

SELECT BOARD MEETING
Monday, June 10, 2024
6:40 pm
Nowak Room, Town Offices
10 Front Street, Exeter, NH 03833
REGULAR BUSINESS MEETING BEGINS AT 7:00 PM

Virtual Meetings can be watched on Ch 22 or Ch 98 and YouTube.

To access the meeting, click this link: <https://us02web.zoom.us/j/84659102797>

To access the meeting via telephone, call: +1 646 558 8656 and enter the Webinar ID: 846 5910 2797

Please join the meeting with your full name if you want to speak.

Use the "Raise Hand" button to alert the chair you wish to speak. On the phone, press *9.

More instructions for how to access the meeting can be found here: <https://www.exeternh.gov/townmanager/virtual-town-meetings>

Contact us at extvg@exeternh.gov or 603-418-6425 with any technical issues

AGENDA

1. Call Meeting to Order
2. Board Interviews
 - a. Pairpoint Park Stakeholders Committee
 - b. Budget Recommendations Committee
3. Public Comment
4. Approval of Minutes
 - a. Regular Meeting: May 28, 2024
5. Appointments
6. Discussion/Action Items
 - a. Squamscott River Siphons Update – Stephen Cronin, Public Works Director
 - b. Rugg Property Update – Dave Sharples, Town Planner
 - c. Peace Proclamation
 - d. Pairpoint Park Stakeholders Committee
 - e. Tax Deeds
7. Regular Business
 - a. Tax Abatements, Veterans Credits & Exemptions
 - b. Permits & Approvals
 - c. Town Manager's Report
 - d. Select Board Committee Reports
 - e. Correspondence

8. Review Board Calendar
9. Non-Public Session RSA: 91-A:3 II a & c
10. Adjournment

Niko Papakonstantis, Chair
Select Board

Posted 6/7/24 Town Office, Town Website

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

AGENDA SUBJECT TO CHANGE

Board/Committee/Commission Interviews



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

Town Manager's Office

APR 22 2024

**Statement of Interest
Boards and Committee Membership**

Received
Interview
Monday 5/13/24
6:40 pm
CONFIRMED
5/28/24
rescheduled
6/10/24
6:45 pm
CONFIRMED

Committee Selection: Pairpoint Park

New Re-Appointment Regular Alternate

Name: Mollie Ruffner Email: mbruffner@gmail.com

Address: 11 Hall Pl, Exeter, NH Phone: 603-770-6840

Registered Voter: Yes No

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

I am interested in volunteering on the Pairpoint Park committee. I have been a real estate broker and property manager for the last 18 years with Ruffner Real Estate (located in downtown Exeter). I am also an avid gardener.

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

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

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

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

Signature: *Mollie Ruffner* Date: 4/17/24

To be completed by Select Board upon appointment:

Date Appointed: _____ Term Ending: _____ Full: _____ Alternate: _____



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

*Interview
6/10/24 6:50 pm
CONFIRMED*

**Statement of Interest
Boards and Committee Membership**

Committee Selection: Budget Reviewer

New

Re-Appointment

Regular

Alternate

Name: Fran Nall Email: franhall7@gmail.com

Address: 15 Prentice Way Phone: 603-495-5673

Registered Voter: Yes No

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

Served on BRC for five years

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

5 years experience in the past

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

After submitting this application for appointment to the Town Manager:

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

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

Signature: Francine S Nall Date: May 30, 2024

To be completed by Select Board upon appointment:

Date Appointed: _____ Term Ending: _____ Full: _____ Alternate: _____

Approval of Minutes

Select Board Meeting
Tuesday, May 28, 2024
6:15 PM
Nowak Room, Town Offices
Draft Minutes

1. Call Meeting to Order

Members present: Chair Niko Papakonstantis, Clerk Julie Gilman, Dan Chartrand, Nancy Belanger.

Absent: Vice-Chair Molly Cowan

Also present were Town Manager Russ Dean, and Assistant Town Manager Melissa Roy. The meeting was called to order by Mr. Papakonstantis at 6:15 PM.

2. Non-Meeting with Legal Counsel

The Board went downstairs to the Wheelwright Room for a non-meeting.

3. Board Interviews

- a. Mollie Ruffner for the Pairpoint Park Committee
- b. Suzanne Bokst Stone for the Pairpoint Park Committee

The Board reconvened in the Nowak Room at 7 PM.

4. Public Comment

- a. There was no public comment at this time.

5. Proclamations/Recognitions

- a. Mr. Papakonstantis recognized Florence Ruffner and the Memorial Day Parade Committee.
- b. Mr. Papakonstantis thanked Mark Damsell for maintaining the garden in front of Swasey Parkway.

6. Approval of Minutes

- a. Regular Meeting: May 13, 2024

MOTION: Ms. Belanger moved to approve the Select Board minutes of May 13, 2024 as presented. Ms. Gilman seconded. The motion passed 4-0.

7. Appointments and Resignations

MOTION: Ms. Belanger moved to accept the resignation of Danielle Capalbo from the Arts & Culture Advisory Commission, with thanks for her service. Ms. Gilman seconded. The motion passed 4-0.

8. Discussion/Action Items

a. Peace Resolution: Continued Peace Resolution Discussion

Mr. Papakonstantis said this is a continuation of a discussion at the last meeting for the Board to consider a peace resolution. Following that meeting, the citizen's group asked for it to be treated as a proclamation, rather than a resolution.

Karishma Manzur of 6 Windemere Lane said we have revised the resolution as a proclamation. She read and discussed each clause of the proposed text.

Mr. Papakonstantis said the Board members agreed that what was submitted and the testimony were incredibly moving. The conversation was around whether this is in the purview of the Select Board. Typically this would be done as a citizen's petition for voters to take up.

Ivor Freeman of 6 Sandston Way said his letter discusses the actions of Hamas over the years. This affects him as a Jew because he fears people will use this proclamation as an excuse for anti-Semitism. He asked the Board not to pass the resolution.

Mr. Chartrand said he read through the revision and made some revisions himself related to what the Select Board can proclaim under our form of government. He's comfortable with the first three clauses but money is the voters' purview, and the Board can't make comments on that. The "we" of the proclamation should refer just to the Board, not to other public officials.

Ms. Gilman said this would be stronger if the whole community did an interjection into Federal politics, rather than just the Board. We are non-partisan. It's not in our purview how Federal dollars are spent. When we re-entered the Climate Accord, that was on the Board level. Indigenous Peoples' Day was important to the community, and we recognize that day, although the State doesn't.

Ms. Belanger said she appreciates Mr. Chartrand's edits. The special meeting for a citizen's petition did not seem like a viable option. This is in another country, not America. This doesn't seem like something the Select Board should be considering.

Mr. Papakonstantis said the statements were very touching and heartfelt, and as a human being he agrees with these words. As a member of the Select Board, he has to represent the community. The Board has conversations about things immediately affecting Exeter or our country. He has spoken in favor of living in a town and a society where we respect each other. The Board was asked to support Ukraine by flying their flag at Town Hall, but we explained that it would set a bad precedent. If that had been a warrant article, it might have passed.

Mr. Papakonstantis asked if the Board has the authority to revise what was submitted before making it a proclamation. Mr. Dean said he believes it's within the Board's purview. Mr. Papakonstantis said he would like Ms. Cowan to be present for a vote.

Mr. Papakonstantis asked for further public comment.

Ms. Manzur said her group is fine with the recommended edits.

Hayley Collins of 44 McKay Drive said the silence of elected officials is what allows violent acts to continue. This proclamation is a moral obligation.

Matt Himmel of 1 Drinkwater Road said as a Jewish descendent, he fully endorses the proclamation. He's not pro-Hamas or anti-Israel, he's pro-humanity. The Board should add into the proclamation that we condemn anti-Semitism.

Christine Jurick of 46 Franklin said her son left Tufts due to anti-Semitism. The history is long and painful. She likes how the proclamation has been changed but she doesn't think this is a decision for the Select Board to make.

Elias Kaufman of 6 Windemere Lane said supporting a peace proclamation says we want to create change for the better. Otherwise we are complicit. He can't vote yet so he doesn't have a say, but if we say that violence is okay, that's something that he will have to live with.

David Kovar of 38 Cross Street said we all have a right to speak. He thanked the Board for creating a space where residents can all speak up.

Mr. Papakonstantis said the Board will take this back up at the next meeting.

b. Squamscott River Siphons Update

DPW Director Steve Cronin gave an update on the Sewer Siphons project. The plan was to drill from the Mill side of the river through a known ledge outcropping, ream that hole, and pull the sewer siphon pipe through. On May 15, the contractor started that process. The 6" bore hole was completed May 21. The 12" ream was finished May 23 and the reamer was left to secure the hole over the weekend. There were some weather-related travel delays on getting the drill, but work will begin again tomorrow. We anticipate being done with drilling by the end of the week, depending on soil conditions and any unexpected obstructions. Then we will thread the pipe through.

Mr. Papakonstantis asked if the abutters have been notified. Mr. Cronin said we're waiting on a meeting with the Exter Mills.

c. Pickpocket Dam Feasibility Study Presentation

Town Engineer Paul Vlasich said this started in 2011 with the letter of deficiency and the upping of the classification. The study cost us \$373,000. We got a \$40,000 Coastal Resilience Grant and a \$100,000 ARPA fund grant, with the town paying for the rest. A grant opportunity came from NOAA to enhance fish passage, and we went in front of the River Advisory Committee and this Board to see if we should apply for that grant, and we did. We found out at the end of last week that we did not get that grant. The public information meeting was in February, and there were follow-up meetings with the River Advisory Committee. The feasibility study was finished on April 30. There will be something in the CIP for dam removal or dam modifications. Dam modification would be around \$2.4M, removal would be \$1.5M.

Jake San Antonio of VHB gave a presentation on the Pickpocket Dam feasibility study. Several alternatives were considered. Alternative 1 was raising the top of the dam and building up the earthen embankments on the sides of the river. To pass that 2.5x 100-year flood, it would have to be raised from 66 feet to 72.7 feet. Alternative 2 was spillway replacement and the addition of a labyrinth weir with a zigzag pattern to increase the flow area. We would still have to raise the embankments with this option. Alternative 3 was adding an auxiliary spillway to allow the pass of the flood safely. Alternative 4 was dam removal and the removal of a sediment island, and he showed renderings of what that option would look like. Alternative 5 was to take no action and focus on hazard reduction, but that did not address the safety concerns and the overtopping of Kingston Road. Alternative 6 was to lower the normal pool elevation, but that had negative impacts to the environment and recreation. Alternatives 2, 5, and 6 were eliminated from the impact analysis, so alternatives 1, 3, and 4 were considered further.

Alternatives 1 and 3 are “dam in” options. Under Alternative 1, water level would reduce slightly, but it kept the 100-year flood the same. Under Alternative 4, there was a 9-foot water level reduction above the dam, which tapers to nothing around Haigh Road. With Alternative 4, dam removal, there would be a reduction of 7 feet tapering to no change about halfway up the impoundment.

He described the sediment sampling and sediment probing done. They looked at impacts to water supplies and found that the wells were into the deep aquifer system and would not be impacted by dam removal. There was no increase in landfill related contamination predicted. Regarding cultural resources, Pickpocket Dam is eligible for listing on the National Historic Register. There are two archaeologically sensitive areas that would be impacted by both dam modification and dam removal.

With dam removal, the river would see improved water quality. Regarding fish passage, dam modification would have no impact, while dam removal would improve fish passage. Herring are making it up the Pickpocket Dam fish ladder this year. Dam modification would have a minimal change to existing wetlands, while dam removal would result in a shift in wetland cover and potentially a loss of wetland at the periphery. We would need to implement measures to limit invasive species. Regarding recreation, with “dam in” options there would be no change. With “dam out,” there would be a change to more of a “moving water” recreation.

Regarding costs, Alternative 1, raising the dam, would cost about \$3.2M. Alternative 3 would cost about \$3.5M. Alternative 4, Dam, dam removal, would be about \$1.5M. Once the town makes a decision, there are a number of permits required, both for “dam in” and “dam out” options, including NHDES Wetlands permit, approval from the US Army Corps, Water Quality Certification, Shoreland Water Quality Protection, Alteration of Terrain, DES Dam Bureau, and FEMA No Rise Certification, as well as section 106 Coordination due to its historical significance. We received many verbal and written comments from the public,

which we've responded to in writing. Regarding the schedule, with the NOAA grant unsuccessful, we'll be looking for funding in Spring 2025 then move into the design and permitting phase, with construction to begin Summer 2027 and complete in Fall/Winter 2027.

Mr. Papakonstantis asked Mr. Dean when the Board would need to take action on this for it to be a CIP. Mr. Dean said preferably by June 10. Mr. Papakonstantis asked if June 24 is too late, and Mr. Dean said no, that would work. Mr. Papakonstantis said we have been in communication with Brentwood, and should let them know that our grant wasn't approved. He would like to meet with their Town Administrator before this Board takes any action.

Mr. Papakonstantis said the letter from the grant board states that they received 90 applications with a total request of more than 4x the amount of funding they have available. They suggested applying again next year. They also offered to speak in detail with town staff about why the grant was not approved. Mr. Dean said that is already in progress. Mr. San Antonio said NOAA is expecting this grant to be back out in July/August and they will reach out then to give us feedback.

Ms. Gilman said regarding Section 106, how far from the dam does an archaeological study go? Mr. San Antonio said the project area is the parcel that includes the dam site and the impact of impoundment. It's mostly upstream.

Mr. Vlasich said in September of last year, when the NOAA grant possibility came out, he asked for a preferred alternative statement, and it was dam removal at that time. Since then, the full Feasibility Study has been done. We presented it to the River Advisory Board over the past few months, and the River Advisory Board still recommends the dam removal option.

Mr. Papakonstantis opened for public comment. He asked if the Board would hear non-Exeter residents on this issue, and the Board agreed.

Bob Collier of Conney Road in Exeter said the feasibility study is concerned about the overflowing of Route 111, but the dam should be able to control the flow of water. It's like a faucet in your house that you can turn on and off. The only reason the Alewife can't go up the ladder now is because the gate is closed. Dam removal will steepen hydraulic pressure on the gradient in the river - in other words, wash it away. There will be evaporation and the banks will erode. When they did the Great Dam removal, it was 10 years before habitat and wildlife came back to the area. Is it possible to reclassify the dam through the State? It's been 11 years and it's still functioning. Do costs include foundation estimates and property purchases?

Mr. San Antonio said Alternative 1 would require crossing two properties, including a driveway, and we included easement cost in that estimate. The other alternatives, including dam removal, don't include any foundations or property acquisition. Alternative 5, reducing the hazard classifications, would have included purchasing the impacted property and adding foundations to the manufactured homes, but even then the dam would still need to be raised.

Michael Edison of 6 Stony Water Road said he uses the river and knows how beautiful and valuable it is. You can launch a kayak or a canoe and paddle for miles. There are thousands of fish, as well as turtles, beaver, and eagles that rely on that reservoir of water. They said the standards changed from historical water flows to 100-year storm to 100 years x 2.5 and now they're thinking about a 1,000 year storm, when did those change? Mr. San Antonio said the State is in the process of changing them. The 100-year storm x 2.5 is for a high hazard dam, it's not the standard. As a low hazard dam, it would have been required to pass a 50-year storm. Mr. Edison asked whether the dam was there or not, you would still get the same 100-year x 2.5 flow with the same impacts downstream. Mr. San Antonio said this is a "run of the river" dam; the flow in the river is the same with this dam in place. The risk is, with the dam in place, the embankments are likely to erode during a storm and cause a dam failure. If the dam isn't compliant, it's more likely to breach and cause a failure, which is more dangerous to life downstream. Mr. Edison said there is likely to be sediment movement upstream of the dam. If there is a flood that is 100-year x 2.5, he could see his embankment upstream being washed away. Mr. San Antonio said they would be stable with vegetated banks. We would have to get vegetation established early in the process, like we did with the Great Dam.

Nick Drinker of 26 Franklin Street asked about the flow of sediment under normal conditions with dam removal. Mr. San Antonio said the majority of the soft sediments in the immediate impoundment would be removed. Rivers move water and sediment. When a dam is in place, it stops the normal bedload of moving sediment. Post-removal, it would return to the natural processes of moving the bedload with the water. Mr. Drinker asked how long it would take for the sediment to return to normal. Mr. San Antonio said 5 - 10 years. It's healthy for the river; sediment-starved rivers are not as healthy, which is why that lower reach is impaired. The Great Dam was removed 8 years ago, and the river has recovered and the wetland areas are more diverse and lush than prior to dam removal.

Jaye Garnett of 2 Stony Water Road said 257 people signed her Change.org petition to save the dam. She read comments from the petition. She said countless animals will die if the town removes the dam. Her house will shift when the riverbank is compromised. It's all about the money. This many people being upset should have some bearing. Mr. Papakonstantis asked for a copy of the petition.

David Kovar of 38 Cross Road said Exeter residents will bear the cost of the dam modification. Unless Brentwood is willing to bear the extra cost of preserving the dam, it's hard to do more than give them the opportunity to speak. He lives along the river and doesn't want to have a view of a 7-foot concrete abutment blocking his view of the river. He asked about the period of maintenance cost for "dam in" alternatives. Mr. San Antonio said 30 years. Mr. Kovar asked about the historical permit process. Mr. San Antonio said it depends on the option chosen, but there will need to be additional impact studies and a

memorandum of agreement on mitigation. Mr. Kovar asked if someone could register the dam and prevent its removal. Ms. Gilman said for the Great Dam, the Heritage Commission gave five suggestions on mitigation, including a blue information sign and an etched glass window in the library so you could see what used to be there, as well as photographic documentation, and all five were approved. The National Register designation is really an honorarium, so adding to it or removing from it doesn't affect its status.

Jim Breeling of 7 Nelson Drive said he wanted to make sure the river has a voice. This is part of the Exeter Squamscott Great Bay Estuary Watershed. Restoring the river would improve the oxygen concentration all the way to the Great Bay. Great Dam was removed and ecologically, it was a great success. There are a couple of other dams in Exeter, such as at the Reservoir that is part of the water supply, that will also need repair. Mr. Vlasich said regarding the Exeter Waterworks Dam, we're looking at a feasibility study for that one as well. We got a 100% grant from State ARPA funds for that. We know it's a high hazard dam. That won't be a removal, we will have to do modifications.

Robert Span of Brentwood said his property will be dramatically affected by dam removal. The town voluntarily acquired the dam in 1969 and submitted a proposal for a hydroelectric facility there, which never happened. He said Mr. San Antonio said there were 10 public meetings, but there has been only one public meeting specifically about the dam. The rest of the meetings he mentioned were River Advisory and Select Board meetings. He doesn't understand the impact on wildlife in Brentwood. 60 out of 80 acres of impoundment will disappear, which will affect a lot of wildlife. In 2010, when the Great Dam was being considered, a study group composed of many different stakeholders was established, and there were four years of public input and meetings before the feasibility study was completed. In this process, there was no task force, no working group, and no input from Brentwood until after the feasibility study had been completed. The process was driven by the October decision to apply for the NOAA grant. When the grant was finished and Exeter was not approved, he read on their website that the awarded projects included dam removal, but also fish ladders and other fish passage. We were told in October that only dam removal would be approved for a grant, but that was not the case. NOAA looked at community involvement in every stage of the process and whether the applicants reached out to stakeholders. The Board should not make any recommendation on the dam in June but instead put together a process where all stakeholders are heard. This would require an independent feasibility study. Then we could apply to NOAA again for a grant and we'd have a better chance. There's no way that VHB will come out with a feasibility study that will favor an alternative that is not dam removal.

Bob Collier of Conney Road read a letter on behalf of Donald Latennier of Split Rock Road. Mr. Latennier's letter said he is a neighbor of the river and his family loves to play at the park at Pickpocket Dam. There is archaeological, aesthetic, and recreational value to the dam. The haste to approve a major

change is deplorable. There may be one basement flooded in 1,000 years. Fish are above the dam already. Career dam busters are presenting the fallacy that others will pay for it. Money should not be wasted on unnecessary destruction. This would be a death sentence for our lovely river. How many people even know that this issue exists? He conducted a poll which showed minimal awareness. Please vote no on removing the dam.

Mr. Kovar said he is being lumped in with a lot of disparaging words because he supports dam removal. He asks that anyone with disparaging comments attend a meeting in person which would result in a better conversation. He described the process of a dam failure, which wipes out the entire ecosystem both downstream and upstream. In this case, the Cross Road bridge would be impacted as well. Is there a timeframe in which the town must act, based on that hazard classification? Mr. Vlasich said he has to give the Dam Safety Bureau periodic updates that the town is working towards a solution. December 2027 is when we have to finish construction according to our decision. We can ask for extensions if we're moving towards a solution. There were extensions on the Great Dam.

Robert Span said the breach analysis that VHB did showed that with dam breach in the 100-year flood, the additional water levels at the mobile home park was 8 inches, up to the foundations of those mobile homes. It's not a tidal wave.

Mr. Papakonstantis said Mr. Dean will reach out to Brentwood and the Board will discuss this again on June 24.

d. Reclassification: GIS Coordinator

Assistant Town Manager Melissa Roy said the GIS Coordinator position was part of the 2023 budget. Once Mr. Cronin was brought on board, we reevaluated, and it was deemed a very important position in the town. The grade in which we originally planned to have it won't yield us an employee that will meet our needs. We would have to hire at the upper end of the grade, leaving them without room to grow and making retention difficult. We are asking the board to reclassify the position from a Grade 9 to a Grade 11.

Mr. Chartrand said he's in favor. Ms. Belanger said this has been open for quite a while and it seems necessary. Mr. Papakonstantis said the Budget Recommendations Committee thought this was an important position.

MOTION: Mr. Chartrand moved to reclassify the GIS Coordinator position to a Grade 11 to allow growth and retention for this position. Ms. Gilman seconded. The motion passed 4-0.

9. Regular Business

a. Tax Abatements, Veterans Credits and Exemptions

There were no tax abatements considered at this meeting.

b. Permits & Approvals

i. Climate Resilience Grant

Mr. Dean said the NH DES Coastal program is accepting applications for a climate resilience grant. We are applying for \$25,000 with a \$25,000 match which would come from the budget. Kristin Murphy has done a great job working on this.

MOTION: Mr. Chartrand moved to authorize the Select Board to sign a letter of support for the 2024 NHDES Climate Resilience grant application. Ms. Gilman seconded. The motion passed 4-0.

ii. Biosolids Contract

Water and Sewer Superintendent Steve Dalton said our contract with Waste Management for biosolids for the Wastewater Treatment Facility is coming to an end. We met with Waste Management, and they told us that if we put an RFP out, it could be more difficult to renew with them and may also increase costs. They offered to extend the contract another 3 years with a 5% increase each year. He called other communities and they are having similar issues. If we go with what Waste Management is proposing, our July 1 2024 cost is \$155.59 per ton, which is less than what other communities are paying and less than our original quotes from 2019. We think it's in the town's best interest to extend the contract. Mr. Cronin said there's a lot of volatility in the market right now. Maine banned the beneficial use of biosolids, so their only option is to landfill it or send it out of State or to Canada. The other unknown is PFAS regulations. The biosolids vendors and landfills are waiting to see how the regulation will impact them, and don't want to commit to a long-term contract. We're looking to bridge the gap while we come up with a long-term strategy.

MOTION: Ms. Belanger moved to extend the current contract with Waste Management for the biosolids disposal from the Wastewater Treatment Facility for a contract duration of up to 3 years at an annual 5% increase. Ms. Gilman seconded. The motion passed 4-0.

c. Town Manager's Report

- i. Parks and Rec are getting the pool ready for the season.
- ii. The Town Hall Stakeholders meeting was last week, a presentation by a consultant on what to do with Town Hall.
- iii. The Senior BBQ is happening this Friday, at Town Hall 11:30 - 2.
- iv. The deadline to change party affiliation is June 6.
- v. The new Assistant Fire Chief Don Mattheson has just started. He is a long-time member of the Department.
- vi. The Town Clerk's office hours have been modified due to staffing issues, but we have some candidates in the pipeline.
- vii. The Winter Street/Columbus Avenue project is half done with the paving.
- viii. The Kingston Road sidewalk project is on track for an August completion.

- ix. The Finance Department is working on a bond anticipation note for the Police Station and Fire Substation, and we should have our initial proceeds in August.
- x. ARPA funds need to be committed by year end. The Fire Department will come forward with a potential proposal soon.
- xi. Our new fire truck should arrive in June.
- xii. The All-Boards meeting will be June 25, 6:30 at the Library. Mr. Papakonstantis asked that the Chairs of each Board and Committee be told to share the invitation with all of the members.
- xiii. He thanked those who volunteered and attended the Memorial Day Parade, especially Florence Ruffner who organized it.
- xiv. Mr. Papakonstantis asked if Mr. Cronin could come to a future meeting and give an update on projects approved by the voters in the past few years.

d. Select Board Committee Reports

- i. Ms. Belanger attended a Planning Board meeting. The application for 127 Portsmouth Ave ended up being tabled pending a sitewalk. There are some wetlands and Shoreland Conditional Use permits involved. The Conservation Commission went on a sitewalk and had some issues. We have a tentative sitewalk planned and will invite the Conservation Commission to join.
- ii. Ms. Gilman attended the Historic District Commission meeting. There was an amended application for a house at 81 Front Street. The Town Hall meeting was made possible by a grant that the Arts & Culture Commission received. We have a consultant looking at Town Hall for safety, ADA compliance, and HVAC. The consultant presented a proposal to a small group of stakeholders. There would be basic changes for safety and usability, as well as better bathrooms. We will present that to the Select Board. There's a big number attached so there likely wouldn't be a CIP for a couple of years.
- iii. Mr. Chartrand attended a Conservation Commission meeting where they took up a case for a development near the town's surface water supply, at Foss Motors. They're waiting for the engineering report. He also attended a tour of Durham and Dover train stations. He had a Facilities Committee meeting but he deferred a detailed report in the interest of time.
- iv. Mr. Papakonstantis had a Swasey Parkway Trustees meeting and heard an update on the siphons project. He also heard about Kenneth Damsell's contributions to maintaining the property. There was an Arts and Culture Commission meeting that he was unable to attend.

e. Correspondence

- i. A letter from NOAA previously referenced.
- ii. A letter of appreciation from CASA [Court Appointed Special Advocates.]

- iii. A save the date from the Daughters of the American Revolution for a dedication at the Independence Museum in honor of black soldiers of the Revolutionary War.
- iv. A legislative bulletin from NHMA.

10. Review Board Calendar

- a. The All-Boards meeting is June 25 at 6:30. The next Select Board meetings are June 10, June 24, July 8, July 22, August 5, August 19, Tuesday September 3, September 16, and September 30.

11. Non-Public Session

MOTION: Ms. Belanger moved to enter into non-public session under RSA 91-A:3II(a) and (b). Ms. Gilman seconded. In a roll call vote, the motion passed 4-0 and the meeting entered non-public session at 9:55 PM.

MOTION: Ms. Belanger moved to exit non-public session. Ms. Gilman seconded. In a roll call vote, the motion passed 4-0.

12. Adjournment

MOTION: Ms. Belanger moved to adjourn the meeting. Ms. Gilman seconded. In a roll call vote, the motion passed 4-0. The Board stood adjourned at 10:40 pm.

Respectfully Submitted,
Joanna Bartell
Recording Secretary

Appointments

Discussion/Action Items

Squamscott River Siphons Update



EXETER PUBLIC WORKS DEPARTMENT

13 NEWFIELDS ROAD • EXETER, NH • 03833-3792 • (603) 773-6157 • FAX 772-1355

www.exeternh.gov/publicworks • publicworks@exeternh.gov

TO: Exeter Select Board
Russell Dean, Town Manager

FROM: Stephen Cronin, Public Works Director

DATE: June 7, 2024

RE: Sewer Siphons Project Update

The general work plan for the drilling phase of siphon project that was presented at your May 23, 2024 meeting has been completed. This plan included the following work:

- Bore from the mill side of the river with a 6-inch rock bit to establish a pilot hole through the ledge outcropping.
- Ream the bore hole to a diameter of 12 inches.
- Insert a paddle bit through the bored hole and continue drilling until Swasey Parkway is reached.
- Enlarged the bore hole to 18 inches
- Install the siphon pipe.

As planned, the 12-inch reamer was extracted on Tuesday, May 29th. The following day, the paddle bit was installed, inserted into the bore hole, and drilling began. On May 31st, the paddle bit reached Swasey Parkway.

On Monday, June 3rd, the siphon pipe was delivered to the mill site and the contractor began fusing segments together. The 18-inch reaming began on Tuesday, June 4th and was completed the following day. Fusing of the pipe segments was also completed. On Thursday, June 6th, the pipe was moved into position for installation. On Friday, June 7th, the siphon pipe was successfully installed.

On Saturday, June 8th, the contractor will begin filling the newly installed pipe in preparation for pressure testing on Monday, June 10th. The drilling subcontractor will demobilize from the project and installation of the sewer pipe and structures to accommodate the new siphons will begin on the Swasey side of the river.

Town Staff is working with Exeter Mills management to coordinate a meeting with the residents of Exeter Mills to update them on the project schedule. The project webpage has been updated with the most current information.

Rugg Property Update

Peace Proclamation – Continued Discussion

***By the Select Board of Exeter, New Hampshire
A Proclamation Calling for Peace.***

Whereas, the Select Board of Exeter recognizes that all human life is precious, and all people have a right to live with dignity, feel safe, and be respected, regardless of nationality, race, or religion; and

Whereas, international humanitarian law requires all parties to an armed conflict to protect children and non-combatants in all circumstances, and prevent the commission of grave violations against them, including killing and maiming, attacks on schools, medical infrastructures, and hospitals; and

Whereas, hundreds of thousands of lives are at imminent risk of famine and death if a permanent ceasefire is not reached and humanitarian aid is not delivered without delay; and

Whereas, to provide economic and military aid to Israel and humanitarian aid to Gaza and the West Bank in the year 2024, over \$1,200,000 in federal taxes will come out of the citizens of the Town of Exeter alone, over \$102 million will come out of the State of New Hampshire, and over \$20 billion dollars will come out of the United States of America, instead of using American tax revenues to fund local, state, and federal health care, housing, and educational needs in the United States; and

Now, Therefore, We the Select Board of Exeter urge the President of the United States of America, Joseph R. Biden, United States Senators Jeanne Shaheen and Maggie Hassan, and United States Congressman Chris Pappas, to facilitate immediate de-escalation and a sustained, bilateral ceasefire to bring peace and prosperity to Israel and Palestine; to facilitate the immediate entry of humanitarian aid assistance to Gaza, including medicine, food, and water, at the scale required; to facilitate moving injured and sick people out of Gaza to receive essential medical treatment, at the scale required; to call for the release of all Israeli hostages and all Palestinian people unjustly held in the region, including Israel, Gaza, and the West Bank; and to work with the international community toward long-term political solutions that could afford safety and dignity to all people in Israel and Palestine.

Dated this _____ day of _____, 2024.

By the Select Board of Exeter:

Niko Papakonstantis, Chair

Molly Cowan, Vice Chair

Julie D. Gilman, Clerk

Nancy Belanger

Daniel Chartrand

DRAFT

As presented at the 5/28/24 Select Board Meeting by Selectman Daniel Chartrand.

**By the Select Board of Exeter, New Hampshire
A Proclamation Calling for Peace.**

Whereas, the Select Board of Exeter recognizes that all human life is precious, and all people have a right to live with dignity, feel safe, and be respected, regardless of nationality, race, or religion; and

Whereas, international humanitarian law requires all parties to an armed conflict to protect children and non-combatants in all circumstances, and prevent the commission of grave violations against them, including killing and maiming, attacks on schools, medical infrastructures, and hospitals; and

Whereas, hundreds of thousands of lives are at imminent risk of famine and death if a permanent ceasefire is not reached and humanitarian aid is not delivered without delay; and

~~*Whereas, to provide economic and military aid to Israel and humanitarian aid to Gaza and the West Bank in the year 2024, over \$1,200,000 in federal taxes will come out of the citizens of the Town of Exeter alone, over \$102 million will come out of the State of New Hampshire, and over \$20 billion dollars will come out of the United States of America, instead of using American tax revenues to fund local, state, and federal health care, housing, and educational needs in the United States; and*~~

AN

~~*Now, Therefore, We the Select Board of Exeter urge the President of the United States of America, Joseph R. Biden, United States Senators Jeanne Shaheen and Maggie Hassan, and United States Congressman Chris Pappas, to facilitate immediate de-escalation and a sustained, bilateral ceasefire to bring peace and prosperity to Israel and Palestine; to facilitate the immediate entry of humanitarian aid assistance to Gaza, including medicine, food, and water, at the scale required; to facilitate moving injured and sick people out of Gaza to receive essential medical treatment, at the scale required; to call for the release of all Israeli hostages and all Palestinian people unjustly held in the region, including Israel, Gaza, and the West Bank; and to work with the international community toward long-term political solutions that could afford safety and dignity to all people in Israel and Palestine.*~~

Dated this _____ day of _____, 2024.

By the Select Board of Exeter:

*Condemn Islamophobia
Condemn anti-semitism*

Niko Papakonstantis, Chair

Molly Cowan, Vice Chair

Julie D. Gilman, Clerk

Nancy Belanger

Daniel Chartrand

Pairpoint Park Stakeholders Advisory Committee

The Exeter Pairpoint Park Stakeholders Advisory Committee is a diverse group of nine (9) residents who, along with the Town Planner and Parks & Recreation Director, will focus on formulating recommendations for the Select Board regarding transforming the property at 23 Water Street from an abandoned lot to a downtown community park.

The Select Board accepted a property donation to be named Pairpoint Park, located at 23 Water Street, in December 2023. The goal is to design a green space for the public to connect with nature downtown and create a space for residents and visitors to enjoy the benefits that our beloved downtown offers.

Committee goals:

- Work with the Town Planner and Parks & Recreation Director to review the map and specs of the property, including all inspections, and determine all permits that may be required to move forward with a park.
- Develop a formal public survey for community members to offer public input on park ideas or concepts.
- Present multiple design concepts and cost options to the Select Board for public meetings. All proposals shall follow Town of Exeter Park guidelines, policies and procedures.
- Investigate all sources of funding opportunities (grants, donations, funding partners and sponsorships, etc.).
- Recommend a project timeline, including potential phases of development/construction.
- Design, plan, and construct a public park that will be an integral and essential part of the Town of Exeter's downtown, enjoyed today and for future generations.

The committee is advisory in nature and will report all findings and recommendations to the Select Board. The committee will determine the frequency of meeting times in conjunction with assigned Town staff. The committee meetings will be held in Town Offices and will be recorded. The committee will be comprised of nine (9) appointed volunteers (no term limits), and a representative from the Recreation Advisory Board (non-voting), the Town Planner (non-voting), the Parks & Recreation Director (non-voting) and a Select Board Representative (non-voting). The committee will disband upon completion of park development.

To apply: Please complete a Town of Exeter Statement of Interest – Boards and Committee Membership Application and submit to the Town Manager's office (pmcelroy@exeternh.gov). The application and more information on Committee appointments can be found [here](#).

The Exeter Pairpoint Park Stakeholders Advisory Committee is a diverse group of nine (9) residents who, along with the Town Planner & Parks and Recreation Director, will focus on formulating recommendations for the Select Board regarding transforming the property at 23 Water Street from an abandoned lot to a downtown community park.

The Select Board accepted a property donation to be named Pairpoint Park, located at 23 Water Street, in December 2023. The goal is to design a green space for the public to connect with nature downtown and create a space for residents and visitors to enjoy the benefits that our beloved downtown offers.

Committee goals:

- Work with the Town Planner and Recreation Director to review the map and specs of the property, including all inspections, and determine all permits that may be required to move forward with a park. *Parks +*
- Develop a formal public survey for community members to offer public input on park ideas or concepts.
- Present multiple design concepts and cost options to the Select Board for public meetings. All proposals ~~should~~ *shall* follow Town of Exeter Park guidelines, policies, and procedures.
- Investigate all sources of funding opportunities (grants, donations, funding partners and sponsorships, etc.).
- Recommend a project timeline, including potential phases of development/construction.
- Design, plan, and construct a public park that will be an integral and essential part of the Town of Exeter's downtown, enjoyed today and for future generations.

The committee is advisory in nature and will report all findings and recommendations to the Select Board. The committee will determine the frequency of meeting times in conjunction with assigned Town staff. The committee meetings will be held in Town Offices and will be recorded. The committee will be comprised of nine appointed volunteers (no term limits), one of whom *and a* will be a representative from the Recreation Advisory ~~Committee~~ *Board*, the Town Planner (non-voting); the Parks & Recreation Director (non-voting); and a Select Board representative (non-voting). The committee will disband upon completion of park development. *(non-voting)*

To apply: Please complete a Town of Exeter Statement of Interest - Boards and Committee Membership Application and submit to the Town Manager's office (pmcclroy@exeternh.gov). The application and more information on Committee appointments can be found [here](#).

Select Board Meeting March 25, 2024 Final Minutes

Mr. Bisson said robots will never replace people. We will need someone to maintain the robots. This will give our guys hours back in their day to fix other things. There are things robots can't do, like planting grass.

Mr. Papakonstantis asked if there is a difference in cost for quantity. Mr. Bisson said we need 7 for the acreage. There's no discount. Mr. Papakonstantis said he's a big fan of pilots. Mr. Bisson said we could also expand to Gilman Park and Park Street. Also the lagoons; currently a guy from the Water Department goes out and mows them. We would never have to have anyone on those slopes.

Ms. Belanger asked Mr. Bisson to keep track of the actual savings to present to the BRC. Did he talk to Mr. Cronin about using one? Mr. Bisson said no, this is specifically for these 2 parks. The DPW would be down the road.

Mr. Papakonstantis said he is reluctantly going along with 7. He would have preferred fewer to start off. He asked that MR. Bisson have the savings information when he goes before the BRC and Select Board for future robots.

MOTION: Ms. Belanger moved to allow the Parks and Recreation Department to enter into a four year lease purchase for 7 Husqvarna 550 EPOS mowers, charging stands, and 4 reference stations through Seacoast Power Equipment at a total of \$35,424.47, or \$8,856.12 per year, to be paid from the Recreation Revolving fund annually at 0% interest. Mr. Chartrand seconded. The motion passed 5-0.

MOTION: Ms. Belanger moved to allow the Parks and Recreation Department to expend no more than \$15,800 from the Park Improvement Fund to contract with Days Landscaping and Maldini Electric Inc to extend electrical services at the Rec Park and Brickyard Park. Mr. Chartrand seconded. The motion passed 5-0.

MOTION: Ms. Belanger moved to allow the Parks and Recreation Department to enter into a 5 year purchase to acquire one "Tiny Mobile Field-Lining Robot" for a total of \$33,000, or \$6,600 per year, to be paid out of the Recreation Revolving Fund annually at 0% interest. Ms. Gilman seconded. The motion passed 5-0.

e. Adopt Pairpoint Committee Charge

Mr. Papakonstantis said he and Ms. Gilman put together a draft for the Exeter Pairpoint Stakeholders Advisory Committee.

Mr. Chartrand recused himself from the matter because his landlords at the bookstore donated the park and it's inappropriate for him to judge this. He feels comfortable voting on other things downtown but this was related to his landlords.

Ms. Belanger said under committee goals, the third bullet should say "shall" instead of "should."

Mr. Papakonstantis asked for public comment, but there was none.

Mr. Papakonstantis said once this is approved, we should start interviewing candidates. Mr. Dean said we already have some applications

already on file. Mr. Papakonstantis said there will be 9 volunteers with no term limits, plus one from the Rec Advisory Board as a voting member. The Town Planner, Parks and Rec Director, and Select Board Rep would be non-voting members. Ms. Belanger said she would rather the Rec Advisory member just be there to report, not to vote. Mr. Dean said he would make that change.

Ms. Belanger asked if they have more members to interview than positions, how do they select the members? Mr. Papakonstantis said for the Police Stakeholders' Committee, the Select Board members took turns appointing members and then voted. The Board was consistent with appointing folks who each brought something different to the table.

MOTION: Ms. Cowan moved to adopt the Exeter Pairpoint Park Stakeholders Advisory Committee charge with the change proposed. Ms. Gilman seconded. Mr. Chartrand did not vote. The motion passed 4-0.

9. Regular Business

a. Tax Abatements, Veterans Credits and Exemptions

MOTION: Ms. Gilman moved to approve a Veterans Credit for 104/79/701 in the amount of \$500 for tax year 2024. Ms. Belanger seconded. The motion passed 5-0.

MOTION: Ms. Gilman moved to approve a Veterans Credit for 104/79/304 in the amount of \$500 for tax year 2024. Ms. Belanger seconded. The motion passed 5-0.

MOTION: Ms. Gilman moved to approve a Veterans Credit for 87/8/C-10 in the amount of \$500 for tax year 2024. Ms. Belanger seconded. The motion passed 5-0.

MOTION: Ms. Gilman moved to approve a Veterans Credit with Disability for 68/6/334 in the amount of \$2,000 for tax year 2024. Ms. Belanger seconded. The motion passed 5-0.

MOTION: Ms. Gilman moved to approve a Solar Exemption for 70/119 in the amount of \$10,000 for tax year 2024. Ms. Belanger seconded. The motion passed 5-0.

MOTION: Ms. Gilman moved to approve an Elderly Exemption for 95/64/168 in the amount of \$152,251 for tax year 2024. Ms. Belanger seconded. The motion passed 5-0.

MOTION: Ms. Gilman moved to approve an Elderly Exemption for 104/79/216 in the amount of \$183,751 for tax year 2024. Ms. Belanger seconded. The motion passed 5-0.

MOTION: Ms. Gilman moved to approve an Elderly Exemption for 104/79/1012 in the amount of \$152,251 for tax year 2024. Ms. Belanger seconded. The motion passed 5-0.

MOTION: Ms. Gilman moved to approve an Elderly Exemption for 15/1 in the amount of \$183,751 for tax year 2024. Ms. Belanger seconded. The motion passed 5-0.

b. Permits & Approvals

Pairpoint Park Advisory Committee Applicants

<u>Scheduled Interview</u>	<u>Applicant</u>	<u>Interviewed</u>
4/1/2024	Mary Tegel	4/1/2024
4/15/2024	Devon Skerritt	4/15/2024
4/15/2024	Steven Jones	4/15/2024
4/15/2024	Judy Rowan	4/15/2024
4/15/2024	Ann Hohenberger	4/15/2024
4/29/2024	Jennifer Martel	4/29/2024
4/29/2024	Amanda Kelly	4/29/2024
4/29/2024	Keith Whitehouse	4/29/2024
4/29/2024	William Campbell	<i>came in 4/1/24</i>
5/13/2024	Mollie Ruffner	<i>rescheduled to 6/10/24</i>
5/13/2024	Suzanne Stone	<i>moved to 5/28/24</i>
5/13/2024	David Short	<i>came in 4/15/24</i>

Tax Deeds

Tax Abatements, Veteran's Credits, Exemptions

Permits & Approvals



TOWN OF EXETER

Planning and Building Department

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

www.exeternh.gov

Date: June 7, 2024
To: Melissa Roy, Assistant Town Manager
From: Dave Sharples, Town Planner
Re: Expenditure of Funds for New Police Station/Fire Substation

I'm writing this memorandum to request to appear before the Select Board at their June 10, 2024 meeting. I would like to request that the Select Board authorize the expenditure of up to \$100,000 out of the funds for the new Police Station/Fire Substation.

Our Purchasing Policy allows Department Managers and/or the Town Manager to authorize the expenditure of funds up to \$24,999.99. I've attached the Purchasing Policy for your review. While we intend to follow our Purchasing Policy, it has been past practice that the Select Board are the agents to expend for Warrant Articles and for Capital Reserve Funds.

While we will continue to come to the Board for any expenditures \$25,000 or more in accordance with the Purchasing Policy, we have several items that need to be completed that will likely be less than that amount. For example, we are exploring tree clearing of the site, some geotechnical work, stumping and grubbing, wetlands delineation, building commissioning, and other tasks that may not fall under the larger contracts with the design firm or the Construction Manager. These are items where the Town may engage the professionals directly.

I would respectfully request that the Select authorize us to utilize up to \$100,000 for these necessary tasks that otherwise would not require a trip to the Select Board under our Purchasing Policy but for the fact that the funds were derived from a Warrant Article. I have provided a suggested motion for their convenience. I will attend the meeting and be prepared to present the request and answer any questions the Board may have.

Proposed Motion: I move that the Select Board authorize the Town Manager, or their designee, to expend up to \$100,000 for any work associated with the new Police Station/Fire Substation at 6 Continental Drive. All purchases made under this authorization shall follow all provisions in the Town's Purchasing Policy.

Thank you.

enc (1)

8/27/07

TOWN OF EXETER PURCHASING POLICY AND PROCEDURES

I. Purpose

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

II. Procedures

- a) All purchases require prior approval by the Department Manager.
- b) All purchases and expenditures for service shall have a purchase order. The only exception is if the finance director has a written contract or agreement on file.
- c) Purchase orders shall be issued prior to purchase.
- d) Some of the factors considered when determining the "best overall value" are:

- i Price
- ii Quality
- iii Warranty
- iv Service
- v Availability
- vi Past Performance with Town of Exeter
- vii References

8/27/07

III. For Purchases:

- a) **Under \$500:** Employees are encouraged to do whatever is practical to secure competitive pricing from multiple sources. The telephone quotation form may be utilized to document pricing.
- b) **Between \$500 and \$2,999.99:** Informal bids from at least three sources must be obtained. Bids should be documented on the "telephone quotation form" or may be supported by written quotations from vendors. This documentation should be attached to the purchase order. The Town Manager or where applicable, the Department Manager, must approve the purchase prior to the issuance of a P.O.
- c) **Between \$3,000 and \$24,999.99:** Informal written bids from at least three sources must be obtained. Faxed quotations are acceptable. Purchases must be supported by written quotations from vendors. Direct solicitation is allowed. Award of purchase requires the approval of the Town Manager or the Department Manager.
- d) **Over \$25,000:** The formal sealed bid is used for major purchases. An invitation to bid must be publicly advertised in the legal paper of record at least fourteen (14) days prior to the date set for opening. Bid specifications require the approval of the Town Manager. Formal bids must be received sealed and in writing by a posted deadline. Bid openings under this section will take place at a regular Selectmen's meeting.

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

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

IV. Professional Service Contracts

Either the Request for Proposal (RFP) or the Request for Qualifications (RFQ) process (or a combination) may be used. The primary difference between the two processes is that in the RFP process a specific proposal is received and evaluated. The proposal includes a scope of work and a cost proposal. In the RFQ process, Statements of Qualifications (SOQs) are received and selection is made upon those qualifications. In this process, a mutually acceptable scope of work and contract amount is negotiated with the successful bidder.

8/27/07

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

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

V. Public Auction

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

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

VI. Cases not Requiring Bidding Procedure

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

- a) Item is to be purchased under State or Federal Bid lists
- b) Only one known source of purchase, and there is no comparable substitute product or service; Written documentation supporting the sole source must be provided
- c) Specific type or brand of supply or part necessary for acceptable operation of a machine or device, or as required by warranty or contract on the machine or device; written documentation supporting the purchase of a specific brand or part necessary for acceptable operation of a machine or device must be provided.
- d) An item or service that is required on an emergency basis

8/27/07

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

VII. Emergency Procurements

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

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

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

VIII. Artificial Division Prohibited

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

IX. Local Advantage

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

X. Cancellation and Rejection of Bids

An invitation to bid, request for proposal, or other solicitation may be canceled, or any or all bids or proposals may be rejected, in whole or part, as may be

8/27/07

specified in the solicitation when it is in the best interest of the Town. The reasons shall be made part of the formal bid file.

XI. Pre-qualifications of Suppliers

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

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

XII. Ethics in Public Purchasing and Contracting

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

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

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

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

XIII. Authority

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

Adoption Date: by Board of Selectmen at August 27, 2007 meeting.

Effective Date: September 4, 2007

Town Manager's Report

Select Board Committee Reports

Correspondence



Pam McElroy <pmcelroy@exeternh.gov>

Fwd: Raising funds for an electronic speed sign inbound from Brickyard

1 message

Russ Dean <rdean@exeternh.gov>
To: Pam McElroy <pmcelroy@exeternh.gov>

Fri, Jun 7, 2024 at 3:34 PM

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

From: **David Kovar** <dkovar@gmail.com>

Date: Fri, Jun 7, 2024 at 1:16 PM

Subject: Raising funds for an electronic speed sign inbound from Brickyard

To: <selectboard@exeternh.gov>

Cc: Russ Dean <rdean@exeternh.gov>, Melissa Roy <mroy@exeternh.gov>

Good afternoon,

I sit at Enna's a lot, and cross the road there each time. While sitting there I've had a lot of discussions with people about the traffic going by and particularly the speed of that traffic.

The electronic speed sign at St. Michaels seems to be having a positive impact and I'm considering raising funds for getting another such sign to be placed on the Exeter side of Brickyard, possibly before the bridge.

According to the Police Department the cost of the other sign was \$2,800. I've already received interest from several people for donations. One person suggested that the Town Manager, with the approval of the Board, might want to contribute.

So, two questions:

1. Do you feel this is a good idea?
2. Would the Town be able to and interested in contributing?

I'm happy to make this an agenda item.

Regards,

-David



Pam McElroy <pmcelroy@exeternh.gov>

Fwd: Westside Drive Utility Improvement Inquiry

1 message

Russ Dean <rdean@exeternh.gov>
To: Pam McElroy <pmcelroy@exeternh.gov>

Fri, Jun 7, 2024 at 3:36 PM

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

From: **Niko Papakonstantis** <npapakonstantis@exeternh.gov>

Date: Mon, May 20, 2024 at 10:22 AM

Subject: Re: Westside Drive Utility Improvement Inquiry

To:

Cc: Jay Perkins <jperkins@exeternh.gov>, Melissa Roy <mroy@exeternh.gov>, Paul Vlasich <pvlasic@exeternh.gov>, Russ Dean <rdean@exeternh.gov>, Stephen Cronin <scronin@exeternh.gov>

Good morning,

Whomever responds to Mr. Metz, please cc me in the response.

Thanks,

Niko

On Fri, May 17, 2024 at 2:17 PM Nicholas Metz <nicholas.james.metz@gmail.com> wrote:

Good afternoon, Stephen,

I am at a bit of a loss here regarding the lack of communication from Underwood Engineering. Can we schedule a time for us to meet in the near future to discuss what the expectations should be regarding the Westside Drive project? I cannot help but feel that something is amiss here and the silence when requesting clarification only bolsters this concern among us residents. I appreciate your time and consideration and hope we can get some assurances that we are a priority.

Thank you,

Nicholas J. Metz
(603) 418-1139

On Mon, Apr 29, 2024 at 2:33 PM Nicholas Metz <nicholas.james.metz@gmail.com> wrote:

Thank you, Cole, I appreciate the response.

I feel as though this project is not getting the attention it deserves, and I hope you can understand our reasoning why. A year ago, it was projected to have a design established, bid process completed, and breaking ground by now. Here we are, almost in May, and still don't have a design to move forward with. I am sure my concerns with the infiltration ditches are not what has derailed all the progress of the last year, but we are left wondering what has.

Your team's initial efforts to include our community with the development of this project was great, and certainly made us feel like part of the effort. Now there is frustration and confusion on many of our parts. The amount of home improvements, yard modifications, and general landscaping that has been put on hold in anticipation for this to be completed is astounding.

Mr. Rochette was great after my initial concerns voiced here and I truly expected some form of continued dialogue, but the last month of silence has me less than impressed.

I am going to propose a more regularly scheduled update routine than we have had so far. We are very disappointed we will need to suffer another year with our streets in the condition they are in and I am hoping you can appreciate our needs for better communication moving forward.

For now, I would like to keep our conversation in the public eye just so we don't fall behind again.

Please let me know what you can propose to help this along and subdue our concerns.

Regards,
Nicholas J. Metz

On Mon, Apr 29, 2024 at 1:56 PM Cole Melendy <cmelendy@underwoodengineers.com> wrote:

Hi Nicholas. Thanks for reaching out.

Please understand that our recommendations for stormwater treatment have evolved from what we presented at the meeting. A lot of these changes were based on the concerns that you and your neighbors have expressed and also from subsequent data that we collected. We are happy to meet with you, but it would be best if we do that after we review these changes with the DPW and NHDES.

We hope that you can appreciate that we are listening to you and your neighbor's concerns and that it takes some additional work to incorporate those changes to get us closer to the best solution.

In the meantime, please don't hesitate to call the office and ask for me or Dan if you have any questions or would like to discuss further.

Thanks,

-Cole



*Client service and
teamwork for over 40 years!*

Cole S. Melendy, P.E. (NH, ME)

Senior Project Manager

Underwood Engineers, Inc.

Office 603-436-6192

www.underwoodengineers.com

From: Nicholas Metz <nicholas.james.metz@gmail.com>
Sent: Monday, April 29, 2024 11:41 AM
To: Daniel Rochette <drochette@underwoodengineers.com>
Cc: Stephen Cronin <scronin@exeternh.gov>; Paul Vlasich <pvasich@exeternh.gov>; Jay Perkins <jperkins@exeternh.gov>; Cole Melendy <cmelendy@underwoodengineers.com>; kmetz@sau16.org; dchartrand@exeternh.gov; mcowan@exeternh.gov; npapakonstantis@exeternh.gov
Subject: Re: Westside Drive Utility Improvement Inquiry

Good morning, Dan,

It has been a month since I agreed to reschedule our meeting and requested a date to do so. Can you please respond with a time for us to get together and discuss this in person. The delays in this project's groundbreaking is certainly becoming the talk of our neighborhood and we will need some assurance that we are making consistent progress.

Regards,

Nicholas Metz

On Fri, Apr 5, 2024 at 4:23 PM Nicholas Metz <nicholas.james.metz@gmail.com> wrote:

Good afternoon, Dan,

Please secure a time and date during the first week of May for us to meet up and review the current/revised design. I see the presentation has been uploaded for our access on the town site and look forward to discussing.

Thank you,

Nicholas

On Fri, Mar 29, 2024 at 12:33 PM Nicholas Metz <nicholas.james.metz@gmail.com> wrote:

Thank you, Dan,

I appreciate the detailed response and will be more than happy to postpone our discussion for the potential changes. Please provide me a scheduled time and date now so we have a target. I still look forward to reviewing the current design once the slides are submitted for the town to publish.

I can attest, as the unofficial lighthouse keeper of Lake Tilton, that the current groundwater elevations are 6" above grade with 2 foot swells!

Thank you again for following up and I hope you have a great weekend.

Nicholas

On Fri, Mar 29, 2024 at 11:22 AM Daniel Rochette <drochette@underwoodengineers.com> wrote:

Good morning Nicholas,

Apologies for not checking sooner...it's been a week

I was speaking with the rest of the project team and it looks like the group working on the stormwater treatment aspects of the project will be checking our monitoring wells for groundwater elevations. We last checked ground water elevation last fall and as we end things have continued to be quite wet so we want to make sure we are using current data. Results of these readings could change proposed treatment options and locations.

I'd like to move our site meeting a few weeks to give that team a chance to review the data and fine tune proposed treatment features. At that time we can have a more productive conversation based on an updated design instead of reviewing a design with potential modifications pending. Based on our previous conversations we are aware of your concerns and will keep those in mind as we move forward.

Can we target somewhere around the first week of May?

Thank You

-Dan



*Client service and
teamwork for over 40 years!*

Daniel J. Rochette, P.E. (NH)

Senior Project Engineer & Technical Leader

Underwood Engineers

Phone: (603) 436-6192

<http://www.underwoodengineers.com>

From: Nicholas Metz <nicholas.james.metz@gmail.com>
Sent: Friday, March 29, 2024 10:40 AM
To: Daniel Rochette <drochette@underwoodengineers.com>
Cc: Stephen Cronin <scronin@exeternh.gov>; Paul Vlasich <pvasich@exeternh.gov>; Jay Perkins <jperkins@exeternh.gov>; Cole Melendy <cmelendy@underwoodengineers.com>; kmetz@sau16.org
Subject: Re: Westside Drive Utility Improvement Inquiry

Good morning Dan,

Can you please let me know what time you are planning to come and meet on Monday? I am trying to plan the remainder of my day around it.

Thank you,

Nicholas

On Tue, Mar 26, 2024, 4:54 PM Nicholas Metz <nicholas.james.metz@gmail.com> wrote:

Good afternoon, Dan,

I think next Monday afternoon will work the best next week for the obligations I have in place. Could you please reserve a time spot for me?

I realize there will be no curbing for the trenches, but this will be a layered design with buried perf piping, correct? It is my understanding that this would be subjected to weight limits, such as that of a leach field. Do you have a grading or elevation design of how this will be constructed? I am assuming this will be channeled into a chambered catch basin before draining into the new storm water system. How many other properties are projected to have this design wrapping their property lines?

Thank you,

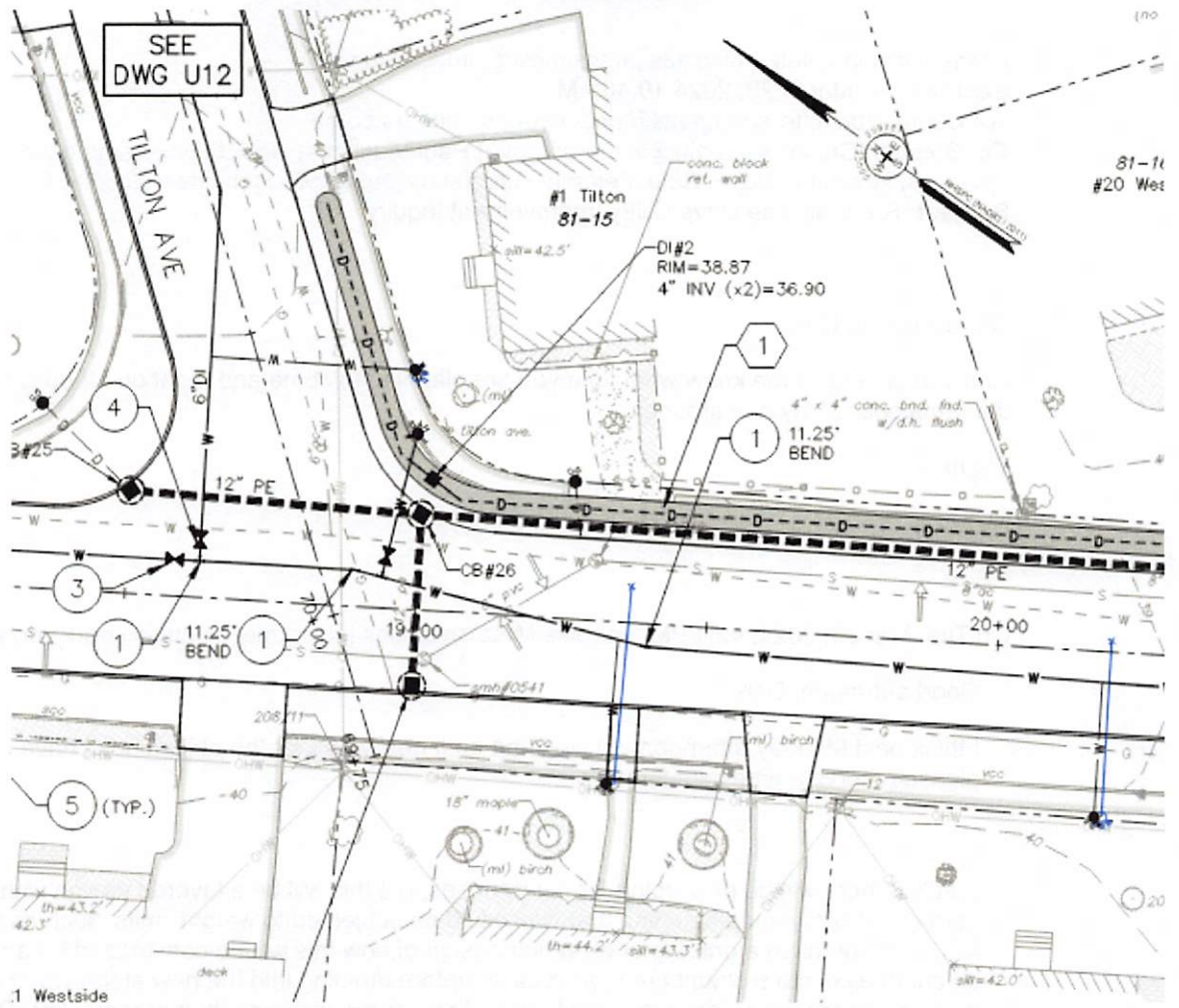
Nicholas J. Metz

On Tue, Mar 26, 2024 at 9:55 AM Daniel Rochette <drochette@underwoodengineers.com> wrote:

Good morning Nicholas,

It was a pleasure speaking with you yesterday. I have pretty open availability Monday afternoons, Wednesdays, and Friday mornings. The weather for the rest of this week is not looking promising for meeting outside. So maybe we can schedule something next week on any of the days I mentioned above, Let me know what works best for you to set up a meeting onsite.

Also, as discussed the clip below shows the current utility design in the vicinity of your property. As I noted on the phone, on the surface the infiltration trenches shown are intended to be shallow (4" or so below edge of pavement), turf, and easily maintainable. No curbing is proposed in these infiltration areas so that would help reduce negatively impacting vehicular access to your back yard.



Thank You

-Dan



*Client service and
teamwork for over 40 years!*

Daniel J. Rochette, P.E. (NH)

Senior Project Engineer & Technical Leader

Underwood Engineers

Phone: (603) 436-6192

<http://www.underwoodengineers.com>

From: Daniel Rochette

Sent: Friday, March 22, 2024 2:58 PM

To: nicholas.james.metz@gmail.com

Cc: Stephen Cronin <scronin@exeternh.gov>; Paul Vlasich <pvasich@exeternh.gov>; Jay Perkins <jperkins@exeternh.gov>; Cole Melendy <cmelendy@underwoodengineers.com>

Subject: RE: Westside Drive Utility Improvement Inquiry

Good afternoon Nicholas,

I am with the Town's engineering consultant working on the Westside drive project.

Paul Vlasich from the Town of Exeter forwarded along your e-mail below with concerns regarding the up coming project. Please feel to give me a call next week so we can discuss the project and your concerns further. Our office number is (603) 436-6192.

Thank You and enjoy your weekend.

-Dan



*Client service and
teamwork for over 40 years!*

Daniel J. Rochette, P.E. (NH)

Senior Project Engineer & Technical Leader

Underwood Engineers

Phone: (603) 436-6192

<http://www.underwoodengineers.com>

From: Paul Vlasich <pvlasich@exeternh.gov>
Sent: Friday, March 22, 2024 1:22 PM
To: Daniel Rochette <drochette@underwoodengineers.com>; Cole Melendy <cmelendy@underwoodengineers.com>
Cc: Stephen Cronin <scronin@exeternh.gov>; Jay Perkins <jperkins@exeternh.gov>
Subject: Fwd: Westside Drive Utility Improvement Inquiry

Hello:

Please reach out to him about his concerns.

Thanks,

Paul

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

From: Nicholas Metz <nicholas.james.metz@gmail.com>
Date: Fri, Mar 22, 2024 at 12:54 PM
Subject: Westside Drive Utility Improvement Inquiry
To: <pvlasich@exeternh.gov>
Cc: kmetz@sau16.org <kmetz@sau16.org>

Good afternoon, Mr. Vlasich,

My name is Nicholas Metz, owner and resident of 1 Tilton Ave. My family and I have been active participants and proponents of the improvement project in our community. I was unfortunately unable to attend yesterday's meeting due to a previous scheduled obligation, but I was able to obtain some notes taken from my dear neighbors. I plan to review the presentation in its entirety once it becomes available on the town website. Although this whole project is taking a disheartening amount of time to develop, I am now very concerned about the newest design model regarding my property.

The proposed infiltration trench that will border almost my entire property line will be an unimaginable detriment to the usage, value, and maintenance needs. Before this project has its final stamp, I would like an opportunity to discuss this in detail. I feel that I will be unfairly subjected to this decision when other alternatives could be explored.

Please let me know what we can do to focus on this in a timely manner.

Best regards,

Nicholas J. Metz

--

Paul Vlasich PE

Town Engineer

6/7/24, 3:59 PM

Town of Exeter, NH Mail - Fwd: Westside Drive Utility Improvement Inquiry

13 Newfields Rd

Exeter, NH 03833

Office: (603)773-6160

Fax: (603)772-1355



Pam McElroy <pmcelroy@exeternh.gov>

Fwd: Questions about property dispute between Town and Rugg family

2 messages

Niko Papakonstantis <npapakonstantis@exeternh.gov>

Tue, Jun 4, 2024 at 6:57 PM

To: Melissa Roy <mroy@exeternh.gov>, Pam McElroy <pmcelroy@exeternh.gov>

For the packet

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

From: **Niko Papakonstantis** <npapakonstantis@exeternh.gov>

Date: Tue, Jun 4, 2024 at 9:42 AM

Subject: Questions about property dispute between Town and Rugg family

To: <eleanorhwalstad@live.com>

Good morning,

Thank you for your correspondence.

The specific answer to both of your respective questions is no. The Town of Exeter did put the grantor on notice of a potential claim, but we were hopeful that the matter could be resolved without involving a third party.

The Town of Exeter has always been in favor of this project, as it would secure this land for the public benefit. However, importantly, the Select Board is the steward of Town land and taxpayer dollars and must marshal those assets responsibly. The fact that multiple parties possess deeds to the same land is a matter that only the Superior Court can decide. The Town of Exeter cannot determine the respective rights to the property.

It is anticipated that the Select Board will provide an update as an agenda item at the next scheduled meeting (June 10).

Thank you again for writing to the Select Board.

Respectfully,

Niko Papakonstantis

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

From: **Eleanor Walstad** <eleanorhwalstad@live.com>

Date: Mon, Jun 3, 2024 at 11:21 AM

Subject: Questions about property dispute between Town and Rugg family

To: npapakonstantis@exeternh.gov <npapakonstantis@exeternh.gov>, nbelanger@exeternh.gov <nbelanger@exeternh.gov>, mcowan@exeternh.gov <mcowan@exeternh.gov>, jgilman@exeternh.gov <jgilman@exeternh.gov>, dchartrand@exeternh.gov <dchartrand@exeternh.gov>

Dear Select Board members,

Our family lives at [1 Terry's Way](#) in the Forest Ridge neighborhood, which is adjacent to the property owned by the Rugg family. We walk and ride the trails frequently and appreciate that the Ruggs have let the community use their property for recreation purposes. We have attended meetings, including speaking at the deliberative session, and participated in get-out-the-vote activities, such as sign holding at Main Street School during dismissal time. We were surprised and extremely disappointed to hear from Trust for Public Land that the conservation effort failed.

We would like to know what transpired related to the 6.8 +/- acres of property that the Ruggs and Town both claim to own. We understand that the Ruggs submitted a title research report and boundary plan (Plan D-44047) to Exeter in July 2023. We also understand that the Town holds a warranty deed. Did the Town submit a claim to the grantor of its warranty deed? If so, when? Did

the Town submit a claim to the title insurance company which issued the policy related to the warranty deed? If so, when? We are not seeking communications between the Town and its attorney or title insurer. We believe the information we request is not privileged. If you disagree, please state the basis for your claim of privilege.

We look forward to your response.

Thank you,

Eleanor & Christopher Walstad

Pam McElroy <pmcelroy@exeternh.gov>
To: Niko Papakonstantis <npapakonstantis@exeternh.gov>

Wed, Jun 5, 2024 at 8:49 AM

Got it. Thank you.

[Quoted text hidden]

--

Pam McElroy

Town of Exeter

Senior Executive Assistant, Town Manager's Office

603-773-6102

Human Services Administrator

603-773-6116



Pam McElroy <pmcelroy@exeternh.gov>

Fwd: Please help!!

2 messages

Niko Papakonstantis <npapakonstantis@exeternh.gov>

Tue, Jun 4, 2024 at 6:57 PM

To: Melissa Roy <mroy@exeternh.gov>, Pam McElroy <pmcelroy@exeternh.gov>

For the packet

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

From: **Niko Papakonstantis** <npapakonstantis@exeternh.gov>

Date: Tue, Jun 4, 2024 at 6:56 PM

Subject: Re: Please help!!

To: Sarah DeWitt <sarah.m.dewitt@gmail.com>

Hi Sarah,

I hope you're well and getting ready for summer. It's fun to see our daughters play softball together!!

The Select Board has always and continues to advocate for this exciting project as it would secure this land for the public benefit. However, importantly, the Select Board is the steward of Town land and taxpayer dollars and must marshal those assets responsibly.

I am committed and will continue to work towards a resolution. I plan to present a statement and collaborate with staff to offer a timeline of events at our next meeting Monday June 10.

I sincerely appreciate your correspondence and your continued commitment and support of initiatives like this.

Cordially,

Niko

On Tue, Jun 4, 2024 at 2:28 PM Sarah DeWitt <sarah.m.dewitt@gmail.com> wrote:

Dear members of the select board,

We will always look back at this moment and say, we wish we did more. It's not only Exeter residents invested in this project, but our neighbors in Newfields, visitors from neighboring communities, environmentalists, hikers, outdoor enthusiasts. Please offer an olive branch and save the Rugg property from more multi million dollar homes. Even if we need to start a go fund me to settle the 7 acres of land discrepancy, there are so many people invested.

Let's leave something for our children and grandchildren. Once the land is developed, there's no going back.

My heart is broken and I hope we can salvage a once in a generation opportunity for our town.

Sarah DeWitt
4 senyar Farm Ln, Exeter

Pam McElroy <pmcelroy@exeternh.gov>

Wed, Jun 5, 2024 at 8:49 AM

To: Niko Papakonstantis <npapakonstantis@exeternh.gov>

Got it. Thank you.

[Quoted text hidden]

--

Pam McElroy

Town of Exeter

6/5/24, 8:49 AM

Town of Exeter, NH Mail - Fwd: Please help!!

Senior Executive Assistant, Town Manager's Office
603-773-6102
Human Services Administrator
603-773-6116



Pam McElroy <pmcelroy@exeternh.gov>

Fwd: Rugg property

2 messages

Russ Dean <rdean@exeternh.gov>
To: Pam McElroy <pmcelroy@exeternh.gov>

Wed, Jun 5, 2024 at 2:46 PM

For the Packet

----- Forwarded message -----
From: **Helen Kruppa** <hokruppa@gmail.com>
Date: Wed, Jun 5, 2024 at 2:02 PM
Subject: Fwd: Rugg property
To: <rdean@exeternh.gov>

Sent from my iPhone

Begin forwarded message:

From: Helen Kruppa <hokruppa@gmail.com>
Date: June 5, 2024 at 1:58:02 PM EDT
To: dsharples@exeter.gov
Subject: Rugg property

Sent from my iPhone

Begin forwarded message:

From: Helen Kruppa <hokruppa@gmail.com>
Date: June 5, 2024 at 1:22:42 PM EDT
To: kmurphy@exeternh.gov

I am requesting that you facilitate a way to buy the Rugg property and create a Community Forest with Newfields. As you know the voters overwhelmingly are in favor of this project. That should be honored. This is a rare, one time opportunity to give Exeter a chance to save some green space when the town is rapidly losing woodlands to developers. Abutting the town forest makes it ideal. Whatever the dispute is it just isn't important enough to lose this gem

Helen Kruppa
27 Captains Way Exeter
Sent from my iPhone

Pam McElroy <pmcelroy@exeternh.gov>
To: Russ Dean <rdean@exeternh.gov>

Wed, Jun 5, 2024 at 3:06 PM

Thank you. Got it.

[Quoted text hidden]

--

Pam McElroy

Town of Exeter

Senior Executive Assistant, Town Manager's Office
603-773-6102



Russ Dean (sent by mroy@exeternh.gov)
to me

3:39

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

From: **Shelby Semmes** <Shelby.Semmes@tpl.org>

Date: Fri, Jun 7, 2024 at 8:50 AM

Subject: RE: Rugg project pause

To: Lynnette Batt <lynnette.batt@tpl.org>, Kristen Murphy <kmurphy@exeternh.gov>

Cc: Dave Sharples <dsharples@exeternh.gov>, Russ Dean <rdean@exeternh.gov>, Koff, Andrew <drewkoff@gmail.com>, Duane Hyde <duane@seltnl.com>, Denise Mullane <Denise.Mullane@tpl.org>

Dear all, I write to share TPL's formal statement on the current project pause, in light of recent notification from the Ruggs of their decision to withdraw the property from sale at this note from Thursday May 30th, along with more detailed context on our project advancement progress.

Lynnette will be back in the office late next week and likely check in then, she is currently out of the country.

Thank you and please don't hesitate to reach out with questions or thoughts in the meantime.

Shelby

Shelby Semmes | shelby.semmes@tpl.org | 917-658-2582
My work hours may not be your work hours. Answer at your convenience.

2 Attachments • Scanned by Gmail





NEW HAMPSHIRE AND VERMONT OFFICE

3 Shipman Place
Montpelier, VT
05602
t: 802.223.1373
tpl.org

Statement from Trust for Public Land on the status of the proposed Newfields-Exeter Community Forest/Rugg Property conservation effort

May 31, 2024

Dear Communities of Newfields and Exeter,

Today, despite tremendous success and momentum in community engagement, voter support, countless hours spent by dedicated volunteers, and public and private funding progress, we regretfully share that the landowners have concluded they are no longer in a position to sell the subject property due to a boundary and ownership issue with the Town of Exeter that could not be resolved to each party's mutual satisfaction. The repercussions of this dispute require that Trust for Public Land (TPL) formally pause this effort at this time.

We at TPL, in close partnership with Southeast Land Trust of NH (SELT) and a vibrant network of volunteers, partners, trail stewards, donors, and voters of Newfields and Exeter, have been working to permanently conserve and convey to public ownership 148-acres of beloved forest and wetlands, home to over 12 miles of the Fort Rock Trail system. As an organization that only works with willing sellers, we respect the landowner's decision. We remain open to see if there is a potential path forward; however, missing or rescinding upcoming grant and loan deadlines (further described below) makes further advancing the opportunity very difficult.

We are deeply disappointed at the decision to withdraw the property from sale and circumstances surrounding that decision. This comes after more than 18 months of earnest project development involving title, appraisal, legal, and boundary due diligence, as well as community engagement, conservation funding advisory for both of the successful local ballot measures, and competitive grant and loan applications at the State and Federal levels. Starting in November of 2022, the TPL team, alongside SELT, the Fort Rock Riders, local volunteers, and Town staff, have hosted or attended over 20 public meetings in both Towns including those with Select Board, Conservation Commissions, Planning Boards, budget meetings, bond hearings, deliberative sessions, and public informational meetings.

Together, we've made tremendous headway. In partnership with the towns, we have applied for over \$6M in State and Federal loans and grants, with \$3.4M already awarded, and nearly \$2M pending. In light of the decision to revoke the sale offer, we must pause in-process grant applications and administration, including news this week that the project ranked #1 in the country (in a record competitive year) for a \$600,000 Community Forest and Open Space acquisition grant to Newfields. We are deeply grateful for the generosity of passionate donors whose support has been critical to moving this project forward and helping to defray the costs of our involvement to date.

The Newfields-Exeter Community Forest Conservation effort has already overcome many hurdles, including the notable outpouring of support leading to a citizen's petition and voter directive to proceed with the Newfields acquisition per the successful passage of Warrant Article 1 in March of 2024, and successful passage of Article 24 Advisory Measure in Exeter. The scale of community engagement has been noteworthy: this winter and spring alone, a citizen's petition for the Warrant Article was signed by over 300 residents; an open public letter of support was signed by over 1,200 New Englanders; and March Town Meetings saw 583 (67%) of Newfields voters supporting acquisition and 2,222 (88%) of Exeter voters supporting an Advisory Measure—amidst record voter turnout. This volume of engagement should serve as a reminder of the power of the outdoors in building and maintaining community, and trust in our institutions.

Your communities, despite this disappointing juncture, should take pride in rallying to conserve this land for generations to come, driving deep civic engagement across all ages in the process. Since our founding 51 years ago, Trust for Public Land's vision has been rooted in a singular mission: to connect everyone to the benefits and joys of the outdoors. We've been honored to find kindred cause with you these past 18 months as we've worked toward creating the Newfields-Exeter Community Forest, contributing capacity to unleash *your* vision.

We understand how disappointing this must be and we share your frustration. Please know how grateful Trust for Public Land and SELT are to the volunteers and donors for everything you've done.

With thanks,

Lynnette Batt, Project Manager

Shelby Semmes, VP New England Region

Trust for Public Land



Pam McElroy <pmcelroy@exeternh.gov>

Bulletin #22: Committees of Conference Start Monday!

1 message

NHMA Government Affairs <governmentaffairs@nhmunicipal.org>

Fri, May 31, 2024 at 12:44 PM

To: Pam McElroy <pmcelroy@exeternh.gov>

New Hampshire Municipal Association

THE SERVICE AND ACTION ARM OF NEW HAMPSHIRE MUNICIPALITIES

LEGISLATIVE BULLETIN

Legislative Bulletin 22

2024 Session

May 31, 2024



[Live Bill Tracker](#)

Committees of Conference Begin

This week, both the House and Senate convened, and each body determined if they could accept the amendments made by the other—and, if not, whether they would agree (“accede”) to a committee of conference. Many committees of conference have been formed and posted on the [committee of conference webpage](#), but we are still waiting for a final list of committees to be created and posted. Those committees will be meeting next week. As of this writing, many committee meetings have been scheduled, but many more will be scheduled in the next few days. The deadline for committees to reach agreement (or not) on the bills assigned to them is Thursday, June 6. The House and Senate must take final action on the committee of conference reports by June 13.

There will be at least 33 bills of municipal interest that are scheduled for committee of conference. (Please see our list below.) However, the last motion in the Senate yesterday allows the Senate to decide whether to accede to any committee of conference requests made by the House after the Senate finished mid-afternoon, so this list may get longer over the weekend. (The House continued to meet for several hours after the Senate ended and made a number of additional committee of conference requests.)

NHMA’s top priority bills that have been sent to committee of conference are as follows:

- [HB 1069](#), relative to material subject to disclosure under the Right-to-Know Law.
This Right-to-Know Law bill would allow anyone anywhere to make a records request of New Hampshire state

and local governments and get a response sent to them.

Already, Right-to-Know Law requests are being routinely used by for-profit companies, at the cost of New Hampshire taxpayers, for commercial purposes. Imagine how much worse it would be if any company in the nation—or world—can make these requests.

- **HB 1400**, relative to residential parking spaces, landlord-tenant law, unauthorized occupant evictions, and zoning procedures concerning residential housing.
This so-called “Christmas-tree bill” is a mandate that would limit municipalities to two parking spaces only (instead of one) per unit, which also includes the language of **SB 538**, the Senate “HOMEnibus” housing bill (as amended by the Senate), plus unrelated language related to squatters.
Already, municipalities must carefully calculate how many parking spaces are appropriate for the type of residential unit, keeping in mind whether on-street parking is available and whether winter parking bans take effect (and when) and how that effects the ability of residents to store their vehicles somewhere.
- **HB 1521**, relative to recovery houses.
This bill mirrors many of the changes to the state building code proposed in amendments BD-21-20-23, BD-21-21-23, BD-21-22-23, RE-21-32-23 R2 by the Building Code Review Board and approved by the legislature yesterday, but would mandate that municipalities cannot institute local ordinances that account for local conditions that need to be addressed to ensure that recovery houses are run safely.

Local officials are encouraged to contact members of these committees to express their opposition to these bills.

Committees of Conference

Monday, June 3, 2024

1. HB 458, (New Title) reestablishing the commission to study the assessing of power generation.
Senate: Kevin Avard, Howard Pearl, David Watters
House: Committee Chair: Michael Vose, Douglas Thomas, JD Bernardy, Kat McGhee
Meeting: 06/03/2024 9:00 AM
Location: LOB 302-204
2. HB 1386, relative to prohibiting the disposal of lithium-ion batteries in solid waste landfill facilities, composting facilities, or incinerators.
Senate: Kevin Avard, Howard Pearl, David Watters
House: Committee Chair: Judy Aron, Karen Ebel, Peter Bixby, Jim Creighton
Meeting: 06/03/2024 9:30 AM
Location: LOB 203
3. HB 1600, relative to participation in net energy metering.
Senate: Jeb Bradley, Sharon Carson, Donna Soucy
House: Committee Chair: Michael Vose, Douglas Thomas, Thomas Cormen, Kat McGhee
Meeting: 06/03/2024 10:30 AM
Location: LOB 302-304
4. HB 1521, (New Title) relative to recovery houses.
Senate: James Gray, Keith Murphy, Rebecca Perkins Kwoka
House: Committee Chair: Carol McGuire, Daniel Fitzpatrick, Tom Dolan, Jeffrey Goley
Meeting: 06/03/2024 11:00 AM
Location: LOB 306-308
5. HB 1069, (New Title) relative to material subject to disclosure under the right-to-know law.
Senate: Sharon Carson, Jeb Bradley, Shannon Chandley
House: Committee Chair: Bob Lynn, Scott Wallace, Marjorie Smith, Katelyn Kuttab
Meeting: 06/03/2024 1:30 PM
Location: LOB 206-208
6. SB 499, (Second New Title) relative to the Supplemental Nutrition Assistance Program and the Summer EBT program and making appropriations therefor and relative to providing disaster relief funding to municipalities after a natural disaster.
Senate: Committee Chair: Regina Birdsell, Jeb Bradley, Rebecca Whitley

House: Keith Erf, Jess Edwards, Mary Jane Wallner, Laura Telerski

Meeting: 06/03/2024 1:30 PM

Location: SH 100

7. SB 407, (New Title) establishing a ground ambulance cost reporting program and a study by an independent actuarial and accounting expert of the cost of providing ground ambulance services in the state.

Senate: Committee Chair: Regina Birdsell, Kevin Avard, Debra Altschiller

House: John Hunt, Anita Burroughs, Carry Spier, Keith Ammon

Meeting: 06/03/2024 2:00 PM

Location: SH 100

Tuesday, June 4, 2024

8. HB 1195, relative to allowing school districts to approve different apportionment methods for school administrative unit costs.

Senate: Ruth Ward, Timothy Lang, Suzanne Prentiss

House: Committee Chair: Rick Ladd, Glenn Cordelli, Katy Peternel, Mel Myler

Meeting: 06/04/2024 9:00 AM

Location: LOB 205-207

9. HB 2024, (Third New Title) relative to the state 10-year transportation improvement plan; relative to adding a speed limit of 45 miles per hour on rural highways; relative to disability pensions for public safety employees who are victims of violence; and making a capital appropriation to the department of corrections toward the replacement of the New Hampshire state prison for men.

Senate: Denise Ricciardi, Jeb Bradley, David Watters

House: Committee Chair: Mark McConkey, David Milz, John Cloutier, Daniel Eaton

Meeting: 06/04/2024 12:00 PM

Location: LOB 201

10. SB 534, relative to campaign finance.

Senate: Committee Chair: James Gray, Keith Murphy, Donna Soucy

House: Steven Smith, James Qualey, Connie Lane, Russell Muirhead

Meeting: 06/04/2024 9:45 AM

Location: SH 103

11. HB 1202, (New Title) relative to the issuance of permits for the alteration of driveways exiting onto public ways and relative to the definition of disability or special needs under the child care scholarship program.

Senate: Denise Ricciardi, Carrie Gendreau, David Watters

House: Committee Chair: Mark McConkey, David Milz, John Cloutier, Jess Edwards

Meeting: 06/04/2024 12:30 PM

Location: LOB 201

12. HB 1265, (New Title) relative to the penalty for failure to file school expenditure reports, relative to certain adequacy grants, and requiring mandatory reporting by school districts of school expenses.

Senate: Timothy Lang, Keith Murphy, Suzanne Prentiss

House: Committee Chair: Rick Ladd, Glenn Cordelli, Margaret Drye, Patricia Cornell

Meeting: 06/04/2024 1:00 PM

Location: LOB 206-208

13. HB 1665, (New Title) relative to student eligibility for education freedom accounts and the scholarship organization's costs of administering the program, extending phase-out grants for education freedom accounts, and revising the definitions of average daily membership in attendance and average daily membership in residence.

Senate: Timothy Lang, Jeb Bradley, Suzanne Prentiss

House: Committee Chair: Rick Ladd, Glenn Cordelli, Valerie McDonnell, Patricia Cornell

Meeting: 06/04/2024 3:00 PM

Location: LOB 206-208

Wednesday, June 5, 2024

14. HB 318, (Third New Title) relative to bail commissioners, the standards applicable to and the administration of bail, and making an appropriation.

Senate: Sharon Carson, Jeb Bradley, Donna Soucy

House: Committee Chair: Terry Roy, Linda Harriott-Gathright, Alissandra Murray, Jennifer Rhodes

Meeting: 06/05/2024 10:00 AM
Location: LOB 202-204

15. HB 1223, (New Title) creating local options for games of chance.
Senate: Timothy Lang, Daniel Innis, Lou D'Allesandro
House: Committee Chair: Len Turcotte, David Rochefort, Julie Gilman, Allan Howland
Meeting: 06/05/2024 10:30 AM
Location: LOB 305
16. HB 1292, (New Title) relative to coverage of children under the state retiree insurance plan and relative to federal immigration enforcement.
Senate: Jeb Bradley, Sharon Carson, Lou D'Allesandro
House: Committee Chair: Terry Roy, Jennifer Rhodes, John Sytek, Daniel Fitzpatrick
Meeting: 06/05/2024 11:00 AM
Location: LOB 202-204
17. HB 1197, (New Title) relative to criminal background checks and relative to insurance coverage for intrauterine insemination.
Senate: Jeb Bradley, Sharon Carson, Donna Soucy
House: Committee Chair: Terry Roy, John Hunt, Anita Burroughs, Alissandra Murray
Meeting: 06/05/2024 12:00 PM
Location: LOB 202-204
18. HB 1215, (Second New Title) relative to development approvals and appeals, and allowing the town of Hampton to discontinue a particular highway in order to lease that property.
Senate: Jeb Bradley, Sharon Carson, Donna Soucy
House: Committee Chair: Joe Alexander, Scott Wallace, Charlotte DiLorenzo, Diane Pauer
Meeting: 06/05/2024 1:30 PM
Location: LOB 305
19. HB 1400, (Third New Title) relative to residential parking spaces, landlord-tenant law, unauthorized occupant evictions, and zoning procedures concerning residential housing.
Senate: Bill Gannon, Jeb Bradley, Rebecca Perkins Kwoka
House: Committee Chair: Joe Alexander, Rebecca McWilliams, Joe Sweeney, Dennis Mannion
Meeting: 06/05/2024 2:30 PM
Location: LOB 305

Currently Unscheduled

20. HB 194, (Third New Title) requiring the director of the division of historical resources to compile and maintain a list of public monuments and requiring legislative approval of the amendment or permanent removal of historical markers.
Senate: Howard Pearl, Sharon Carson, David Watters
House: Committee Chair: Andrew Renzullo, Gregory Hill, Marjorie Smith, Steve Shurtleff
21. HB 463, (New Title) relative to the establishment of an election information portal and makes an appropriation therefor.
Senate: James Gray, Keith Murphy, Rebecca Perkins Kwoka
House: Committee Chair: Steven Smith, James Qualey, Jason Osborne, Connie Lane
22. HB 468, (New Title) establishing a commission to recodify the education laws and making an appropriation therefor.
Senate: James Gray, Ruth Ward, Suzanne Prentiss
House: Committee Chair: Kenneth Weyler, Tracy Emerick, Joseph Pitre, Mary Heath
23. HB 1018, (New Title) relative to on-premise and off-premise liquor licenses and relative to land in current use.
Senate: Bill Gannon, Jeb Bradley, Rebecca Whitley
House: Committee Chair: John Hunt, Keith Ammon, Anita Burroughs, Jane Beaulieu
24. HB 1079, (Second New Title) relative to critical incident stress management team members and establishing a rural and underserved area educator incentive program for higher education and making an appropriation

therefor.

Senate: Regina Birdsell, Howard Pearl, Suzanne Prentiss

House: Committee Chair: Jaci Grote, Mark Proulx, Matthew Simon, Sherry Gould

25. HB 1127, (New Title) relative to the revocation and suspension of drivers' licenses and to invalidating out-of-state driver's licenses issued to undocumented immigrants.

Senate: Sharon Carson, Jeb Bradley, Shannon Chandley

House: Committee Chair: Thomas Walsh, George Sykes, Matthew Coker, Ted Gorski

26. HB 1259, (New Title) relative to property and casualty insurance laws administered by the insurance department; and making an appropriation to the department of environmental services to fund regional drinking water infrastructure.

Senate: Bill Gannon, Daniel Innis, Donna Soucy

House: Committee Chair: John Hunt, Anita Burroughs, Keith Ammon, Carry Spier

27. HB 1313, relative to access to the voter checklist by candidates.

Senate: James Gray, Keith Murphy, Donna Soucy

House: Committee Chair: Steven Smith, James Qualey, Connie Lane, Russell Muirhead

28. HB 1369, relative to the verification of voter rolls every 4 years.

Senate: James Gray, Daryl Abbas, Rebecca Perkins Kwoka

House: Committee Chair: Steven Smith, James Qualey, Jason Osborne, Connie Lane

29. HB 1370, (New Title) relative to eliminating voter identification exceptions.

Senate: James Gray, Daryl Abbas, Donna Soucy

House: Committee Chair: Steven Smith, James Qualey, Jason Osborne, Connie Lane

30. HB 1380, (New Title) relative to brew pub licenses, relative to insurance cost-sharing calculations, and relative to receipt of pharmaceutical rebates by insurers and pharmacy benefits managers.

Senate: Regina Birdsell, Kevin Avard, Suzanne Prentiss

House: Committee Chair: John Hunt, Anita Burroughs, John Potucek, Carry Spier

31. HB 1596, requiring a disclosure of deceptive artificial intelligence usage in political advertising.

Senate: Jeb Bradley, Sharon Carson, Donna Soucy

House: Committee Chair: Steven Smith, James Qualey, Connie Lane, Angela Brennan

32. HB 1633, relative to the legalization and regulation of cannabis and making appropriations therefor.

Senate: Jeb Bradley, Timothy Lang, Shannon Chandley

House: Committee Chair: John Hunt, Jason Osborne, Anita Burroughs, Jane Beaulieu

33. SB 357, relative to expanding the definition of providers who can certify patients of the therapeutic cannabis program.

Senate: Committee Chair: Daryl Abbas, Bill Gannon, Rebecca Whitley

House: Erica Layon, David Nagel, Lucy Weber, Gary Merchant

Please check the [committees of conference page](#) on the legislature's website, or each bill's docket, for information about committee members and meetings. As of this publication, committees of conference are still being scheduled. The first meeting of each committee of conference will be posted in the Clerk's Office and on the General Court website at least 24 hours in advance. (Those General Court website postings will be included on the [House](#) and [Senate Meeting Schedule](#) webpages.) Please understand that meetings are often adjourned and rescheduled on short notice, so the website will not always have the most current information.

NHMA Events Calendar
2023 Final Legislative Bulletin
Website: www.nhmunicipal.org
Email: governmentaffairs@nhmunicipal.org
Government Affairs Contact Information
Margaret M.L. Byrnes, Executive Director

Natch Greyes, Government Affairs Counsel
Katherine Heck, Government Finance Advisor
Miranda Augustine, Communications Coordinator
Pam Valley, Administrative Assistant
25 Triangle Park Drive, Concord, NH 03301
Tel: 603.224.7447



Pam McElroy <pmcelroy@exeternh.gov>

Bulletin #23: Committees of Conference Conclude. RTK Bill Dies. Concerning Election Bill Still Alive.

1 message

NHMA Government Affairs <governmentaffairs@nhmunicipal.org>
To: Pam McElroy <pmcelroy@exeternh.gov>

Fri, Jun 7, 2024 at 1:05 PM

New Hampshire Municipal Association

THE SERVICE AND ACTION ARM OF NEW HAMPSHIRE MUNICIPALITIES

LEGISLATIVE BULLETIN

Legislative Bulletin 23

2024 Session

June 7, 2024



[Live Bill Tracker](#)

Committees of Conference Finish Work

This week was the deadline for committees of conference to reach agreement on all bills. NHMA followed 32 bills, representing more than half of all bills that required additional consideration from both chambers. Each committee's report (which in some cases states that the committee could not reach agreement) will go to both the House and the Senate on Thursday, June 13. Many bills will contain substantive changes in the cases where agreement was reached. Each body will vote on the committee report separately, and the only choice is a yes or no vote; no further amendments can be made by either chamber. With respect to those bills on which a committee of conference has reached agreement, if both chambers adopt the committee report, the bill is passed and goes to the governor. If either chamber rejects the committee report, the bill dies.

The articles that follow summarize the committee actions on bills of significant interest to municipalities, and the table at the end links to the reports (if any) of the committees of conference. Committee of conference recommendations are almost always accepted by both chambers, so it is reasonably safe to expect that everything reported below will pass next week and go to the governor. Of course, nothing is certain except uncertainty, so please check next week's Bulletin (the last weekly Bulletin this year) for any surprises.

Some Good News

The efforts that were made by you, our members, and the local connections that you have built with your local legislators have led to some phenomenal successes this year. Included in those successes were the outreach efforts that you made during committee of conference on our top priority bills which we [wrote about last week](#). Two bills, **HB 1069**, the Right-to-Know Law bill that would allow anyone anywhere to make a records request of New Hampshire state and local governments and get a response sent to them, and **HB 1521**, a mandate related to recovery houses, were both considered by their respective committees of conference on Monday and legislators recognized that more work needed to be done on these areas before legislation is passed.

New Obstacles for Election Officials & Voters Moves Forward

On Wednesday, the committee of conference came to an agreement on [HB 1370](#), which will now go to the floor of the Senate and the House next week for a “yes” or “no” vote. **We are asking local officials concerned with the election process to join the Town Clerk’s Association and contact your representatives and senators to ask them to vote “NO” on the committee’s report.**

Here’s a little background:

HB 1370 started as a relatively innocuous bill about the containers used to preserve ballots. It made minor changes to existing RSA 659:97, including that the containers must be “secure, durable, reusable, transportable, and stackable.” The House passed the bill as introduced.

In the Senate, it became a very different bill. On May 16, the Senate passed it with [Amendment 1903](#). This was a [replace all amendment](#) that turned **HB 1370** into a bill that [eliminated all exceptions for voters registering to vote](#)—whether on or prior to Election Day. After the Senate passed the bill with this amendment, the House non-concurred and requested a committee of conference.

The committee of conference ultimately agreed to the Senate’s version, but with some additional changes that can be found in the [committee’s report](#).

To make matters slightly more confusing, the House and Senate *have already passed*—and sent to the governor—[HB 1569](#), which is nearly identical to **HB 1370** in that it removes the “sworn affidavits” exception to registering to vote. But **HB 1370** would now also add language about a new Election Day hotline that election officials would have to use in instances where individuals registering to vote do not have the proper documentation.

Here are some of the major concerns we have with the proposed changes to New Hampshire election law. (It is important to note, too, that **HB 1370**, as amended, did not have any public hearing in either the House or the Senate.)

- According to information from the Town Clerk’s Association, New Hampshire would become the only state to require U.S. born citizens to prove citizenship to register to vote. Everyone registering would need to come in with their birth certificate or passport—documents people do not normally travel about with. Indeed, it is very reasonable to imagine scenarios where voters who do not have passports realize too late that they cannot find their birth certificate and cannot get a new one in time, especially those born outside of New Hampshire.
- The bill calls for the secretary of state to supply municipalities with tablets to access the voter registration system on Election Day. However, we know that not all polling locations/wards are staffed with someone who has access to the voter registration system. To make matters worse, not all polling locations have internet access—or cell service!
- The bill requires that a “trained” person call a state hotline and allow 20 minutes for the person on the other end to try and verify a voter who is standing at the polling place all their documentation. As not all polling places are equipped with phones, election officials are concerned that their limited volunteers would be tied up trying to make phone calls – and not performing their other election duties. As such, it is anticipated that additional election staff will be needed to serve as “hotline callers,” since the moderator or the town clerk needs to be available for all their regular duties.
- There will be a need for substantial additional training and hiring of election workers to handle the new voter registration process if **HB 1370** passes. Although the committee of conference amendment requires the Secretary of State to provide that training as well as assistance, we have continually heard of municipalities struggling to secure election volunteers, and we are concerned about the impact of these changes on the smooth operation of elections in New Hampshire.

Please contact your representatives and senators and urge them to vote “NO” on the committee of conference report for HB 1370.

Parking Mandate Moves Forward

On Thursday, the committee of conference came to an agreement on [HB 1400](#), the last living land use mandate. Through your outreach, the committee did agree on [an amendment](#) that slightly improves the bill, but the bill retains a parking minimum mandate. As such, NHMA opposes the bill and asks that **in your discussions with your representatives and senators**

this week, please reiterate the importance of local control, the cost of updating zoning ordinances, and urge them to vote “NO” on the committee of conference report for HB 1400.

As a recap:

HB 1400 now contains: (1) a parking minimum cap; (2) the provisions of the senate passed SB 538 (which also contains a parking provision—more below) with some technical fixes; (3) unrelated language about “squatters” which, we understand, continues to be opposed by the New Hampshire Sheriff’s Association.

The parking minimum cap alters existing statute – which gives local legislative bodies discretion in setting appropriate parking minimums – to limiting them to “not require more than 1.5 residential parking spaces per unit for studio and one bedroom units under 1000 square feet that meet the requirements for workforce housing under RSA 674:58 IV, and shall not require more than 1.5 residential parking spaces per unit for multi-family developments of 10 units or more.” Most municipalities have parking minimums of 2 spaces per residential unit, with many of them having a waiver process to allow fewer than 2 spaces to be built.

The parking provision of SB 538, which needed a technical fix to ensure that it functioned alongside the parking minimum cap, essentially mandates the waiver process to allow fewer parking spaces to be built than the minimum. An example helps illustrate this:

A developer proposes a multi-family development of 20 units. If the municipality has adopted the maximum cap of 1.5 residential parking spaces for multi-family developments of 10 units or more, then 30 parking spaces would need to be built by the developer. However, if the developer can demonstrate that the “parking demand” would be met by some other solution (such as not needing 30 spots or some on-street parking availability), then the local land use board must approve that option even though it is fewer than 30 parking spaces. The same is true for any other type of residential development, even with locally adopted parking minimums. This is a significant change in how parking is managed because it ties “parking demand” to the actual number of spots that need to be built.

We remain concerned about whether the parking minimum cap adequately addresses parking needs. For example, Salem, like most municipalities, currently has a **residential parking minimum is 2 spaces per dwelling unit** for both single-family and multi-family units, but also adopted conditional use permits for reduced parking and has seen several developments where those conditional use permits were used. Salem’s process mimics the new statutory process, but with a higher residential parking minimum (of 2 parking spaces per unit) and has seen a number of projects be approved with the following unit-parking ratios:

Project	Approval	Units	Parking Spaces	Ratio
Corsa	2/2/2017	256 units	435 spaces	1.7 spaces/unit
Hanover	3/19/2019	281 units	451 spaces	1.6 spaces/unit
Caro	6/8/2021	260 units	362 spaces	1.4 spaces/unit
Depot and Main	10/27/2021	74 units	100 spaces	1.35 spaces/unit
Hanover 2	12/14/2021	230 units	322 spaces	1.4 spaces/unit
Bldg 1300 Apartments	11/14/2023	300 units	420 spaces	1.4 spaces/unit
Bldg 2000 Condos	2/27/2024	70 units	120 spaces	1.7 spaces/unit

With Salem requiring a parking study for reduced parking proposals, we remain concerned that parking availability will be inadequate in certain residential developments, particularly those catering to working families, in coming decades due to the low parking minimum cap.

Please contact your representatives and senators and urge them to vote “NO” on the committee of conference report for HB 1400.

Thank You for Responding to Our Action Alerts

As the session draws to a close, we want to extend our thanks to all of you who assisted in these advocacy efforts in large and small ways—by testifying, sending a letter or an email to a committee or a legislator, registering your position on the website, or picking up the phone and talking to your representative or senator. It is the collective effort and support that makes NHMA strong and able to advocate for and otherwise support the 234 cities and towns in New Hampshire; thank you for making us possible.

We also want to express our thanks to the House and Senate legislators who continue to take the time to consider the municipal perspective in the policy making process. Cities and towns are fortunate to have advocates in the Legislature who will stand with us to improve the quality of life for Granite State residents. We look forward to a continued partnership with the state and working toward joint goals that will lead to our collective success.

A Quick Summary of What Happened this Week

Below, please find a list of bills that we followed this week and a summary of what happened during their committees of conference.

Bill	Title	Last Action	Latest Version
HB 318	Title:?(Third New Title) relative to bail commissioners, the standards applicable to and the administration of bail, and making an appropriation.	Senate • Jun 13, 2024: Conference Committee Report Filed, #2024-2303c; 06/13/2024	Report
HB 458	Title:?(New Title) reestablishing the commission to study the assessing of power generation.	Senate • Jun 13, 2024: Conference Committee Report Filed, #2024-2211c; 06/13/2024	Report
HB 463	Title:?(New Title) relative to the establishment of an election information portal and makes an appropriation therefor.	Senate • May 31, 2024: Conference Committee Report; Not Signed Off; SJ 17	Died
HB 1069	Title:?(New Title) ?relative to material subject to disclosure under the right-to-know law.	Senate • May 31, 2024: Conference Committee Report; Not Signed Off; SJ 17	Died
HB 1079	Title:?(Second New Title) relative to critical incident stress management team members and establishing a rural and underserved area educator incentive program for higher education and making an appropriation therefor.	Senate • Jun 13, 2024: Conference Committee Report Filed, #2024-2298c; 06/13/2024	Report
HB 1091	Title:?relative to the financing of political campaigns.	Senate • Jun 13, 2024: Conference Committee Report Filed, #2024-2289c; 06/13/2024	Report
HB 1195	Title:?relative to allowing school districts to approve different apportionment methods for school administrative unit costs.	Senate • Jun 13, 2024: Conference Committee Report	Report

		Filed, #2024-2236c; 06/13/2024	
HB 1197	Title:?(New Title) relative to criminal background checks and relative to insurance coverage for intrauterine insemination.	Senate • Jun 13, 2024: Conference Committee Report Filed, #2024-2299c; 06/13/2024	Report
HB 1202	Title:?(New Title) relative to the issuance of permits for the alteration of driveways exiting onto public ways and relative to the definition of disability or special needs under the child care scholarship program.	Senate • Jun 13, 2024: Conference Committee Report Filed, #2024-2255c; 06/13/2024	Report
HB 1215	Title:?(Second New Title) relative to development approvals and appeals, and allowing the town of Hampton to discontinue a particular highway in order to lease that property.	Senate • Jun 13, 2024: Conference Committee Report Filed, #2024-2273c; 06/13/2024	Report
HB 1223	Title:?(New Title) creating local options for games of chance.	Senate • Jun 04, 2024: Conference Committee Report; Not Signed Off; SJ 17	Died
HB 1292	Title:?(New Title) relative to coverage of children under the state retiree insurance plan and relative to federal immigration enforcement.	Senate • Jun 13, 2024: Conference Committee Report Filed, #2024-2304c; 06/13/2024	Report
HB 1313	Title:?(New Title) relative to access to the voter checklist by candidates.	Senate • Jun 13, 2024: Conference Committee Report Filed, #2024-2265c; 06/13/2024	Report
HB 1369	Title:?(New Title) relative to the verification of voter rolls every 4 years.	Senate • Jun 13, 2024: Conference Committee Report Filed, #2024-2266c; 06/13/2024	Report
HB 1370	Title:?(New Title) relative to eliminating voter identification exceptions.	Senate • Jun 13, 2024: Conference Committee Report Filed, #2024-2268c; 06/13/2024	Report
HB 1380	Title:?(New Title) relative to brew pub licenses, relative to insurance cost-sharing calculations, and relative to receipt of pharmaceutical rebates by insurers and pharmacy benefits managers.	Senate • Jun 13, 2024: Conference Committee Report Filed, #2024-2281c; 06/13/2024	Report
HB 1386	Title:?(New Title) relative to prohibiting the disposal of lithium-ion batteries in solid waste landfill facilities, composting facilities, or incinerators.	Senate • Jun 13, 2024: Conference Committee Report Filed, #2024-2212c; 06/13/2024	Report

HB 1400	Title:?(Third New Title) relative to residential parking spaces, landlord-tenant law, unauthorized occupant evictions, and zoning procedures concerning residential housing.	Senate • Jun 13, 2024: Conference Committee Report Filed, #2024-2295c; 06/13/2024	Report
HB 1521	Title:?(New Title) relative to recovery houses.	Senate • Jun 03, 2024: Conference Committee Report; Not Signed Off; SJ 17	Died
HB 1600	Title:?(New Title) establishing a committee to study the aggregation of electric customers by municipalities and counties.	Senate • Jun 13, 2024: Conference Committee Report Filed, #2024-2214c; 06/13/2024	Report
HB 1633	Title:?relative to the legalization and regulation of cannabis and making appropriations therefor.	Senate • Jun 13, 2024: Conference Committee Report Filed, #2024-2305c; 06/13/2024	Report
HB 2024	Title:?(Third New Title) relative to the state 10-year transportation improvement plan; relative to adding a speed limit of 45 miles per hour on rural highways; relative to disability pensions for public safety employees who are victims of violence; and making a capital appropriation to the department of corrections toward the replacement of the New Hampshire state prison for men.	Senate • Jun 13, 2024: Conference Committee Report Filed, #2024-2260c; 06/13/2024	Report
SB 407	Title:?(New Title) establishing a ground ambulance cost reporting program and a study by an independent actuarial and accounting expert of the cost of providing ground ambulance services in the state.	House • Jun 06, 2024: Conference Committee Report #2024-2256c Filed 06/06/2024; As Amended by the House HJ 15	Report
SB 499	Title:?relative to the Supplemental Nutrition Assistance Program and the Summer EBT program and making appropriations therefor and relative to providing disaster relief funding to municipalities after a natural disaster.	House • Jun 06, 2024: Conference Committee Report #2024-2271c Filed 06/06/2024; House Amendment + New Amendment HJ 15	Report
SB 534	Title:?relative to campaign finance.	Senate • Jun 04, 2024: Conference Committee Report; Not Signed Off;	Died

NHMA Events Calendar
2023 Final Legislative Bulletin
Website: www.nhmunicipal.org
Email: governmentaffairs@nhmunicipal.org
Government Affairs Contact Information
Margaret M.L. Byrnes, Executive Director
Natch Greyes, Government Affairs Counsel

Katherine Heck, Government Finance Advisor
Miranda Augustine, Communications Coordinator
Pam Valley, Administrative Assistant
25 Triangle Park Drive, Concord, NH 03301
Tel: 603.224.7447