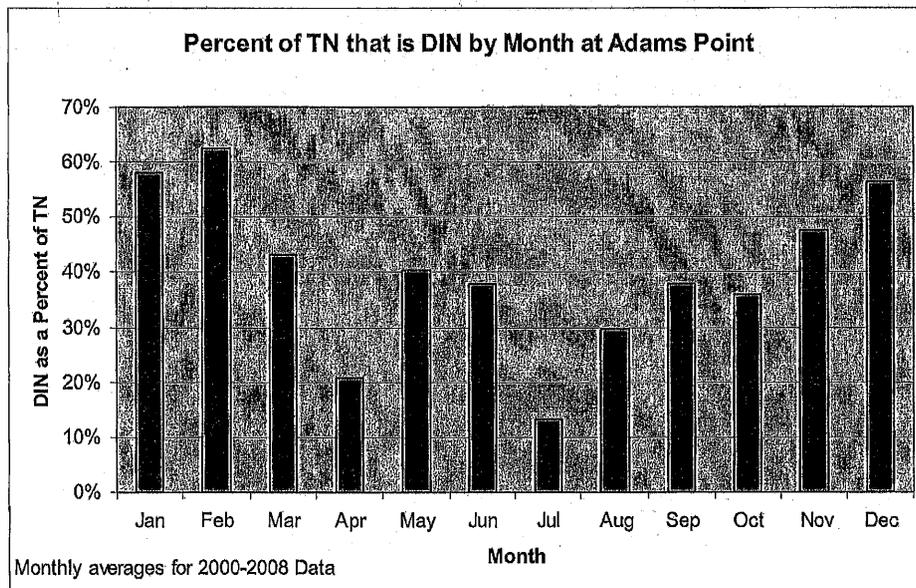
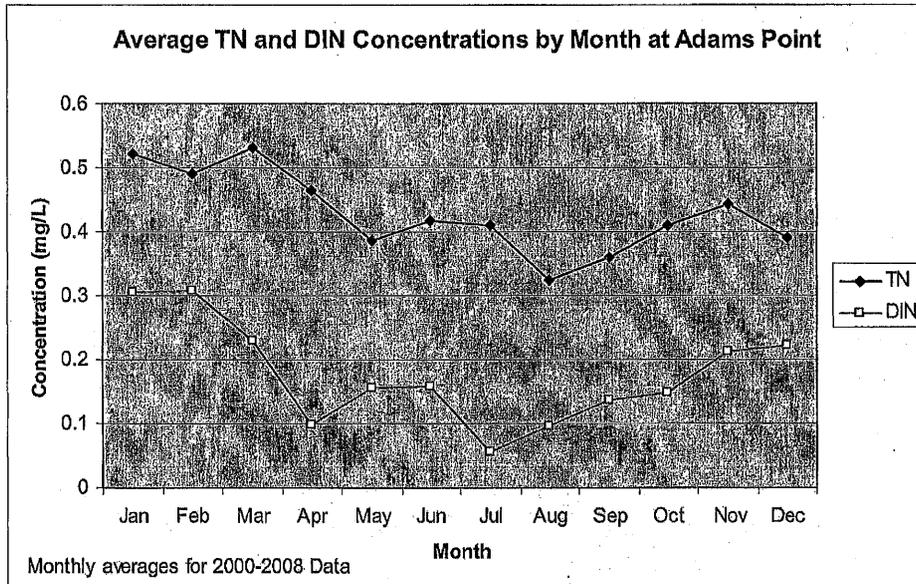
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**Exhibits**

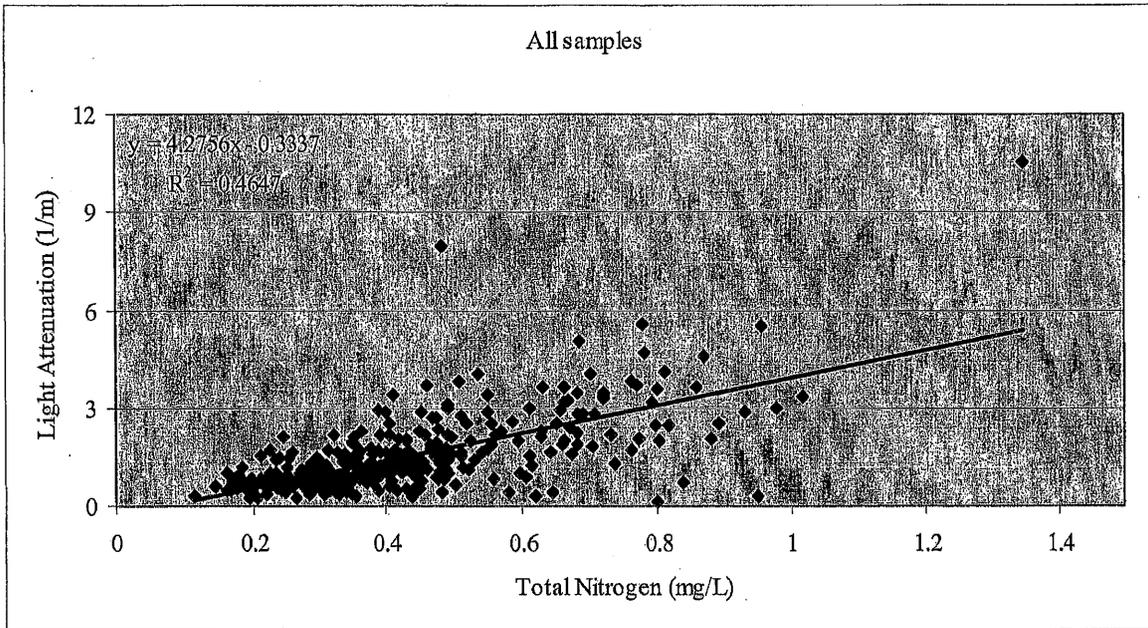
Figure 1: Monthly Average TN and DIN Concentrations at Adams Point in Great Bay



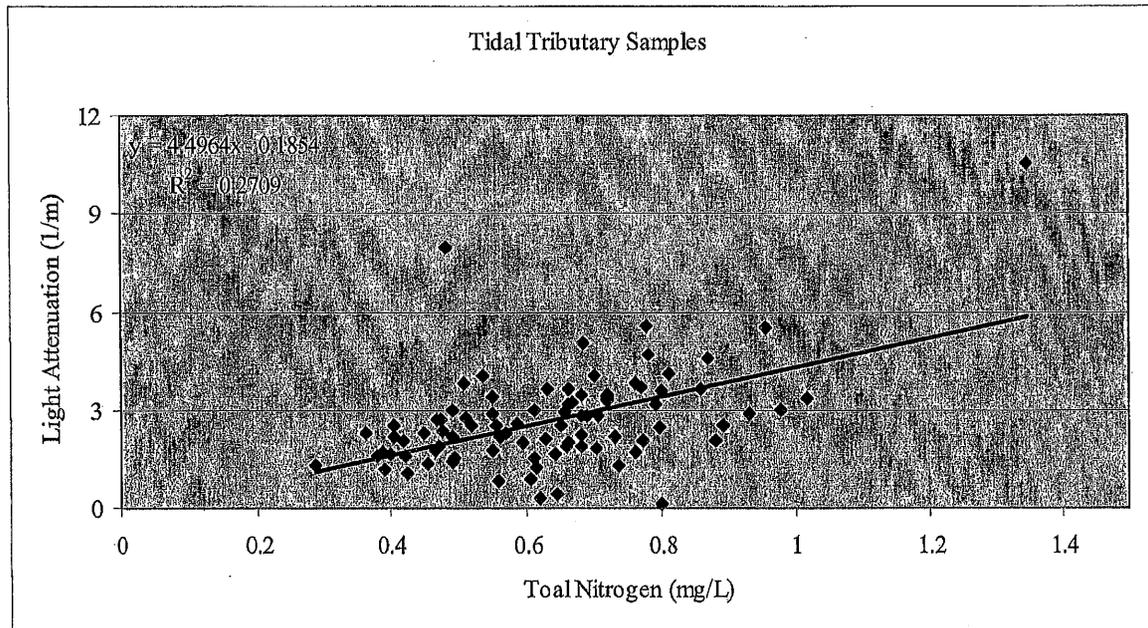
Source: DES (2009) at 22-23 (reformatted)

Figure 2: Statistically-significant relationships between light attenuation and total nitrogen concentrations in the Great Bay Estuary

(a) All samples in all parts of the estuary (2003-2010)

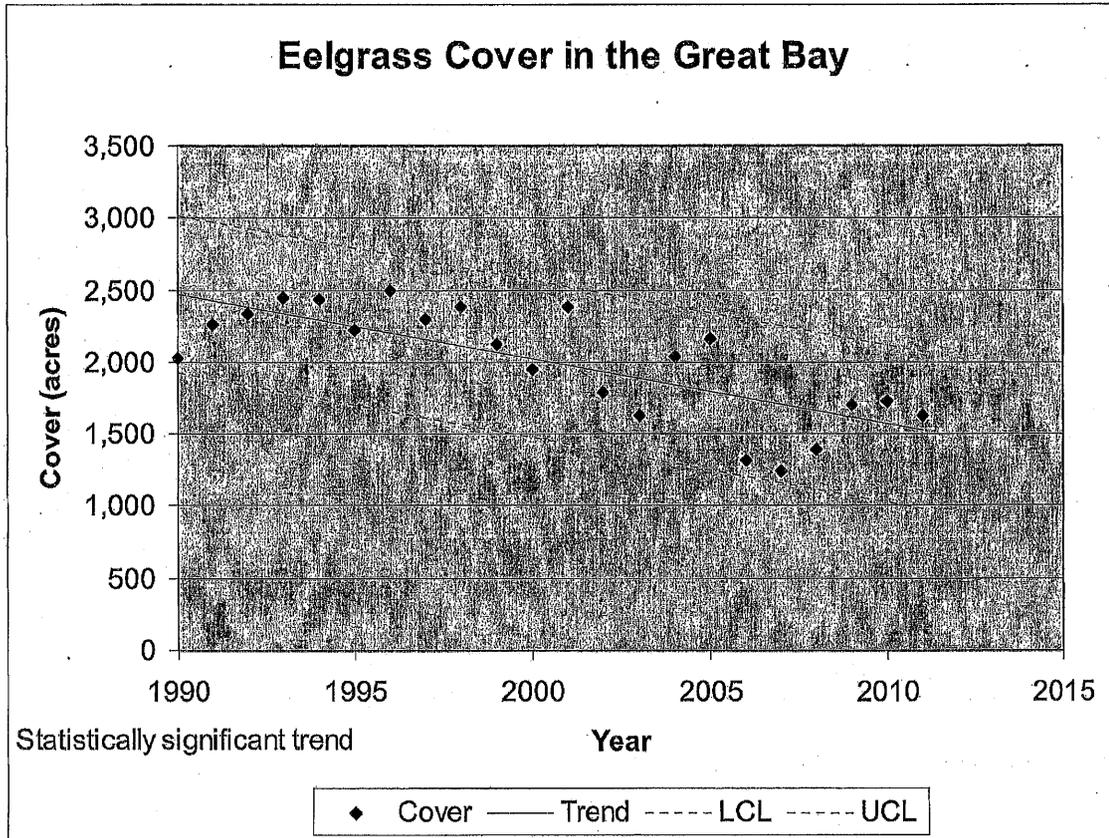


(b) Samples from tidal rivers (2003-2010)



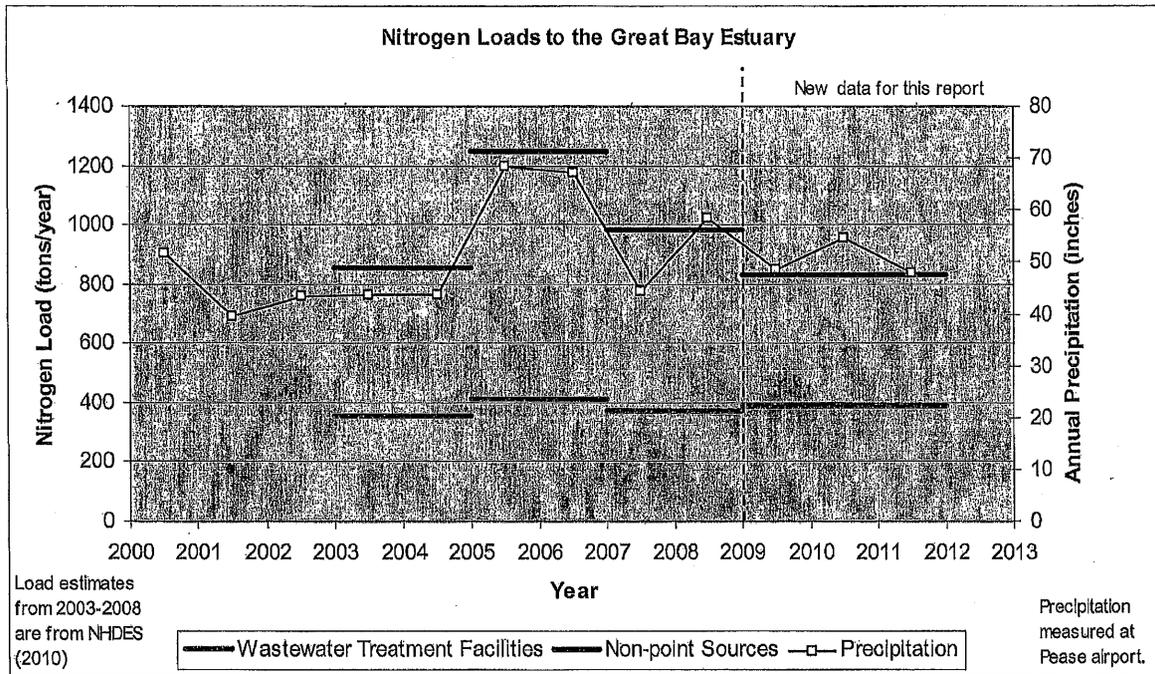
Source: DES (2012b) at 10.

Figure 3: Eelgrass cover in the Great Bay proper



Source: PREP (2012) at 128

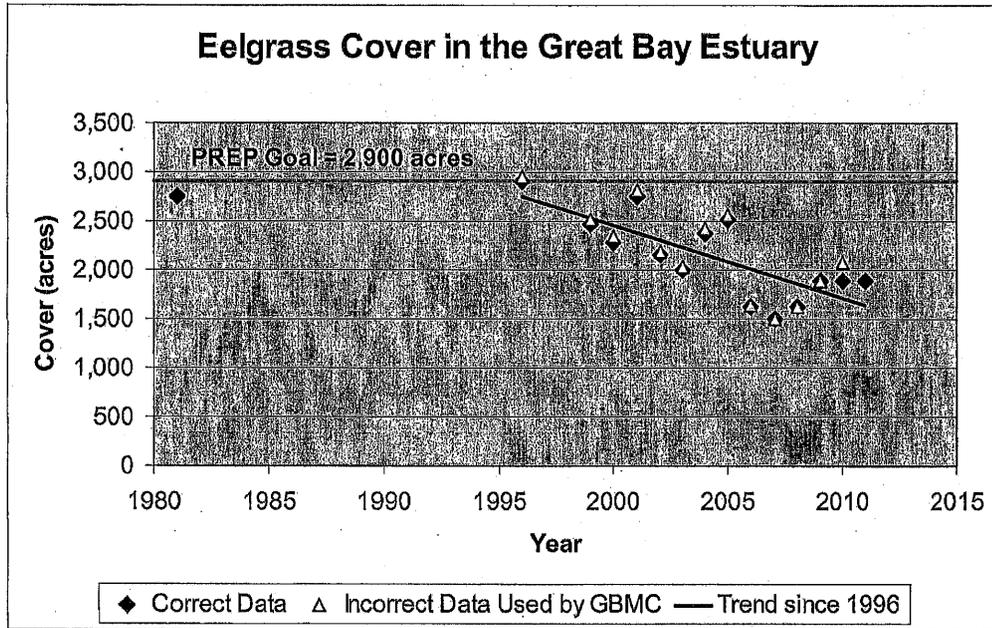
Figure 4: Nitrogen loads to the Great Bay Estuary



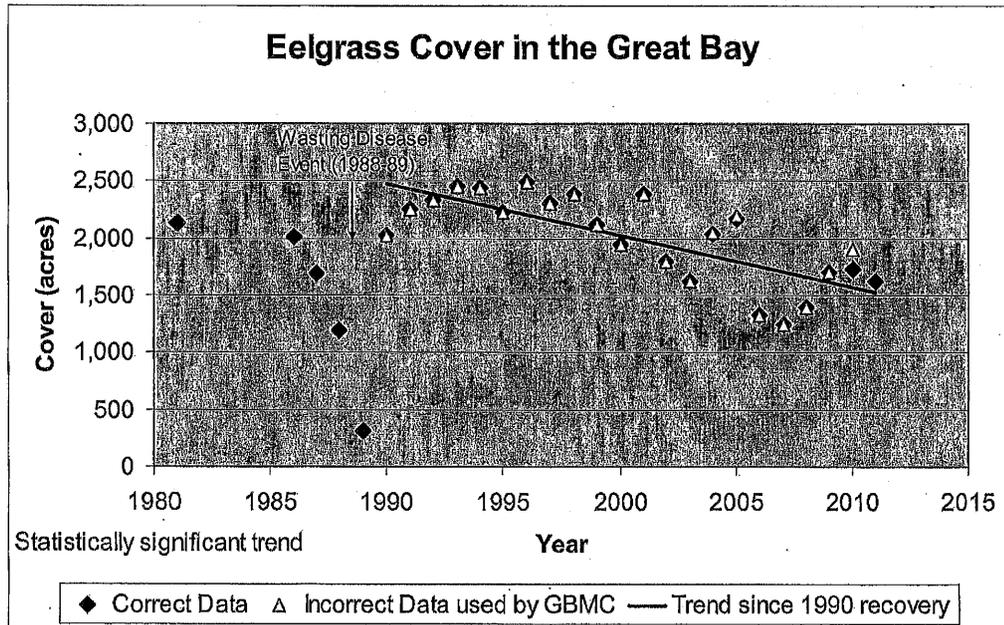
Source: PREP (2012) at 30

Figure 5

(a) Eelgrass Cover in the whole Great Bay Estuary, including Great Bay, Little Bay, Piscataqua River, Little Harbor, and Portsmouth Harbor



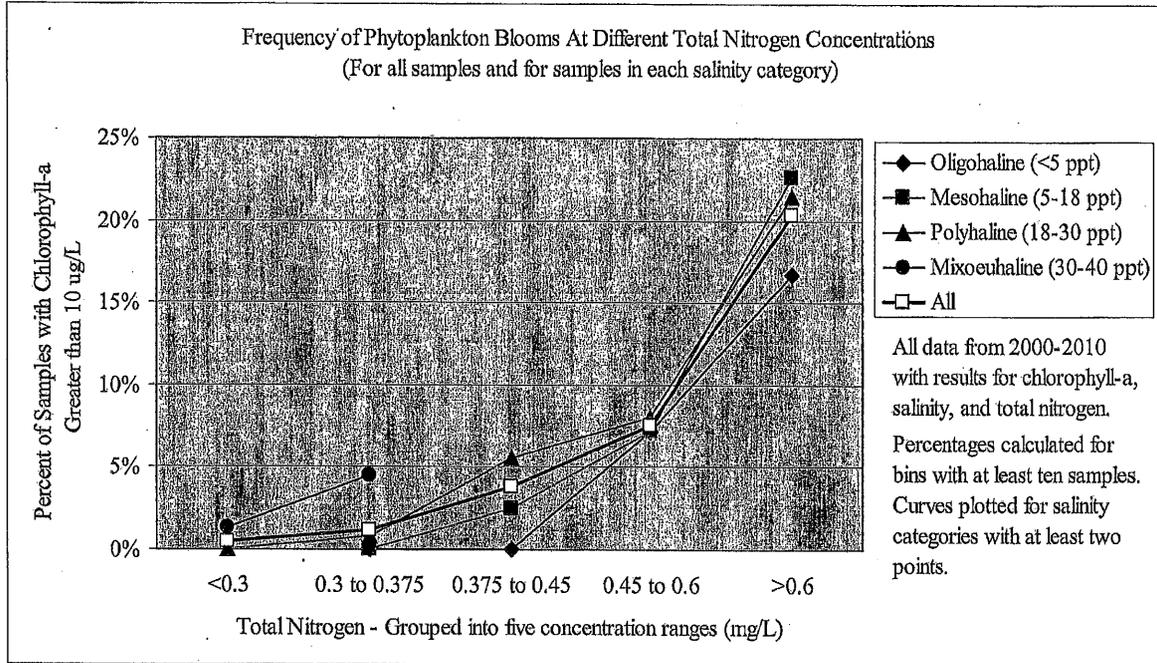
(b) Eelgrass Cover in the Great Bay only.



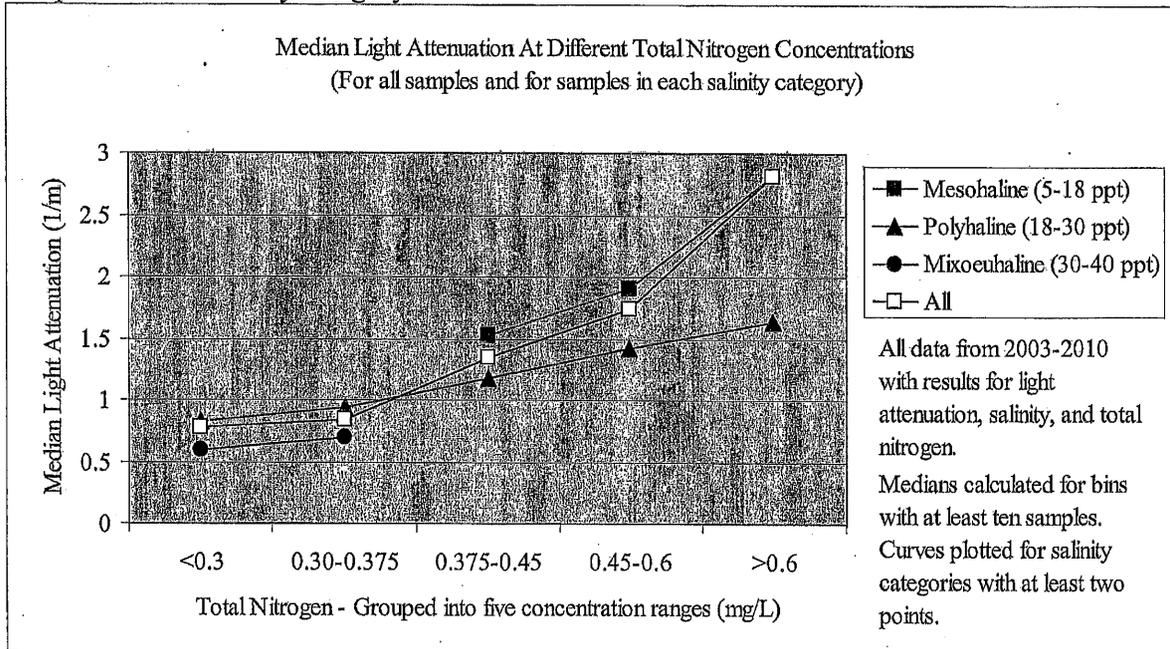
Source: Eelgrass data from Dr. Fred Short, UNH.

Figure 6

(a) Frequency of Phytoplankton Blooms at Different Total nitrogen Concentrations (for all samples and for samples in each salinity category)

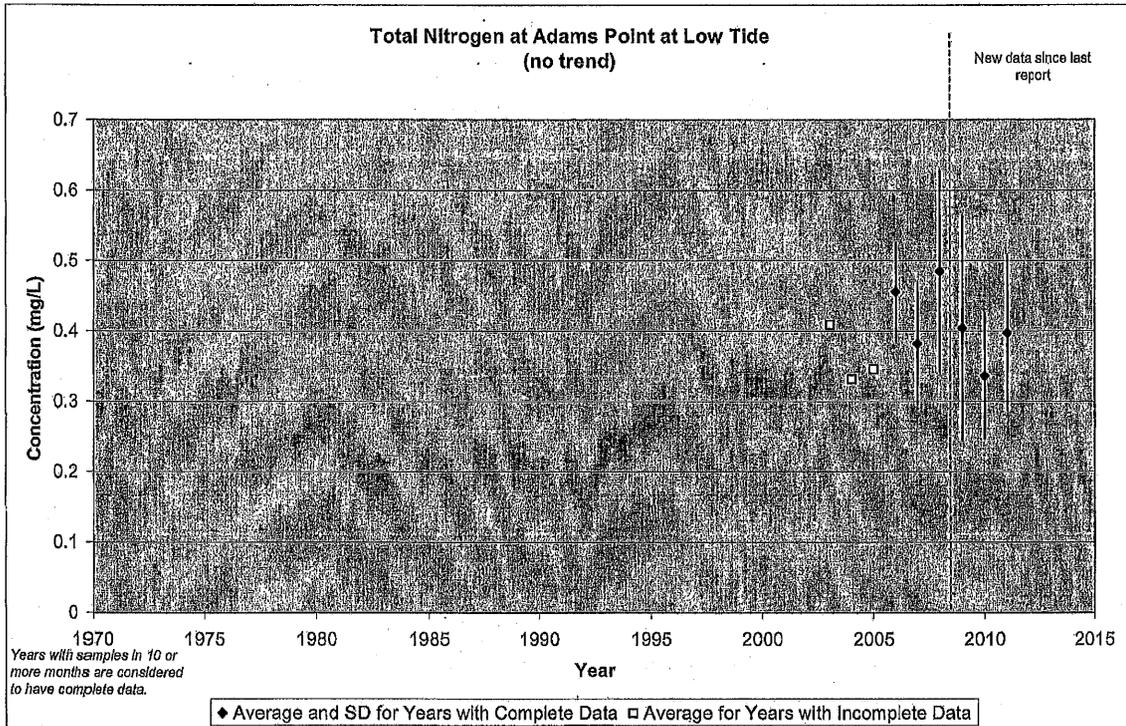


(b) Median Light Attenuation at Different Total nitrogen Concentrations (for all samples and for samples in each salinity category)

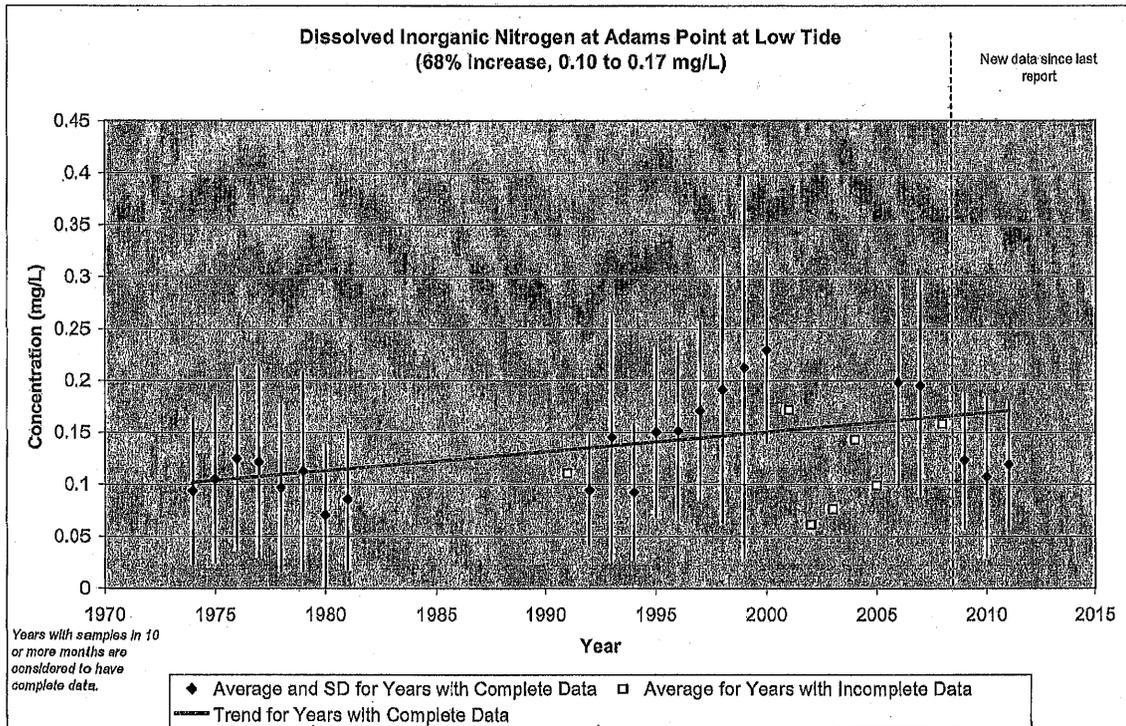


Source: DES (2012b) at 11, 13

Figure 7:  
 (a) Total nitrogen concentrations at Adams Point in Great Bay



(b) Dissolved inorganic nitrogen concentrations at Adams Point in Great Bay



Source: PREP (2012) at 53, 69

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**BRENNAN  
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LENEHAN &  
IACOPINO**

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*Of Counsel*  
JAMES A. CONNOR

\*Also admitted MA  
\*\*Also admitted ME

October 22, 2012

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

**Re: Carrier Trucking, Inc.  
Pine Road, Exeter, NH**

---

Dear Sir/Madame:

This letter follows the letter of Attorney Jaye L. Rancourt of my office dated October 18, 2012. This letter substitutes for the letter of Attorney Rancourt.

Pursuant to New Hampshire N.H. RSA Chapter 91-A, please accept this letter as a request for all electronic governmental records in the form of documents and data stored in computer records and any computer database, to include:

(A) E-mails, voice mails, instant messages, files, letters, notes, memoranda and all electronically maintained or stored documents, and those shared between (i) any and all members of the Board of Selectmen, (ii) any other representative of the Town of Exeter (the "Town") and (iii) any third party, for and in the time period from January, 2010 to the date of production, regarding the subject matter of all of the following:

- (1) Paving and other improvements to Pine Road, Exeter;
- (2) Posting of weight limits to Pine Road;
- (3) Negotiations and/or discussions regarding reimbursement to the Town for the foregoing paving and other improvements, including (without limitation) with representatives of the Town of Brentwood;
- (4) Discussions regarding safety concerns respecting Pine Road and the intersection of Pine Road and State Route 27, including (without limitation) with

any third party;

(5) Discussions regarding safety concerns respecting Pine Road as it relates to Exeter High School traffic and truck traffic, including (without limitation) with any third party;

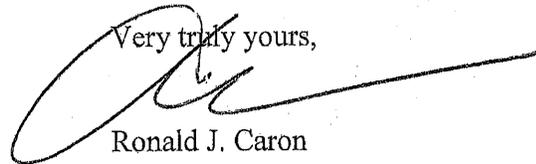
(6) Discussions regarding the posting of weight limits to Pine Road, including (without limitation) with any third party.

(B) To the extent private e-mail accounts of any member of the Board of Selectmen or Town official were used for Town-related matters that include the subject matter described above, we request copies of those e-mails as well.

(C) To the extent e-mails, whether private and used for governmental purposes or governmental e-mails, were not maintained under the Town's retention or archival procedures, I request a copy of such written procedures and an explanation as to why the information described was not maintained in accordance with those procedures.

If you have any questions with regard to this request, please contact me.

Very truly yours,



Ronald J. Caron

JLR/tm

cc: Carrier Trucking, Inc.  
Mr. Russell Dean, Town Manager  
Sumner F. Kalman, Esquire

---

**BRENNAN  
CARON  
LENEHAN &  
IACOPINO**

---

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JAYE L. RANCOURT  
IRYNA N. DORE\*

*Of Counsel*  
**JAMES A. CONNOR**

\*Also admitted MA  
\*\*Also admitted ME

October 18, 2012

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

**Re: Carrier Trucking, Inc.  
Pine Road, Exeter, NH**

---

Dear Sir/Madame:

Pursuant to New Hampshire N.H. RSA Chapter 91-A, please accept this letter as a request for all electronic governmental records in the form of documents stored in a computer and paper records, to include:

(A) E-mails, voice mails, instant messages or other electronic documents shared between any and all members of the Board of Selectmen, any other representative of the Town of Exeter (the "Town") and any third party, for and in the time period from March, 2010 to the date of production, regarding the subject matter of any of the following:

- (1) Paving and other improvements to Pine Road, Exeter;
- (2) Negotiations and/or discussions with representatives of the Town of Brentwood regarding reimbursement for the foregoing paving and other improvements;
- (3) Discussions between Town and State (NH) governmental officials regarding safety concerns respecting Pine Road, Exeter;
- (4) Discussions between Town and State (NH) governmental officials regarding safety the posting of weight limits to Pine Road; and

Town of Exeter  
Board of Selectmen  
October 18, 2012  
Page 2

(5) Negotiations and/or discussions between Town and State (NH) governmental officials with the Town of Brentwood, NH, regarding safety concerns and the posting of weight limits on Pine Road.

(B) To the extent private e-mails accounts of any Board of Selectmen or Town official were used for Town-related matters that include the subject matter described above, we request copies of those e-mails as well.

(C) To the extent e-mails, whether private and used for governmental purposes or governmental e-mails, were not maintained under the Town's retention or archival procedures, I request a copy of such written procedures and an explanation as to why the information described was not maintained in accordance with those procedures.

If you have any questions with regard to this request, please contact me.

Very truly yours,



Jaye L. Rancourt

JLR/tm

cc: Carrier Trucking, Inc.  
Mr. Russell Dean, Town Manager  
Sumner F. Kalman, Esquire

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Concord, NH 03301-2624

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Primex<sup>3</sup> Finance & Health  
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Member Services/  
Risk Management Services  
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October 15, 2012

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

Re: 2013 Property & Liability Program Renewal

Dear Russell:

On behalf of Primex<sup>3</sup>, we thank you for your continued trust and partnership in our Property & Liability Program and look forward to the coming year. Our goal is to provide our members with the best service, value and coverage.

Enclosed is your 2013 Property & Liability Member Contribution Summary. The intent of the Summary is to build awareness of your member contribution and how performance and payroll changes affect your contribution. Invoices will be mailed around January 1, 2013.

2013 Property & Liability Highlights:

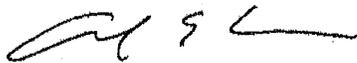
- **Employment Practices Claim Prevention:** Members can call for claim prevention assistance before employment action is taken. Our in-house legal counsel and claims director are available to discuss claim prevention and mitigation issues and opportunities before you take action. Input from your employment practices liability carrier prior to action will help you, your local legal counsel, and Primex<sup>3</sup> collectively develop a strategy to prevent or minimize claim exposure. Developing a sound strategy first prevents issues tomorrow.
- **Building Coverage:** Members' occupied buildings that sustain a covered loss are covered up to the replacement cost if building is replaced.
- **Contribution Assurance Program (CAP):** For members who have demonstrated commitment to the pool, CAP provides stability by creating a limit on your Property and Liability contributions for future renewals. If you are not currently participating in CAP, please contact us to learn more about the program and your eligibility.
- **Program Discounts:** Primex<sup>3</sup> members also receive a 10% discount when expanding coverage to include both Workers' Compensation and Property & Liability.

On your Member Contribution Summary, there is an indication of whether you are currently committed to the Primex<sup>3</sup> Property & Liability Program for multiple years and participating in CAP.

We understand that you have a choice when it comes to your coverage needs and appreciate your desire to continue partnering with Primex<sup>3</sup>. We have given careful consideration to our complete range of coverage options so you can be sure that your local taxpayers are getting the best value. We look forward to working with you to explore alternative coverage and pricing options for all lines of coverage.

Please don't hesitate to call me or your Member Services Consultant at 1-800-698-2364 if you have any questions regarding this renewal. We are happy to discuss your contribution and your performance in the Property & Liability Program.

Sincerely,

A handwritten signature in black ink, appearing to read 'C. Weber', written over a horizontal line.

Carl Weber  
Director of Member Services

OCTOBER 15, 2012

**PROPERTY and LIABILITY PROGRAM**

**MEMBER CONTRIBUTION SUMMARY  
JANUARY 1, 2013 - JANUARY 1, 2014 RENEWAL**

**MEMBER: Exeter, Town Of  
MEMBER NUMBER: 170**

**2012**

**2013**

Multi-Year Agreement Yes

Contribution Assurance Program (CAP) Yes

PRIME<sup>3</sup> Program No

Member contribution \$158,509

Member contribution \$169,605

Your 2012 Property Values	\$53,585,304
Your 2013 Property Values	\$53,569,003
Change in Property	0.0%
Your 2012 Payroll (2010 Audited)	\$8,208,256
Your 2013 Payroll (2011 Audited)	\$8,597,213
Change in Payroll	4.7%
Your 2012 Loss Ratio Adjustment Factor	1.00
Your 2013 Loss Ratio Adjustment Factor	1.00
Change in Loss Ratio Adjustment Factor	0.0%
Change from 2012 to 2013:	
Contribution Amount Change	\$11,096
Contribution Percent Change	7.0%

**Please contact the Primex<sup>3</sup> Member Services Team  
if you have any questions or comments.**

**Invoices will be mailed around January 1, 2013.**

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October 15, 2012

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

Re: 2013 Workers' Compensation Program Renewal

Dear Russell:

On behalf of the Primex<sup>3</sup> Workers' Compensation Program, we thank you for your continued trust and partnership and look forward to the coming year. Our goal is to provide our members with the best service, value and coverage.

Enclosed is your 2013 Workers' Compensation Member Contribution Summary. The intent of the Summary is to build awareness of how performance and payroll changes affect your contribution. Invoices will be mailed around January 1, 2013.

#### 2013 Workers' Compensation Highlights:

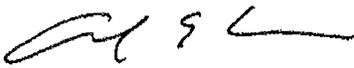
- **Premium Holiday:** The first return to members occurred in 2012, and our second return to eligible members will be announced in July 2013. We hope to offer Premium Holidays in subsequent years based on each member's as well as the pool's overall performance, so our continued partnership and mutual commitment to risk management remain important. When budgeting the premium holiday please consult with your auditor to ensure appropriate accounting principles are being utilized, and to minimize the potential for an increase in that line item after the 2013 premium holiday is distributed, and future returns are substantially lower.
- **Medical Costs:** Medical utilization and costs continue to rise for the Workers' Compensation Program. Medical claims make up almost two-thirds of the overall claim costs in the program. The continued utilization of our partnership with **Best Doctors Occupational Health Institute** is one way of helping to ensure injured employees receive quality care while navigating the recovery process in a cost effective way.
- **Contribution Assurance Program (CAP):** For members who have demonstrated commitment to the pool, CAP provides stability by creating a limit on your Workers' Compensation contributions for future renewals. If you are not currently participating in CAP, please contact us to learn more about the program and eligibility.
- **Program Discounts:** Primex<sup>3</sup> members also receive a 10% discount when expanding coverage to include both Workers' Compensation and Property & Liability.

On your Member Contribution Summary, there is an indication of whether you are currently committed to the Primex<sup>3</sup> Workers' Compensation Program for multiple years and participating in CAP.

We understand that you have a choice when it comes to your coverage needs and appreciate your desire to continue partnering with Primex<sup>3</sup>. We have given careful consideration to our complete range of coverage options so you can be sure that your local taxpayers are getting the best value. We look forward to working with you to explore alternative coverage and pricing options for all lines of coverage.

Please don't hesitate to call me or your Member Services Consultant at 1-800-698-2364 if you have any questions regarding this renewal. We are happy to discuss your contribution and your performance in the Workers' Compensation Program.

Sincerely,

A handwritten signature in black ink, appearing to read 'C. Weber', written in a cursive style.

Carl Weber  
Director of Member Services

OCTOBER 15, 2012

**WORKERS' COMPENSATION PROGRAM**

**MEMBER CONTRIBUTION SUMMARY  
JANUARY 1, 2013 - JANUARY 1, 2014 RENEWAL**

**MEMBER: Exeter, Town Of  
MEMBER NUMBER: 170**

**2012**

**2013**

Multi-Year Agreement Yes

Contribution Assurance Program (CAP) Yes

PRIME<sup>3</sup> Program No

Member Contribution \$168,104

Member Contribution \$181,552

Your 2012 Payroll (2010 Audited)	\$7,908,557
Your 2013 Payroll (2011 Audited)	\$8,597,213
Change in Payroll	8.7%
Your 2012 Loss Ratio Adjustment Factor	0.92
Your 2013 Loss Ratio Adjustment Factor	0.92
Change in Loss Ratio Adjustment Factor	0.0%
Change from 2012 to 2013:	
Contribution Amount Change	\$13,448
Contribution Percent Change	8.0%

Please contact the Primex<sup>3</sup> Member Services Team  
if you have any questions or comments.

Invoices will be mailed around January 1, 2013.

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Risk Management Services  
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October 15, 2012

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

Re: 2013 Unemployment Compensation Program Renewal

Dear Russell:

On behalf of Primex<sup>3</sup>, we thank you for your continued trust and partnership in our Unemployment Compensation Program and look forward to the coming year. Our goal is to provide our members with the best service, value and coverage.

Enclosed is your 2013 Unemployment Compensation Member Contribution Summary. The intent of the Summary is to build awareness of your member contribution. Invoices will be mailed around January 1, 2013.

#### 2013 Unemployment Compensation Contribution Highlights:

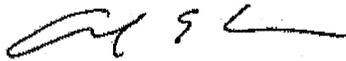
- To calculate your 2013 Unemployment Compensation contribution, we use your 2011 reported wages to establish an appropriate rate based on your paid, projected claims, and any prior year claims that exceeded your contribution. By using the actual reported wages for the most recently completed calendar year, the need for an additional invoice as to any difference in your estimated and actual taxable wages is eliminated.
- Members in the Unemployment Compensation program are afforded safety while in the program even when their claims in the coverage year exceed their contribution. For members who remain in the pool, our rating process allows their contribution to adjust at a reasonable pace even after an unfavorable claims year and restore their balance over time.
- The taxable wage base will remain consistent with the State's program for 2013 at \$14,000.

We understand that you have a choice when it comes to your coverage needs and appreciate your desire to continue partnering with Primex<sup>3</sup>. We have given careful consideration to our complete range of coverage options so you can be sure that your local taxpayers are getting the best value. We look forward to working with you to explore alternative coverage and pricing options for all lines of coverage.

The Primex<sup>3</sup> Membership Agreement and Public Entity Coverage Document have a 45 day written notice requirement in the event that you elect to terminate membership in the Unemployment Compensation Program. **This notice must be provided on official letterhead to the Chief Executive Officer of Primex<sup>3</sup> by 4:30 PM on November 17, 2012 and must specify a final decision regarding your participation in the program.** Please carefully review your Public Entity Coverage Document, General Conditions, Section L, regarding notice of termination.

Please don't hesitate to call me or your Member Services Consultant at 1-800-698-2364 if you have any questions regarding this renewal. We are happy to discuss your contribution and your performance in the Unemployment Compensation Program.

Sincerely,

A handwritten signature in black ink, appearing to read 'Carl Weber', written over a horizontal line.

Carl Weber  
Director of Member Services

OCTOBER 15, 2012

**UNEMPLOYMENT COMPENSATION PROGRAM**  
**MEMBER CONTRIBUTION SUMMARY**  
**JANUARY 1, 2013 - JANUARY 1, 2014 RENEWAL**

**MEMBER: Exeter, Town Of**  
**MEMBER NUMBER: UM170**

2012		2013	
Member Contribution	\$12,575	Member Contribution	\$11,994

Your 2012 Taxable Wages (2010 at \$14,000 basis)	\$1,934,582
Your 2013 Taxable Wages (2011 at \$14,000 basis)	\$1,934,582
Change in Taxable Wages	0.0%
Your 2011 Loss Ratio	0%
Your 2012 Loss Ratio (through June)	24%
Your 2012 Unemployment Rate	0.65%
Your 2013 Unemployment Rate	0.62%
Change from 2012 to 2013:	
Contribution Amount Change	-\$ 581
Contribution Percent Change	-4.6%

Please contact the Primex<sup>3</sup> Member Services Team  
if you have any questions or comments.

Invoices will be mailed around January 1, 2013.

## Unemployment Compensation Renewal - October 2012

### **Current Economic Conditions**

The labor market in New Hampshire has remained stagnate during the last year. The seasonally adjusted unemployment rate for New Hampshire was 5.5% in July of 2011 and 5.4% in July of 2012, according to the United States Department of Labor. Prior to the onset of the recession in the summer of 2008, the state's unemployment rate had trended between 3.4% and 4.0% during the previous years. It appears that the current economic condition may be the "new normal" for the immediate future.

### **Economic Realities of Local Government**

Due to continued weakness in the housing and labor markets, local governments have continued to face increased pressure to reduce costs to diminish the burden for the taxpayers of their community. Federal recovery funding has evaporated and decreased spending in Concord has continued to down shift expenditures to local governments. Coupled with increased health care and retirement costs, local government layoffs have increased in 2012. According to the State of New Hampshire Employment and Labor Market Information Bureau, local governments in New Hampshire employed 63,000 individuals in June of 2011, a figure that was on par with their employment rates at the beginning of the recession. However by June of 2012, local governments only employed 60,100 individuals, a decrease of 4.5 percent. Much of this change was accomplished by layoffs, the largest factor in increased unemployment compensation costs.

## **The Primex<sup>3</sup> Advantages**

### **Rate Stability and Certainty**

Unemployment Compensation Program Members are responsible for their own claims, unlike our other pooled programs. As reimbursable employers, our members are charged by the Department of Employment Security monthly on a dollar per dollar basis for all unemployment claims against their account. At periods of high fiscal exposure such as a reduction in force or the end of a school year, our members would contend with a financial burden that was unpredictable and immediate. Our program provides greater stability and certainty by allowing our members to pay these charges over a period of time.

### **Emphasis on Human Resource Practices**

The strongest action an organization can take to reduce unemployment compensation exposure is to implement sound human resource practices. Hiring the best qualified candidates, coaching and mentoring employees for continued success, judiciously implement discipline in a fair and consistent manner that affords due process, terminating an employee appropriately for violations of policy, and documenting the reasons for resignation are the areas employers control to reduce unemployment costs. The focus on human resources practices is well worth your time and costs as

these practices create a workplace that motivates people to perform well and leads to a stable workforce. These actions also reduce employment liability associated with union grievances, charges of discrimination, and wrongful termination claims.

The Unemployment Compensation Team at Primex<sup>3</sup> is your committed partner in providing guidance and advocacy at the intersection between human resources and claims mitigation. Primex<sup>3</sup> provides training on both labor law compliance, strategic human resource practices, and supervisory and leadership skills to reduce turnover in your organization through improved managerial practices. Primex<sup>3</sup> staff is available to consult on contentious employment issues to mitigate liability before a claim arises. While the fiscal challenges we face are hard to control, Primex<sup>3</sup> firmly believes that empowering local governments to take control of employment practices is the right thing to do on behalf of your citizens and employees. It is also the most important factor to mitigate unemployment compensation costs that is within your control.

***Skilled Advocacy before the Department of Employment Security***

Primex<sup>3</sup> staff provide skilled advocacy and claim mitigation before the New Hampshire Department of Employment Security on your behalf. Primex<sup>3</sup> staff reviews all claims and requests the appropriate documentation to substantiate when an employee is terminated for misconduct or voluntarily resigns. Primex<sup>3</sup> strongly asserts the employer's position during the initial claim adjudication and before both the Employment Security Appeals Tribunal and Appellate Board to ensure benefits are only paid under qualifying circumstances. Primex<sup>3</sup> staff has fostered a congenial relationship with the Department of Employment Security to allow for effective advocacy on behalf of our members.



**Rockingham County Treasurer**  
**Edward R. Buck III**

119 North Road  
Brentwood, NH 03833-6624

---

Phone (603) 679-2256 x 9068  
Email: erbuck@yahoo.com

October 15, 2012

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

Dear Board of Selectmen,

Enclosed is the 2012 Rockingham County Warrant. The amount of the warrant is \$1,701,918.

Your attention and processing of this Warrant is appreciated.

Sincerely,

A handwritten signature in cursive script, reading "Edward R. Buck III".

Edward R. Buck III, County Treasurer

Enc.

---



**Rockingham County Treasurer**  
**Edward R. Buck III**

119 North Road  
Brentwood, NH 03833-6624

Phone (603) 679-2256 x 9068  
Email: erbuck@yahoo.com

STATE OF NEW HAMPSHIRE

ROCKINGHAM COUNTY

WARRANT OF COUNTY TREASURER

To the Board of Selectmen in the Town of EXETER in said County:

You are hereby required to assess upon the polls and property in said Town liable to taxation, ONE MILLION SEVEN HUNDRED AND ONE THOUSAND NINE HUNDRED EIGHTEEN Dollars, being the just proportion of the county tax due from said town as granted by the last County Convention and to collect and pay the same to me on or before the 17th day of December next, for the use of the County.

YOU ARE HEREBY NOTIFIED THAT FAILURE TO COLLECT AND PAY SAID TAX BY THE DATE INDICATED WILL RESULT IN THE ASSESSMENT OF A PENALTY AS DESCRIBED IN THE NEW HAMPSHIRE STATUTES, RSA 29:11.

You are also required by law seasonably to return to me the name or names of the collector or collectors whom you shall direct to collect said sum, the date of their warrants, and the amounts they are required to pay to the County Treasurer and the time of payment.

HEREOF FAIL NOT:

GIVEN UNDER MY HAND, THIS 15th DAY OF OCTOBER, 2012

  
Edward R. Buck III, County Treasurer (L.S.)

\$ 1,701,918



PO Box 278  
24 Front Street, Suite 101  
Exeter, NH 03833  
(603) 772-2411  
Info@exeterarea.org  
www.exeterarea.org

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

October 16, 2012

Dear Russ;

The Exeter Area Chamber of Commerce would like to thank the Town of Exeter and its Fire Department for providing the manpower and equipment to remove the Holiday lights from the trees in town.

As I write this letter, their work in removing the lights is "in-process". Some of the lights have been removed but there is a commitment to getting it all done by the end of this week. From my personal observations, the personnel who are doing the work are doing so with great care so as not to interfere with parking and downtown commercial activities. I imagine that it hasn't been easy for them to schedule the work. I commend them for their patience and considerate approach to getting the job done.

It is always a pleasure to work with the staff of the Fire Department. They never hesitate to assist when asked and always have a "can do" attitude. We look forward to their help again in a few weeks when we assemble the garlands and lights to string across the Exeter downtown streets. This activity takes place at the Fire Department on a Saturday.

Please be sure to convey our gratitude to the Town Board of Selectmen and to the whole Exeter Fire Department staff. The Chamber looks forward to again leading the effort to decorating the Town of Exeter this year. It would not be possible without the generous support of the Town and many dedicated volunteers who help make it happen.

Respectfully,

Michael Schidlovsky  
President

cc: Chief of Fire Department, Brian Comeau  
Matt Halfmann, Chairperson, EACC Board of Directors

RUTHANNE C. ROGERS  
14 HERITAGE WAY  
EXETER, NEW HAMPSHIRE 03833

October 18. 2012

Mr. Mark Damsell  
10 Newfields Road  
Exeter, New Hampshire 03833

Dear Mark,

It was not my intention to offend you with my telephone message. It was simply a request to remove the tall grass next to the stone because it distracted from the beauty of the solitary stone.

We all know how much time and effort you have put into Swasey Parkway and appreciate your devotion to it. The appearance and usefulness of the Parkway have been enhanced by your work and the work of your volunteers.

However, in the future, before you embark on a project please contact the Trustees for their permission. We three act as a team to carry out the intent of the deed given to the town by Ambrose Swasey. As such we also represent the 14,000 citizens who help to pay for the upkeep of the parkway with their taxes. It is up to us to set priorities for work to be done in the parkway and for appropriate enhancements.

Please present to the Trustees a drawing, can be a rough sketch, of the proposed pathway and plantings next to the stone, for approval. As it is now, without any embellishment, the stone is a beautiful entrance to the Parkway. It was well chosen and well placed. The engraving is in keeping with other signs in the Parkway. Good job.

Thank you for your cooperation.

Sincerely,

Ruthanne C. Rogers, Trustee

cc: Jay Perkins, Gerry Hamel, Dan Chartrand, Russell Dean

SEACOAST

MENTAL

HEALTH

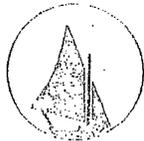
CENTER

*Inc.*

1145 Sagamore Avenue  
Portsmouth, N.H. 03801-5503  
(603) 431-6703  
Administrative FAX  
(603) 433-5078  
Clinical FAX  
(603) 430-3753  
www.simhc-nh.org

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30 Prospect Avenue  
Exeter, N.H. 03833  
(603) 772-2710  
FAX (603) 772-4975

October 10, 2012

Selectmen  
Town of Exeter  
10 Front Street  
Exeter, NH 03833

Dear Selectmen:

On behalf of everyone at the Seacoast Mental Health Center, thank you for your recent allocation of \$2,125.00. We have received your payment and are grateful for your support.

I would like to take the opportunity to express our appreciation for the support that the Town has given our agency throughout the years. We look forward to providing continued comprehensive mental health services to residents of your community.

Sincerely,

Jay Couture, MHA  
Executive Director

start something



**Big Brothers Big Sisters  
of the Greater Seacoast**  
4 Greenleaf Woods #201  
Portsmouth, NH 03801

**T 603 430 1140  
F 603 430 7760**

www.bbbsgs.org

October 04, 2012

Mr. Russell Dean, Town Manager  
Town Of Exeter  
10 Front St.  
Exeter, NH 03833-2792

Dear Russell,

Each year, Big Brothers Big Sisters of the Greater Seacoast relies on generous supporters such as the Town of Exeter to provide us with the financial resources to see our mission through. Our work to provide professionally supported one-to-one mentoring for at-risk youth becomes more and more critical across the Seacoast especially in a nation where every *11 seconds a high school student drops out; every 32 seconds a child is born into poverty and every 41 seconds a child is confirmed as abused or neglected.*

As integral members of the Big Brothers Big Sisters community, donors allow us to offer a tried-and-true mentoring model here on the Seacoast that helps to improve the overall outlook for the vulnerable youth that we serve in 39 Seacoast communities. Studies conducted by Big Brothers Big Sisters show that child participants in our program will show increased levels of confidence, improved ability to express themselves, improved academic performance, improved sense of future, improved ability to avoid delinquency and better relationships with family, peers and other adults.

As you can see, your \$2,250.00 donation will go a long way in changing both the life of a "Little" and the greater Seacoast community. Twelve year old Jenny, a "Little Sister" to Deborah for the past four years, gives a snapshot of just how life-changing Big Brothers Big Sisters is: *"To have a sister like Deb is like having someone knock on your door to give you a million dollars. Or getting a phone call telling you that your biggest wish has been fulfilled. It's having someone that's always there for you. Deb and I aren't just sisters, we're best friends. We tell jokes and we laugh; we tell stories and we smile; we share feelings and we cry. Without Deb I wouldn't be able to achieve my dreams as easy, and I wouldn't have someone to talk to when things at home aren't going so great. But most important, I wouldn't have all these unforgettable memories."*

On behalf of our staff, Board of Directors and the hundreds of Littles like Jenny, thank you for investing in the work of Big Brothers Big Sisters of the Greater Seacoast.

Sincerely,

Jessie C. Dill  
Executive Director

Federal Tax ID #: 02-0348477

*Thank you!*

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Frank Easton, III

**EXECUTIVE DIRECTOR**

Jessie C. Dill



September 25, 2012

Mike Favreau  
Town of Exeter-Parks & Recreation  
32 Court Street  
Exeter, NH 03833

Dear Mike,

On behalf of the Timberland Company, a product grant was made to Town of Exeter Parks & Recreation in September 2012. The grant included the following charitable donation:

- 4 Adult-sized Picnic Tables**
- 2 Benches**
- 5 Adirondack Chairs**

**Total Estimated Retail Value of Grant: \$286**

Timberland believes strongly that by partnering with effective non-profit organizations we can assist in strengthening communities around the world. This commitment is realized through the support of organizations, such as yours, whose innovative leadership results in lasting, positive change. We hope that you will view this grant as a vote of confidence in what you are working to achieve.

In accepting this grant Town of Exeter-Parks & Recreation agrees to the following conditions:

- Proper and reasonable public acknowledgement

We wish you continued success with your work. If you have any questions, please don't hesitate to contact me.

Best Regards,

Andrea Renz  
Community Engagement Coordinator

THE TIMBERLAND COMPANY

200 DOMAIN DRIVE

STRATHAM

NEW HAMPSHIRE

03885

603.772.9500

FAX: 603.773.1640

NIXON, VOGELMAN,  
BARRY, SLAWSKY & SIMONEAU

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THOMAS T. BARRY\*\*  
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KIRK C. SIMONEAU

\*Admitted in NH and NY  
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*Seventy-seven Central Street*  
*Manchester, New Hampshire 03101*

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TOLL FREE 1-800-207-7000  
FAX 603-669-7080  
[www.davenixonlaw.com](http://www.davenixonlaw.com)

ROBERT CHRISTY  
OF COUNSEL

MARTIN F. LOUGHLIN  
1995-2007

October 2, 2012

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

Re: RSA 91-A:1 - Right To Know

Dear Mr. Dean:

This is a formal request for information regarding any and all injuries suffered to employees and/or the public at the Exeter Transfer Station/dump.

Please produce this information as soon as possible.

Thank you.

Very truly yours,



Kirk C. Simoneau  
[KSimoneau@davenixonlaw.com](mailto:KSimoneau@davenixonlaw.com)

KCS/tlb

