

SELECT BOARD MEETING
Monday, February 3, 2025
6:30 pm
Nowak Room, Town Offices
10 Front Street, Exeter, NH 03833

REGULAR BUSINESS MEETING BEGINS AT 7:00 PM

Meetings can be watched on Ch 22 or Ch 6 or YouTube. Attendees can join in person or virtually via Zoom.

To access the meeting, click this link: <https://us02web.zoom.us/j/85966716290>

To access the meeting via telephone, call: +1 646 558 8656 and enter the Webinar ID: 859 6671 6290

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: Planning Board – Dean Hubbard 6:30 pm; TIF Advisory Board – Scott Wright 6:40 pm; Pairpoint Park Stakeholders Advisory Committee – Dawn Jelley 6:50 pm
3. Public Comment
4. Approval of Minutes
 - a. Regular Meeting:
5. Appointments/Resignations
6. Discussion/Action Items
 - a. Hazard Mitigation Plan Adoption
 - b. TIF Advisory Board Charge Approval
 - c. Deliberative Session Recap
 - d. Projects/Grants/Summaries
7. Tax Abatements, Veterans Credits & Exemptions
8. Permits & Approvals
9. Town Manager's Report
10. Select Board Committee Reports
11. Correspondence
12. Review Board Calendar
13. Non-Public Session
14. Adjournment

Niko Papakonstantis, Chair
Select Board

Posted 1/31/25 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 Interviews



Town of Exeter

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

SB Interview
2/3/25
6:30 pm
CONFIRMED

Statement of Interest Boards and Committee Membership

Committee Selection: Planning Board

New Yes **Alternate** Yes

Name: Dean Hubbard **Email:** deanhubbard@comcast.net

Address: 5 Sterling Hill Lane Apt 512 **Phone:** 978-846-0936

Registered Voter: Yes No

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

I am interested in contributing to the Exeter community. I have lived in Exeter since 2020. I have served on the Veranda Way II Condominium in Sarasota FL Board of Directors from 2020 to 2024 and the Blanchard Pointe Condominium in Merrimack NH Board of Directors from 2017 to 2018

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: Dean Hubbard **Date:** 1-14-2025

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 ~~1/6/25~~
~~6:40 pm~~
 CONFIRMED
 February 3, 2025
 6:40 pm CONFIRMED

**Statement of Interest
 Boards and Committee Membership**

Committee Selection: member of the TIF Advisory Board

New Re-Appointment Regular Alternate

Name: Scott Wright Email: swright@comcast.net
 Address: 74 Linden St Exeter NH 03833 Phone: 603-770-1178 ^{cell} / 603-728-6939 ^{work}

Registered Voter: Yes No

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

I have a business on Epping Rd in the TIF district and have
for the last 28 years and have been living in Exeter most of my
life.
I own many properties in town and manage them as rentals, I
feel being a large supporter of Exeter this something worth my time
to benefit the town and Tax payer of Exeter.

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

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- 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: [Signature] Date: 12/10/2024

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

January 6, 2025

6:50 PM CONFIRMED

February 3, 2025

6:50 PM CONFIRMED

Statement of Interest

Boards and Committee Membership

DEC 3 2024

Committee Selection: Pair Point Park Stakeholders

New [] Re-Appointment [] Regular [] Alternate [X]

Name: DAWN JELLEY Email: Dawn.Jelley@MSN.COM

Address: 4 Nelson Drive Exeter Phone: 603 608 5691

Registered Voter: Yes [X] No []

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

As a dedicated resident who enjoys walking in town, I am deeply invested in enhancing our community's outdoor spaces. My experience on the board of Exeter Ziff Fest and a volunteer at the American Independence Museum has honed my skills in planning and organizing events that celebrate both heritage & community engagement. As a gardener I understand the importance of

preserving the historical character of our town while ensuring future generations have accessible and inviting green spaces. I would be honored to contribute my knowledge, creativity and commitment to the committee tasked with establishing this new park for our town

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: Dawn Jelley

Date: December 3rd 2024

To be completed by Select Board upon appointment:

Date Appointed: Term Ending: Full: Alternate:

Appointments/Resignations



LOCAL RIVER MANAGEMENT ADVISORY COMMITTEE NOMINEE FORM



New Hampshire Rivers Management and Protection Program

RSA 483:8-a

Please complete both sides of this form and email to riversprogram@des.nh.gov. Please type "NOMINEE FORM" and nominee's name in the subject line. Forms can also be sent by mail to: Rivers Coordinator, NHDES, 29 Hazen Drive, P.O. Box 95, Concord, NH 03302-0095. For questions please contact the Rivers Coordinator at 271-2959.

Nominee Information

Nominee Name: James Breeling		Date: January 29, 2025
Street Address: 7 Nelson Drive		
Town: Exeter		Zip Code: 03833
Phone (home): 781-775-7978	Phone (cell): 781-775-7978	Phone (work): na
Email: jmsbreeling9@gmail.com		

Nomination Information

Type of Appointment -	<input checked="" type="checkbox"/> New Appointment	<input type="checkbox"/> Reappointment
River Name: Exeter-Squamscott		
Type of Representation -	Municipality: XX	Other:
Please state your interest(s) in serving on the Local River Management Advisory Committee:		
<input type="checkbox"/> Local Government	<input checked="" type="checkbox"/> Conservation	<input type="checkbox"/> Agriculture
<input type="checkbox"/> Business	<input type="checkbox"/> Recreation	<input type="checkbox"/> Riparian Landowners
<input type="checkbox"/> Other, please specify: _____		

Board of Selectmen or Authorized Signature(s) – REQUIRED (e-signature acceptable)

Name:	Title:
Name:	Title:
Name:	Title:
<p><i>Note: By statute, the New Hampshire Rivers Management Advisory Committee appoints the Local River Management Advisory Committee (LAC) members for each Designated River from nominees submitted by the local governing bodies through which the Designated River flows (RSA 483:8-a).</i></p>	

(603) 271-2959 riversprogram@des.nh.gov
 PO Box 95, Concord, NH 03302-0095
www.des.nh.gov

Additional Information

Please include a short description of your relevant background knowledge of local river-related issues or general river management and protection:

I have a background in biology and an interest in land conservation, watershed issues, climate resilience, sustainability, and natural resource stewardship. I have been part of efforts to protect lake watersheds in the NH lakes region and am part of the Town of Exeter's Sustainability Committee. I have taken coursework in natural resource stewardship and have participated in the Great Bay Changemaker's program offered by the Conservation Law Foundation.

Most Local Advisory Committees engage in a variety of activities. Reviewing those activities listed below, please check those that are of most interest to you:

- | | | |
|---|--|---|
| <input checked="" type="checkbox"/> Grant Writing | <input checked="" type="checkbox"/> Public Education | <input type="checkbox"/> Committee Administration |
| <input type="checkbox"/> Event Organization | <input checked="" type="checkbox"/> Public Relations | <input type="checkbox"/> Management Plan Preparation/Implementation |
| <input type="checkbox"/> Other, please specify: _____ | | |

Most Local Advisory Committees meet monthly. In some cases they may meet more frequently to complete specific tasks, while in other cases your attendance may not be required at all meetings. Please check one of the boxes below to indicate your availability to attend regularly scheduled meetings:

- I can attend monthly meetings on most weeknights
- I can attend monthly meetings only if scheduled on a specific weeknight
- I can only attend a limited number of monthly meetings
- I cannot attend monthly meetings, but am willing to complete tasks on behalf of the Committee

For NHDES Office Use Only

LAC Member List and Contacts Database updated (date):

LAC Chair and Nominee have been contacted regarding nomination on (date):

RMPP Staff recommends appointment to the Rivers Management Advisory Committee -

Approve RMPP staff: _____ Date: _____

Appointment confirmation sent to municipality and LAC Chair on (date):

Appointment letter and information packet sent on (date):

(603) 271-2959 riversprogram@des.nh.gov
 PO Box 95, Concord, NH 03302-0095
www.des.nh.gov

Approval of Minutes

Discussion/Action Items

Hazard Mitigation Plan Adoption



EXETER FIRE DEPARTMENT

20 COURT STREET • EXETER, NH • 03833-3792 • (603) 773-6131 • FAX 773-6128

www.exeternh.gov

Advanced Life Support / EMS - Fire Suppression - Health Department - Emergency Management

INTEROFFICE MEMORANDUM

TO: RUSS DEAN, TOWN MANAGER
FROM: ERIC WILKING, EMERGENCY MANAGEMENT DIRECTOR
SUBJECT: HAZARD MITIGATION PLAN ADOPTION
DATE: JANUARY 27, 2025
CC SELECT BOARD

Russ, I am pleased to announce that both New Hampshire Homeland Security and Emergency Management (HSEM), and the Federal Emergency Management Agency (FEMA) have reviewed and accepted the updated Town of Exeter, Natural Hazards Mitigation Plan 2025. This acceptance is pending the Town of Exeter Select Board final approval.

In early 2023 the Rockingham Planning Commission was selected to facilitate the plan update, and Theresa Walker began scheduling meetings involving all town departments, local non-governmental stakeholders, and input from the public. The plan identifies and addresses mitigation strategies that could be implemented for future floods, hurricane-high wind events, severe winter storms, earthquakes, wildfires, drought, extreme temperatures, climate change, and infectious diseases.

On June 24, 2024 a duly noticed Public Hearing was held by the Town of Exeter during a Select Board meeting to present the draft plan and seek any additional comments and answer questions. A 30-day comment period began to allow for written comments concluding on July 24, 2024. After the public hearing and comment period, the plan was forwarded to NH HSEM and FEMA for review.

Formal adoption of the plan by the Exeter Select Board is the final step in Local Mitigation Plan Process.

I look forward to presenting the plan with Theresa Walker at the Feb 3, 2025 meeting of the Exeter Select Board and answering any questions you or the board may have.

CERTIFICATE OF ADOPTION

WHEREAS, the Town of Exeter received funding from the NH Office of Homeland Security and Emergency Management under a Pre-Disaster Mitigation Grant and assistance from Rockingham Planning Commission in the preparation of the Exeter Hazard Mitigation Plan Update 2025; and

WHEREAS, several public planning meetings were held between May 2023 and December 2024 regarding the development and review of the Exeter Hazard Mitigation Plan Update 2025; and

WHEREAS, the Exeter Hazard Mitigation Plan Update 2025 contains several potential future projects to mitigate hazard damage in the Town of Exeter; and

WHEREAS, a duly noticed public meeting was held by the Exeter Select Board on _____ to formally approve and adopt the Exeter Hazard Mitigation Plan Update 2025.

NOW, THEREFORE BE IT RESOLVED that the Exeter Select Board:

- The Plan is hereby adopted as the official plan of the Town of Exeter;
- The respective individuals identified in the mitigation strategy of the Plan are hereby directed to pursue implementation of the recommended actions assigned to them;
- Future revisions and Plan maintenance required by 44 CFR 201.6 and FEMA are hereby adopted as part of this resolution for a period of five (5) years from the date of this resolution;
- An annual report of the progress of the implementation elements of the Plan shall be presented to the Select Board by the Town's Emergency Management Director or Town Manager.

NOW, THEREFORE BE IT RESOLVED that the Exeter Select Board adopts the Exeter Hazard Mitigation Plan Update 2025.

IN WITNESS THEREOF, the undersigned has affixed his/her signature and the corporate seal of the Town of Exeter on this _____ day of _____.

_____ Select Board

_____ Select Board

_____ Select Board

_____ Select Board

_____ Select Board

ATTEST

Public Notary

TIF Advisory Board Charge Approval

TIF Advisory Board

At the March 10, 2015 Town Meeting, Exeter residents voted to: a) establish a municipal economic development and revitalization district as shown on map entitled Proposed Epping Road Tax Increment District (dated January 20, 2015) and which generally encompasses portions of Epping Road east and west of Epping Road. The district will have the name of the Epping Road Tax Increment Financing District (TIF District); b) authorize the Select Board to appoint a District Administrator in accordance with RSA 162-K:13 and create a five member advisory board in accordance with RSA 162-K:14 with membership to be determined by the Select Board; and c) adopt the provisions of the Epping Road Tax Increment District Plan (dated January 20, 2015) in accordance with RSA 162-K:9, which allocates the use of tax increments for retirement of bonds and notes as outline in the plan.

In accordance with Town Meeting voter approval on March 10, 2015 and RSA 162-K:14 the Select Board established a TIF Advisory Board for the purpose of advising the Select Board on the policies and actions for the administration of the District related to planning, construction and implementation of the Epping Road Tax Increment Financing District, and on maintenance and operation of the TIF District after the program has been completed.

The TIF Advisory Board shall consist of 5 members (3 of which must be property owners or area developers appointed by the Select Board, 1 Select Board Representative and the Economic Development Director). Three-year terms shall be staggered.

Member 2026

Member 2027

Member 2028

Economic Development Director

Select Board Representative

Select Board Alternate Representative

Deliberative Session Recap

EXETER TOWN WARRANT – 2025

To the inhabitants of the Town of Exeter, in the County of Rockingham, in the said State, qualified to vote in Town affairs:

First Session

You are hereby notified that the first session (the Deliberative Session) of the Annual Town Meeting will be held on Saturday, February 1st, 2025 beginning at 9:00 a.m. at the Arthur L. Hanson III Center for the Performing Arts at Exeter High School, 1 Blue Hawk Drive. The first session will consist of explanation, discussion and debate of each of the following warrant articles, and will also afford voters who are present the opportunity to propose, debate and adopt amendments to warrant articles, except those articles in which wording is prescribed by state law.

Second Session

The second session of the Annual Town Meeting, to elect Town officers by official ballot and to vote on all warrant articles as they may have been amended at the first session, will be held on Tuesday, March 11th, 2025 at the Talbot Gymnasium at the Tuck Learning Center, 30 Linden Street. Polls for voting by official ballot will open at 7:00 a.m. and close at 8:00 p.m.

Article 1 (Election Article)

To choose the following: 1 Moderator for a 2-year Term; 2 Select Board members for a 3-year term; 1 Swasey Parkway Trustee for a 3-year term; 1 Trustee of the Trust Fund for a 3-year term; 1 Trustee of the Robinson Fund for a 7-year term; 3 Trustees of the Library for a 3-year term.

Article 2 Zoning Amendment #1: Are you in favor of the adoption of Amendment #1 as proposed by the Planning Board for the town zoning ordinance, by amending Article 2, Section 2.2 Definitions by adding a new definition for "Short-term rental": "Any individually or collectively owned single-family house or dwelling unit or any unit or group of units in a condominium, cooperative, or timeshare, or owner-occupied residential home, that is offered for a fee and for less than thirty (30) consecutive days." And amend Article 4, Section 4.2 Schedule I: Permitted Uses by adding "Short-term rental" as a permitted use in the C-1, Central Area Commercial and WC-Waterfront Commercial zoning districts?

Recommended by the Planning Board 6-1.

Article 3 – Drinkwater Road Groundwater Development (\$6,800,000)

To see if the Town will vote to raise and appropriate the sum of six million eight hundred thousand dollars (\$6,800,000) for the purpose of design, engineering and construction of a new groundwater source off Drinkwater Road, and to authorize the issuance of not more than \$6,800,000 of bonds or notes in accordance with the provisions of the Municipal Finance Act (RSA 33); and further to authorize the Select Board to issue, negotiate, sell and deliver such bonds or notes and to determine the rate of interest thereon and the maturity and other terms thereof; and further to authorize the Select Board to apply for, accept and expend federal, state or other aid, if any, including principal forgiveness, which may become available for this project and to comply with all laws applicable to such project; and further to authorize the Select Board to take any other action or to pass any other vote relative thereto. Notwithstanding the general obligation nature of the bonds or notes, it is anticipated that debt service will be paid from the water fund. Bond payments would begin approximately one year after issuance.

(3/5 ballot vote required for approval.) Recommended by the Select Board 5-0.

Article 4 – Pickpocket Dam Removal (\$2,100,000)

To see if the Town will vote to raise and appropriate the sum of two million one hundred thousand dollars (\$2,100,000) for the purpose of design, engineering, removal of the Pickpocket Dam and subsequent site monitoring, and to authorize the issuance of not more than \$2,100,000 of bonds or notes in accordance with the provisions of the Municipal Finance Act (RSA 33); and further to authorize the Select Board to issue, negotiate, sell and deliver such bonds or notes and to determine the rate of interest thereon and the maturity and other terms thereof; and further to authorize the Select Board to apply for, accept and expend federal, state or other aid, if any, including principal forgiveness, which may become available for this project and to comply with all laws applicable to such project; and further to authorize the Select Board to take any other action or to pass any other vote relative thereto. The Town is seeking grants to offset up to 100% of the project cost. Debt service to be paid from the general fund. (Estimated Tax Impact: assuming 15-year bond at 3.09% interest: .06/1,000, \$6.00/100,000 of assessed property value). Bond payments would begin approximately one year after issuance.

(3/5 ballot vote required for approval.) Recommended by the Select Board 5-0.

Article 5 – Linden Street Bridge Repairs (\$1,257,900)

To see if the Town will vote to raise and appropriate the sum of one million two hundred fifty seven thousand nine hundred dollars (\$1,257,900) for the purpose of making repairs to the Linden Street bridge, and to authorize the issuance of not more than \$1,257,900 of bonds or notes in accordance with the provisions of the Municipal Finance Act (RSA 33); and further to authorize the Select Board to issue, negotiate, sell and deliver such bonds or notes and to determine the rate of interest thereon and the maturity and other terms thereof; and further to authorize the Select Board to apply for, accept and expend federal, state or other aid, if any, including principal forgiveness, which may become available for this project and to comply with all laws applicable to such project; and further to authorize the Select Board to take any other action or to pass any other vote relative thereto. Debt service to be paid from the general fund. (Estimated Tax Impact: assuming 10-year bond at 2.72% interest: .05/1,000, \$5.00/100,000 of assessed property value). Bond payments would begin approximately one year after issuance.

(3/5 ballot vote required for approval.) Recommended by the Select Board 5-0.

Article 6 – DPW Fuel Island Station Replacement (\$575,000)

To see if the Town will vote to raise and appropriate the sum of five hundred seventy five thousand dollars (\$575,000) for the purpose of replacing the fuel island station at the DPW Complex at 13 Newfields Road, and to authorize the issuance of not more than \$575,000 of bonds or notes in accordance with the provisions of the Municipal Finance Act (RSA 33); and further to authorize the Select Board to issue, negotiate, sell and deliver such bonds or notes and to determine the rate of interest thereon and the maturity and other terms thereof; and further to authorize the Select Board to apply for, accept and expend federal, state or other aid, if any, including principal forgiveness, which may become available for this project and to comply with all laws applicable to such project; and further to authorize the Select Board to take any other action or to pass any other vote relative thereto. Debt service to be paid from the general fund. (Estimated Tax Impact: assuming 5-year bond at 2.89% interest: .04/1,000; \$4.00/100,000 of assessed property value). Bond payments would begin approximately one year after issuance.

(3/5 ballot vote required for approval.) Recommended by the Select Board 5-0.

Article 7 – Street Sweeper (\$395,000)

To see if the Town will vote to raise and appropriate the sum of three hundred ninety five thousand dollars (\$395,000) for the purpose of purchasing a new street sweeper to be used to meet EPA nitrogen reduction permit requirements and the implementation of an enhanced sweeping program, and to authorize the issuance of not more than \$395,000 of bonds or notes in accordance with the provisions of the Municipal Finance Act (RSA 33); and further to authorize the Select Board to issue, negotiate, sell and deliver such bonds or notes and to determine the rate of interest thereon and the maturity and other terms thereof; and further to authorize the Select Board to apply for, accept and expend federal, state or other aid, if any, including principal forgiveness, which may become available for this project and to comply with all laws applicable to such project; and further to authorize the Select Board to take any other action or to pass any other vote relative thereto. Debt service to be paid from the general fund. (Estimated Tax Impact: assuming 5-year bond at 2.89% interest: .03/1,000, \$3.00/100,000 of assessed property value). Bond payments would begin approximately one year after issuance.

(3/5 ballot vote required for approval.) Recommended by the Select Board 5-0.

Article 8 – Use of Excess Bond Proceeds - Front, Pine & Linden Street Sewer & Drainage Repairs (\$250,000)

Shall the Town vote to authorize the expenditure of a portion of the unused bonds approved in 2021 for Salem Street Area Water, Sewer, Drainage Road Improvements and Utility Replacements as follows: to raise and appropriate the sum of two hundred fifty thousand dollars (\$250,000), for the purpose of making sewer repairs at Pine, Front and Linden Streets, and making repairs to drainage systems at Pine, Front and Linden Streets, per RSA 33:3-a, II. (Estimated Tax Impact: None. No amount to be raised by taxation).

(3/5 ballot vote required for approval) Recommended by the Select Board 5-0.

Article 9 – Use of Excess Bond Proceeds - Clemson Lagoon Cleaning and Inspection (\$500,000)

Shall the Town vote to authorize the expenditure of a portion of the unused bonds approved in 2021 for Wastewater Lagoon Sludge Removal as follows: to raise and appropriate the sum of five hundred thousand dollars (\$500,000), for the purpose of inspecting, cleaning and dredging of Clemson Lagoon, per RSA 33:3-a, II. (Estimated Tax Impact: None. No amount to be raised by taxation).

(3/5 ballot vote required for approval) Recommended by the Select Board 5-0.

Article 10 – Use of Excess Bond Proceeds - Wastewater Treatment Facility Effluent Flume Repair (\$245,000)

Shall the Town vote to authorize the expenditure of a portion of the unused bonds approved in 2021 for Wastewater Lagoon Sludge Removal as follows: to raise and appropriate the sum of two hundred forty-five thousand dollars (\$245,000), for the purpose of repairing the effluent flume at the Wastewater Treatment Facility site at 13 Newfields Road, per RSA 33:3-a, II. (Estimated Tax Impact: None. No amount to be raised by taxation).

(3/5 ballot vote required for approval) Recommended by the Select Board 5-0.

Article 11 – Choose Town Officers

To choose all other necessary Town Officers, Auditors or Committees for the ensuing year.

Article 12 – 2025 Operating Budget

Shall the Town of Exeter raise and appropriate as an operating budget, not including appropriations by special warrant articles and other appropriations voted separately, the amounts set forth on the budget posted with the warrant or as amended by vote of the first session, for the purposes set forth therein, totaling \$23,983,368. Should this article be defeated, the default budget shall be \$23,441,313, which is the same as last year, with certain adjustments required by previous action of the Town of Exeter or by law; or the governing body may hold one special meeting, in accordance with RSA 40:13, X and XVI, to take up the issue of a revised operating budget only. (Estimated Tax Impact: .27/1,000 assessed property value, \$27/100,000 assessed property value).

(Majority vote required.) Recommended by the Select Board 5-0.

Article 13 – 2025 Water Fund Budget

Shall the Town of Exeter raise and appropriate as a water operating budget, not including appropriations by special warrant articles and other appropriations voted separately, the amounts set forth on the budget posted with the warrant or as amended by vote of the first session, for the purposes set forth therein, totaling \$4,601,357. Should this article be defeated, the water default budget shall be \$4,613,401, which is the same as last year, with certain adjustments required by previous action of the Town of Exeter or by law.

(Majority vote required.) Recommended by the Select Board 5-0.

Article 14 – 2025 Sewer Fund Budget

Shall the Town of Exeter raise and appropriate as a sewer operating budget, not including appropriations by special warrant articles and other appropriations voted separately, the amounts set forth on the budget posted with the warrant or as amended by vote of the first session, for the purposes set forth therein, totaling \$8,147,727. Should this article be defeated, the default budget shall be \$8,074,074, which is the same as last year, with certain adjustments required by previous action of the Town of Exeter or by law.

(Majority vote required.) Recommended by the Select Board 5-0.

Article 15 – Collective Bargaining Agreement – SEIU Local 1984 and Town of Exeter

To see if the Town will vote to approve the cost items included in the three-year collective bargaining agreement reached between the Select Board and the SEIU (Service Employees International Union) Local 1984 covering Public Works and Administrative/Clerical employees, which calls for the following increased salaries and benefits at the current staffing levels:

Year	Water/Sewer Fund	General Fund	Total
FY25	\$68,068	\$70,451	\$138,519
FY26	\$93,597	\$105,320	\$198,917
FY27	\$61,403	\$80,643	\$142,046

And further, to raise and appropriate the sum of one hundred thirty-eight thousand five hundred nineteen dollars (\$138,519) for the 2025 fiscal year, such sum representing the additional costs attributable to the increase in salaries and benefits over those of the appropriation at current staffing levels. The amounts raised will be \$70,451 through taxation (General Fund), and \$68,068 (Water/Sewer Funds) as offsetting revenue. (Estimated Tax Impact: .02/1,000, \$2.02/100,000 assessed property value).

(Majority vote required.) Recommended by the Select Board 5-0.

Article 16 – Collective Bargaining Agreement – Exeter Police Association and Town of Exeter

To see if the Town will vote to approve the cost items included in the three-year collective bargaining agreement reached between the Select Board and the Exeter Police Association, which calls for the following increased salaries and benefits at the current staffing levels:

Year	Estimated Salary/Benefits Increase
FY25	\$133,009
FY26	\$225,370
FY27	\$128,120

And further, to raise and appropriate the sum of one hundred thirty-three thousand, nine dollars (\$133,009) for the 2025 fiscal year, such sum representing the additional costs attributable to the increase in salaries and benefits over those of the appropriation at current staffing levels. (Estimated Tax Impact: .038/1,000, \$3.82/100,000 assessed property value).

(Majority vote required.) Recommended by the Select Board 5-0.

Article 17 – Collective Bargaining Agreement – Exeter Professional Firefighters Association Local 3491 and Town of Exeter

To see if the Town will vote to approve the cost items included in the three-year collective bargaining agreement reached between the Select Board and the Exeter Professional Firefighters Association Local 3491, which calls for the following increased salaries and benefits at the current staffing levels:

Year	Estimated Salary/Benefits Increase
FY25	\$158,248
FY26	\$207,857
FY27	\$124,297

And further, to raise and appropriate the sum of one hundred fifty-eight thousand, two hundred forty-eight dollars (\$158,248) for the 2025 fiscal year, such sum representing the additional costs attributable to the increase in salaries and benefits over those of the appropriation at current staffing levels. (Estimated Tax Impact: .045/1,000, \$4.54/100,000 assessed property value).

(Majority vote required.) Recommended by the Select Board 5-0.

Article 18 – Replace Sidewalk Tractor #58 (\$225,000)

To see if the Town will vote to authorize the Select Board to enter into a 5-year lease/purchase agreement for \$225,000 for the purpose of lease/purchasing a replacement for a 1991 sidewalk tractor in the Public Works Department, and to raise and appropriate the sum of fifty-six thousand two hundred fifty dollars (\$56,250), which represents the first of 5 annual payments (a total of \$258,750) for this purpose. This lease/purchase will contain an escape (non-appropriation) clause. This sum to come from general taxation. (Estimated Tax Impact: .016/1,000, \$1.61/100,000 assessed property value).

(Majority vote required.) Recommended by the Select Board 5-0.

Article 19 – Replace Dump Truck #33 (\$160,000)

To see if the Town will vote to authorize the Select Board to enter into a 5-year lease/purchase agreement for \$160,000 for the purpose of lease/purchasing a replacement for dump truck #33 in the Public Works Department, and to raise and appropriate the sum of forty-thousand dollars (\$40,000), which represents the first of 5 annual payments (a total of \$184,000) for this purpose. This lease/purchase will contain an escape (non-appropriation) clause. This sum to come from general taxation. (Estimated Tax Impact: .011/1,000, \$1.15/100,000 assessed property value).

(Majority vote required.) Recommended by the Select Board 5-0.

Article 20 – Purchase ADA Accessible Van for Parks/Recreation (\$120,000)

To see if the Town will vote to authorize the Select Board to enter into a 5-year lease/purchase agreement for \$120,000 for the purpose of lease/purchasing an ADA Accessible Van for the Parks/Recreation Department, and to raise and appropriate the sum of fifteen-thousand dollars (\$15,000), which represents the first of 5 annual general fund payments (a total of \$69,000) for this purpose. The total cost of the van will be shared with the Recreation Revolving Fund which will provide 50% funding or \$69,000 for this purchase over the 5-year lease/purchase. The total sum to be raised from taxation will be \$69,000. The total amount of the lease/purchase is estimated at \$138,000. This lease/purchase will contain an escape (non-appropriation) clause. This sum to come from general taxation and Recreation revolving funds. (Estimated Tax Impact: .004/1,000, \$.43/100,000 assessed property value).

(Majority vote required.) Recommended by the Select Board 5-0.

Article 21 – Public EV Charging Facility (\$120,000)

To see if the Town will raise and appropriate, through special warrant article, the sum of one hundred twenty thousand dollars (\$120,000), for the purpose of purchasing and installing two (2) two-port Electric Vehicle chargers (provides charging for 4 vehicles) to be located in the Downtown Municipal Lot. This project may qualify for a DOT Charging Fueling Infrastructure (CFI) Grant that provides an 80:20 grant match (federal:local) up to \$96,000. The Notice of Funding Availability (NOFA) for this grant is typically announced in May. Any additional grants obtained will offset the cost of the project. This appropriation will not take effect unless at least \$96,000 in grants are received, with the town's share of up to \$24,000 to come from the unassigned fund balance. (Estimated Tax Impact: None. No amount to be raised by taxation).

(Majority vote required.) Recommended by the Select Board 5-0.

Article 22 – Appropriate to Sick Leave Trust Fund (\$100,000)

To see if the Town will vote to raise and appropriate the sum of one hundred thousand dollars (\$100,000) to be added to the Sick Leave Expendable Trust Fund previously established. This sum to come from the unassigned fund balance. (Estimated Tax Impact: None. No amount to be raised by taxation).

(Majority vote required.) Recommended by the Select Board 5-0.

Article 23 – Appropriate to Capital Reserve Fund – Parks Improvements (\$100,000)

To see if the Town will vote to raise and appropriate the sum of one hundred thousand dollars (\$100,000) to be added to the Parks Improvement Capital Reserve Fund previously established. (Estimated Tax Impact: .028/1,000 assessed property value, \$2.84/100,000 assessed property value).

(Majority vote required.) Recommended by the Select Board 5-0.

Article 24 – Purchase Styrofoam Densifier Unit (\$80,000)

To see if the Town will raise and appropriate, through special warrant article, the sum of eighty thousand dollars (\$80,000), for the purpose of purchasing a Styrofoam densifier unit. This project is eligible for a \$50,000 grant through RecycleFoam.org with applications due in March/April. Any grants obtained will go to offset the cost of the equipment. This appropriation will not take effect unless \$50,000 in grants are received, with the town's share of \$30,000 to come from the unassigned fund balance. (Estimated Tax Impact: None. No amount to be raised by taxation).

(Majority vote required.) Recommended by the Select Board 5-0.

Article 25 – Appropriate to Non-Capital Reserve Fund – Snow and Ice Deficit (\$75,000)

To see if the Town will vote to raise and appropriate the sum of seventy-five-thousand dollars (\$75,000) to be added to the Snow and Ice Deficit Non-Capital Reserve Fund previously established. This sum to come from the unassigned fund balance. (Estimated Tax Impact: None. No amount to be raised by taxation).

(Majority vote required.) Recommended by the Select Board 5-0.

Article 26 – Replace Fire Utility Truck (\$71,355)

To see if the Town will raise and appropriate, through special warrant article, the sum of seventy-one thousand three hundred and fifty-five dollars (\$71,355), for the purpose of purchasing a replacement for the Fire Department Utility Truck, purchased in 2008. This vehicle is primarily used for towing emergency and non-emergency trailers to incident scenes. It is also used to pick up used equipment after fire and other incidents. This sum to come from the unassigned fund balance. (Estimated Tax Impact: None. No amount to be raised by taxation).

(Majority vote required.) Recommended by the Select Board 5-0.

Article 27 – Transfer Station Improvements (\$50,000)

To see if the Town will raise and appropriate, through special warrant article, the sum of fifty thousand dollars (\$50,000), for the purpose of making improvements to the Town transfer station. This sum to come from general taxation. (Estimated Tax Impact: .014/1,000, \$1.44/100,000 assessed property value).

(Majority vote required.) Recommended by the Select Board 5-0.

Article 28 – Appropriate to Capital Reserve Fund – ADA Fund (\$25,000)

To see if the Town will vote to raise and appropriate the sum of twenty-five thousand dollars (\$25,000) to be added to the ADA Non-Capital Reserve Fund previously established. (Estimated Tax Impact: .0072/1,000 assessed property value, .72/\$100,000 assessed property value).

(Majority vote required.) Recommended by the Select Board 5-0.

Article 29 – Sestercentennial Fund (\$5,000)

To see if the Town will vote to establish a non-capital reserve fund under RSA 35:1-c to be known as the Sestercentennial Fund, for the purpose of planning events and celebrations for the Sestercentennial of the United States of America, and to raise and appropriate the sum of five-thousand dollars (\$5,000) to be placed in this fund and further the Select Board shall be named agents of the fund and be authorized to make expenditures from the fund. (Estimated Tax Impact: .0014/1,000 assessed property value, .14/\$100,000 assessed property value).

(Majority vote required.) Recommended by the Select Board 5-0.

Article 30 – Appropriate to Trust Fund – Swasey Parkway (\$3,750)

To see if the Town will vote to raise and appropriate the sum of three thousand seven hundred fifty dollars (\$3,750) to be added to the Swasey Parkway Expendable Trust Fund previously established. This sum to come from unassigned fund balance. This amount is equivalent to the amount of permit fees collected during 2024 for use of the Swasey Parkway. (Estimated Tax Impact: None. No amount to be raised by taxation).

(Majority vote required.) Recommended by the Select Board 5-0.

Article 31 – TIF Amendment – Amend Financing Plan

To see if the Town will adopt the provisions of the Epping Road Tax Increment District Financing Plan Amendment (dated January 6, 2025) in accordance with RSA 162-K:9 IV which allocates the use of tax increments for retirement of bonds and notes as outlined in the plan amendment. The plan amendment includes three capital projects in the Epping Road TIF District. Epping Road Widening Phase 2 – estimated cost \$880,000; Industrial Drive/Commerce Way Paving – estimated cost \$180,000, and Water/Sewer Improvements south of the Continental Drive traffic light – estimated cost \$850,000. (Estimated Tax Impact: None. No amount to be raised by taxation).

(Majority vote required.) Recommended by the Select Board 5-0.

Article 32 – Citizen’s Petition Article

On the petition of Gerry Hamel and other registered voters of the town of Exeter, NH to see if the town shall vote:

To discontinue the community Revitalization Tax Incentive Program (RSA 79E) adopted by the Town of Exeter in March of 2014. The program was used to give tax incentives to owners and investors in certain districts to spur revitalization of property.

With property values more than doubling in the past ten years and the lack of needing incentives to renovate, we feel the incentive program should be discontinued so that the taxes on all future projects can be utilized by the town and citizens instead of investors.

(Majority Vote Required.)

Article 33 – Citizen’s Petition Article

By petition of Karishma Manzur and others, Shall the Town vote to direct the Exeter Select Board, our Governor, and State elected representatives to disclose and divest all town and state pension funds and withdraw investments from weapons manufacturers that are profiting from gun violence?

Every year, gun violence kills more than 40,000 people in America and wounds twice as many. Injury from firearms is now the leading cause of death for children and teens in America. Gun violence is costing our nation over \$557 billion in health care treatments and lost economic opportunity. The lost human potential cannot be measured. Put simply, America cannot afford gun violence.

As citizens, we want to make the world safer for everyone, especially children.

The record of the vote approving this article shall be sent to Exeter’s State and Federal representatives and the Governor of New Hampshire.

(Majority Vote Required.)

Article 34 – Citizen’s Petition Article

By petition of Karishma Manzur and others, Shall the Town vote to call upon our Federal elected representatives to investigate the massive fraud and waste in the US Department of Defense, cut the vast \$900 billion defense budget, and use taxpayer funds to help ordinary Americans?

While over 45 million Americans are struggling with hunger, billions of dollars will go to a few giant defense contractors that overcharge the US government and make enormous profits for their CEOs and shareholders. This is disgraceful. As citizens, we want our tax funds to help ordinary Americans.

The record of the vote approving this article shall be sent to Exeter’s State and Federal representatives and the Governor of New Hampshire.

(Majority Vote Required.)

Article 35 – Citizen’s Petition Article

By petition of Karishma Manzur and others, Shall the Town vote to call upon our Federal elected representatives to use the US government’s considerable influence to (1) support the safety and right to life of all people living in Israel and Palestine, (2) enforce U.S. laws prohibiting weapons sales to countries that violate human rights, and (3) ensure the safe delivery of food and medical supplies to the people in Gaza?

While many Americans struggle to live from paycheck to paycheck, many are homeless, children are going hungry, elderly people are unable to afford to heat their homes, and millions of Americans don’t have health insurance, our government spent over \$90 million of New Hampshire tax money in 2024 to buy weapons for Israel.

We want our government to spend our money to help ordinary Americans. As citizens, we are also concerned that our money and weapons are being used to make Gaza the most dangerous place in the world to be a child.

The record of the vote approving this article shall be sent to Exeter’s State and Federal representatives and the Governor of New Hampshire.

(Majority Vote Required.)

Article 36 – Citizen’s Petition Article

By petition of Karishma Manzur and others, Shall the Town vote to authorize and direct the Exeter Select Board, our Governor, and State and Federal elected representatives to support a \$5,000 limit on contributions to political action committees (PACs) and super PACs that spend money to support or defeat candidates for office in New Hampshire?

Democracy means that we elect our political leaders, and they represent us. As citizens, we are concerned that corporations and billionaires use money to make our elected officials do what they want, and most ordinary Americans do not have that power.

The record of the vote approving this article shall be sent to Exeter’s State and Federal representatives and the Governor of New Hampshire.

(Majority Vote Required.)

Article 37 – Petition Article

By petition of Karishma Manzur and others, Shall the Town vote to call upon our Governor and State and Federal elected representatives to conserve and maintain New Hampshire’s public natural resources for the benefit of this and future generations?

As citizens, we recognize the fundamental right of people, plants, and animals to have clean air, pure water, and a healthy environment. We urge our State and Federal governments to ensure that our beautiful state continues to have a clean, healthy, and sustainable environment upon which we all rely.

The record of the vote approving this article shall be sent to Exeter’s State and Federal representatives and the Governor of New Hampshire.

(Majority Vote Required.)

Article 38

To transact any other business that may legally come before this meeting.



Niko Papakonstantis, Chair



Molly Cowan, Vice Chair



Julie D. Gilman, Clerk



Nancy Belanger



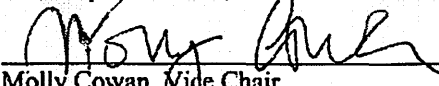
Daniel W. Chartrand

We certify that on the 27th day of January, 2025, we caused a true copy of the within warrant to be posted at the Exeter Town Hall on Front Street, the Exeter Public Library at Founder's Park, Exeter High School at 1 Blue Hawk Drive, Talbot Gymnasium at Tuck Learning Campus, 40 Linden Street, and the Town Clerk's Office, 10 Front Street.

Given under our hands and seal this 27th day of January, 2025.



Niko Papakonstantis, Chair



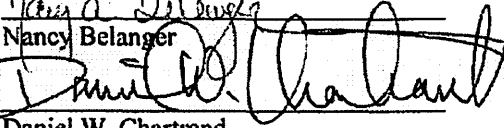
Molly Cowan, Vice Chair



Julie D. Gilman, Clerk



Nancy Belanger



Daniel W. Chartrand

Projects/Grants/Summaries

Town of Exeter
 Outstanding & Potential Projects with Federal Grant Funding
 1/30/2025

Outstanding	Description	Fund	Source	Awarded	Received	Outstanding	
Projects	Winter Street BMP	GF	NHDES/ EPA	118,000	35,000	83,000	
	Kingston Road	GF	TAP	1,541,106	1,082,311	458,795	
	10 Hampton Road - CDBG Renovations	GF	CDFA/ CDBG	841,240	-	841,240	NHCDFA has indicated that these funds continue to be available
	Solar Array	GF	IRA credits	1,294,000	-	1,294,000	Applied for after project completion - no "award" per se
	School Street Area Reconstruction	GF/W/S	SRF Loan	1,691,148	-	1,691,148	SRF loan forgiveness not guaranteed. "Award" represents 35% forgiveness on loan principal
	Exeter Reservoir Dam	WF	State ARPA	172,000	133,470	38,530	
	Squamscott River Sewer Siphons	SF	SRF Loan	510,000	-	510,000	SRF loan forgiveness not guaranteed. "Award" represents 10% forgiveness on loan principal
	Webster Ave Sewer Pump Station	SF	SRF Loan	325,500	-	325,500	SRF loan forgiveness not guaranteed. "Award" represents 10% forgiveness on loan principal
	Webster Ave Sewer Pump Station	SF	State ARPA	1,395,000	1,144,469	250,531	
	Webster Ave Sewer Pump Station	SF	Federal CDS	1,050,000	547,341	502,659	
	Planet Playground	GF	LWCF	297,500	-	297,500	Land Water Conservation Fund (LWCF) grant
	Water Street Stormwater Infrastructure Plan	WF	SRF	100,000	-	100,000	SRF loan forgiveness not guaranteed. "Award" represents 100% forgiveness on loan principal
	Historic Presevation Grant	GF	Federal	15,000	-	15,000	
	Energy Efficiency & Community Block Grant	GF	DOE	200,000	-	200,000	
	Enhancing Climate Resilience	GF	NHDES	18,000	-	18,000	
	Total Outstanding Projects			9,568,494	2,942,591	6,625,903	
							Potential
Potential	Description	Fund	Source			Award	
Projects	Pickpocket Dam - Article 4	GF	GB2030			310,000	Grant opportunity only - no award as of 1/28/25
	Pickpocket Dam - Article 4	GF	NOAA			2,100,000	Grant opportunity only - no award as of 1/28/25
	Clean Sweep - Street Sweeper - Article 7	GF	SRF Loan			108,750	SRF opportunity w/ 25% principal forgiveness + \$10K planning forgiveness
	Public EV Charing Facility - Article 21	GF	DOT			96,000	Grant opportunity only - no award as of 1/28/25
	Railroad Ave. Intersection Improvements	GF	TAP			1,067,951	Grant opportunity only - no award as of 1/28/25
						3,682,701	

Tax Abatements, Veteran's Credits & Exemptions

Permits & Approvals



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: Select Board

FROM: Stephen Cronin, Public Works Director

DATE: January 31, 2025

RE: **NOAA Restoring Fish Passage through Barrier Removal Grant Application for Pickpocket Dam Removal Project**

Following a review of the Pickpocket Dam Feasibility Study at the June 24, 2024, Select Board Meeting, the Board unanimously voted to authorize the Town Manager or designee to develop a FY25 warrant article for the dam's removal. The Board also directed staff to pursue external funding opportunities, including state and federal sources.

In response, the Public Works Department directed its consultant, VHB, to explore potential funding options. A promising opportunity was identified through NOAA's *Restoring Fish Passage Through Barrier Removal Grant Program* under the Bipartisan Infrastructure Law. The program's goals align closely with the Pickpocket Dam Removal Project:

1. **Fish Passage:** Improve fish passage through the removal of dams and other in-stream barriers for native migratory or sea-run fish
2. **Habitat Restoration:** Fostering regionally important habitat restoration.
3. **Climate Resilience:** Enhancing community resilience to climate hazards and providing other co-benefits.
4. **Community and Tribal Engagement:** Providing benefit to and engaging with underserved communities, including through partnerships with Indian tribes and other indigenous communities.

Given this alignment, the Public Works Department has directed VHB to prepare a grant application. To strengthen the application, NOAA encourages applicants to include Letters of Support from key stakeholders. The Department respectfully requests that the Select Board approve the attached Letter of Support for inclusion in the Town's submission.



TOWN OF EXETER, NEW HAMPSHIRE

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

www.exeternh.gov

February 3, 2025

NOAA Restoration Center, NOAA Fisheries
(F/HC), 1315 East West Highway, Rm. 14853
Silver Spring, MD 20910

RE: Bipartisan Infrastructure Law Restoring Fish Passage through Barrier Removal Grant

To Whom It May Concern,

On behalf of the Town of Exeter Select Board, I am pleased to offer our strong support for the Restoring Fish Passage through Barrier Removal Grant application submitted by the Town of Exeter for the proposed Pickpocket Dam Removal Project. This initiative aligns closely with our community's commitment to environmental stewardship, sustainability, and public safety.

In April 2024, VHB completed the Pickpocket Dam Feasibility Study on behalf of the Town of Exeter. Following a review of the Feasibility Study, the Select Board recognizes that the Pickpocket Dam no longer serves its original purpose, does not meet current dam safety criteria, and contributes to environmental challenges such as flooding, obstruction of fish migration, and habitat degradation. Therefore, the Select Board voted unanimously "to authorize the Town Manager or designee to implement a CIP and warrant article to remove the dam" and "to seek to obtain all outside funding, including but not limited to State and Federal funding."

The Exeter River is cherished by Exeter's residents and visitors for its biodiversity and regional aquatic ecosystems. The removal of in-stream barriers, such as dams, is essential to restoring the natural movement of native migratory and sea-run fish species in the river. In 2016, Exeter removed its Great Dam located in the center of Town, restoring the Exeter River back to its natural state where it meets the Squamscott River. This has resulted in increased river herring populations while also significantly improving water quality. The Select Board looks forward to similar successes through the removal of Pickpocket Dam.

For these reasons, the Town of Exeter Select Board fully supports this application for the Restoring Fish Passage through Barrier Removal Grant and urges NOAA to give it favorable consideration. This project represents a strategic investment in Exeter's ecological health, community well-being, and long-term sustainability.

Sincerely,

Niko Papakonstantis, Chair of the Select Board
Town of Exeter, New Hampshire

Town Manager Report

Select Board Committee Reports

Correspondence



Pam McElroy <pmcelroy@exeternh.gov>

Message from Julie Gilman re: House Scheduling Notice 2/4/25

1 message

Pam McElroy <pmcelroy@exeternh.gov>

Wed, Jan 29, 2025 at 1:47 PM

To: Niko Papakonstantis <npapakonstantis@exeternh.gov>, Russ Dean <rdean@exeternh.gov>, Dan Chartrand <dchartrand@exeternh.gov>, Pam McElroy <pmcelroy@exeternh.gov>, Molly Cowan <mcowan@exeternh.gov>, Julie Gilman <jgilman@exeternh.gov>, Melissa Roy <mroy@exeternh.gov>, Nancy Belanger <nbelanger@exeternh.gov>

Good afternoon.

Please see the message and attachment below from Julie Gilman:

The full text of the bills are on the General Court website gc.nh.gov

Down on the left of the home page is a "search by bill Number" that will get you to the full text of the bill.

Remote sign in is at the very bottom of the home page.

Thanks,

Representative Julie D. Gilman
Rockingham District 11
Exeter
Municipal and County Government

Pam McElroy

Town of Exeter

Senior Executive Assistant, Town Manager's Office

603-773-6102



House Scheduling Notice - Public Hearing 2-4-25.pdf

66K

HOUSE SCHEDULING NOTICE
Municipal and County Government
PUBLIC HEARING
Tuesday, 2/4/25
Legislative Office Building 307

9:30 a.m.	HB 689	enabling municipalities to adopt a volunteer incentive property tax credit.
10:00 a.m.	HB 766	enabling municipalities to adopt an exemption from the local education property tax for certain elderly residents.
10:30 a.m.	HB 625	relative to enabling municipalities to levy payments against non-profits at a percentage of their assessed property values.
11:10 a.m.	HB 147	relative to clarifying tax exemptions for properties used by religious, educational, and charitable organizations.
11:30 a.m.	HB 426	relative to property tax exemptions for charitable organizations for the prior tax year.
1:00 p.m.	HB 617	relative to the homestead right.
1:30 p.m.	HB 425	allowing tax-exempt entities to keep their tax-exempt status while renting facilities or property to entities that share their mission.
1:50 p.m.	HB 421-FN	relative to notice of tax exempt-status filing procedures by town officials or offices.
2:10 p.m.	HB 782-FN	expanding property tax exemptions for certain elderly and disabled persons; raising public awareness regarding tax credits and exemptions; and requiring an annual report regarding the efficacy of the low and moderate income homeowners property tax relief program.
2:40 p.m.	HB 458-FN	limiting local assistance to U.S. citizens or permanent legal residents.

Executive session on pending legislation may be held throughout the day, time permitting, from the time the committee is initially convened.

Sponsors:

HB 689

Rep. Hemingway
Rep. J. Aron

Rep. Girard
Rep. M. Aron

Rep. Damon

Rep. Cloutier

HB 766

Rep. McMahon
Rep. Lynn

Rep. Popovici-Muller
Rep. Weyler

Rep. Kuttab

Rep. Soti

HB 625

Rep. Bolton

Rep. Schamberg

HB 147

Rep. Mooney
Rep. Preece
Sen. Avar

HB 426

Rep. J. MacDonald
Rep. Rung

HB 617

Rep. Litchfield

HB 425

Rep. M. Pearson
Rep. Janigian

HB 421-FN

Rep. M. Pearson
Rep. Janigian
Rep. W. MacDonald

HB 782-FN

Rep. Manohar

HB 458-FN

Rep. Roy
Sen. Pearl

Rep. Cordelli
Rep. Miles
Sen. Ward

Rep. Maggiore
Rep. Lynn

Rep. B. Boyd
Rep. Cambrils

Rep. B. Boyd
Rep. Cambrils
Sen. Gannon

Rep. S. Smith

Rep. Lynn
Rep. Labrie

Rep. Crawford

Rep. DeSimone
Rep. Terry

Rep. DeSimone
Rep. Mooney

Rep. T. Walsh

Rep. M. Pearson
Sen. Abbas

Rep. Peternel

Rep. Cordelli
Sen. Gannon

Rep. Cordelli
Rep. Terry

Sen. Gannon

Committee Asst: Jami Wyman
Scheduled By: Jami Wyman - 271-3125
Created: January 29, 2025 11:22 a.m.

Diane Pauer, Chairman

To: Niko
←

January 23, 2025

Mr. Langdon Plumer, Chair
Exeter Planning Board
10 Front Street
Exeter, NH 03833

Dear Chair Plumer and Members of the Planning Board,

At a previous Planning Board meeting on this application, Ms. Martel mentioned that she believed that this project had been approved by the Zoning Board. At the December Planning Board meeting, I tried to set the record straight by testifying that this project has not been approved by the ZBA; in fact, applications concerning this building have been denied twice. Let me expand on that.

There are two types of applications to Zoning Boards, Special Exceptions and Variances. Special Exceptions are for uses that are "permitted within a district only after a determination by the Board of Adjustment that certain conditions specified in the Zoning Ordinance have been met." Variances are for uses that are not permitted by Special Exception.

Let me first say that every square inch of RiverWoods Exeter – all three of their campuses as well as the multiple private homes which they have purchased on Kingston Road and on Pickpocket Road – is in the R-1, Low Density Residential zoning district. In the R-1 zone, 'Elderly Congregate Health Care Facilities' (which is how RiverWoods is defined in the Exeter Zoning Ordinance) are permitted to be constructed *only* by Special Exception.

The table attached to this letter is page 41 of the 692 page application that RiverWoods prepared and submitted to you on Nov. 21, 2024 – the application we are discussing this evening. Every stage of the development of RiverWoods, from the original Woods campus in 1990 through something as benign as the construction of an outdoor park and recreation area in 2011, has required Special Exceptions from the ZBA in order to move forward. Every step of the growth of RiverWoods has been explicitly permitted by Special Exception by the ZBA -- except this one.

In 2011, RiverWoods applied for a Special Exception to permit construction of an administrative building – the building that occupies the same space where the new health center is now planned and which will be demolished to allow the new construction. That application was approved in a modified form by the ZBA after considerable pushback from abutters including moving the building from its' originally proposed location close to the intersection of Kingston and Pickpocket Roads to a location much further away from abutting properties and making the entrance from White Oak Drive in order to address traffic safety concerns. The conditions of approval listed in ZBA Chair Hank Ouimet's letter of February 18, 2011 (attached) are:

“This approval was granted subject to the following conditions:

- The proposed administrative building shall house a maximum of fifteen (15) full time equivalent employees;
- The building footprint shall not exceed 5,500 square feet in area and the total square footage of the building (all floors) shall not exceed 6,800 square feet in area; and
- The total number of parking spaces associated with the use of the administrative building shall not exceed twenty-one (21) spaces.”

Are we honestly to believe that the construction of a health care facility that is planned to have well over 100 employees, a footprint of over 50,000 square feet, a total building space of over 170,000 square feet, and 131 parking spaces is something that can be built in the R-1 zoning district without the explicit approval of the Zoning Board?

In August of 2022, RiverWoods applied to the ZBA for a Variance to permit the elimination of 60 skilled care beds and add 35 independent living units at the Ridge campus and a Variance to permit skilled nursing care off site at a related campus. This is ZBA Case #22-15. They followed up on this in October of 2022 with an application to the ZBA for a Variance to permit skilled nursing care at the Boulders campus off site “...as part of a master planning exercise to create a centralized health center to service all three campuses.” This is ZBA Case #22-16.

After much discussion and several extensions, The ZBA denied both Variance applications on January 23, 2023. In March, RiverWoods requested rehearings for both applications and those requests were denied.

Let me pause here and dig a bit into the mention by RiverWoods of a “master planning exercise.” At a previous hearing on this case, Ms. English asked RiverWoods for their master plan for the continued expansion of their campus in Exeter. I suggest that moving forward on a piecemeal basis is not in the best interests of the Town of Exeter or the over 50 private homes that are abutters to RiverWoods. The Planning Board must consider as part of this application RiverWoods plan for the development of the spaces on their three campuses currently occupied by separate health care facilities as well as their plans for the private homes they have purchased and whose lots are now merged with RiverWoods at 67 Kingston Road and 78 Kingston Road, the private homes which they own at 55 Kingston Road and 21 Pickpocket Road, and for the administrative offices that are being displaced by the health center.

On March 5, 2024, following a lot line merger of their three campuses along with the private homes at 67 Kingston Road and 78 Kingston Road that they purchased, the Code Enforcement Officer sent an Administrative Decision letter to RiverWoods via their counsel (see attached) that states, in part, “As discussed, RiverWoods Exeter has now merged, for zoning and tax purposes, all of the lots on which the three RiverWoods campuses sit, together with two parcels more recently acquired which are located at 67 Kingston Road and 78 Kingston Road. As

a result, the entirety of RiverWoods Exeter will now be located on one site. The presence of one health center on the merged lot, which will provide skilled nursing, satisfies the requirements of Article 6, Section 6.1 of the Zoning Ordinance which calls for on-site nursing home facilities and is now permitted as of right without further need of any use variance.”

Please note that this letter refers only to the Use Variances that were previously requested and denied and does not say that RiverWoods may build their health center without bringing it before the Zoning Board for Special Exception as was done with every other step of their development – all three campuses and even their 5,000 sq. ft Administrative Building.

The Planning Board cannot legally approve a plan that does not conform to the Zoning Ordinance and I believe that RiverWoods Exeter, by bringing this project to the Planning Board without Special Exception approval from the Zoning Board, is in violation of the Exeter Zoning Ordinance. I ask that you delay moving this application forward until a determination on this apparent violation is made.

Many thanks for your time and attention,

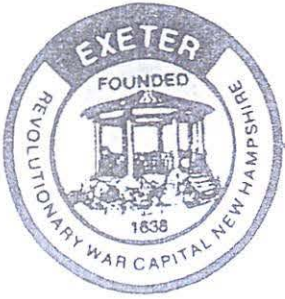


Robert V. Prior
16 Pickpocket Road
Exeter, NH 03833

cc: Dave Sharples, Town Planner
Douglas Eastman, Code Enforcement Officer
Esther Olson-Murphy, Chair, Zoning Board of Adjustment
Niko Papakonstantis, Chair, Select Board

**RIVERWOODS
SPECIAL EXCEPTIONS OR VARIANCES BY THE ZBA**

DATED	RELIEF GRANTED
July 17, 1990	Special Exception for "Continuing Care Retirement Facility" (the "Woods")
September 20, 1990	Amendment to condition of previous SE to increase nursing home beds from 50 to 60
February 20, 1991	Special Exception to allow: chimney exceeding allowable height; ornamental towers exceeding allowable height; construction of bridge over poorly drained soils; construct a portion of the structure on poorly drained soils.
June 19, 1991	Amendment to condition of previous SE to permit a change in the location of the access road
August 6, 2007	Special Exception to permit "Elderly Congregate Care Facility (the "Ridge")
April 17, 2008	Special Exception to permit "Elderly Congregate Care Facility (the "Boulders")
February 18, 2011	Special Exception to permit "Elderly Congregate Care Facility (Admin Building)
July 25, 2011	Amendment to Feb. 2011 Special Exception for slight increase in total square footage of Admin Building
August 22, 2011	Special Exception to permit the construction of an outdoor park and recreation area as an accessory use



TOWN OF EXETER, NEW HAMPSHIRE

10 FRONT STREET • EXETER, NH 03833-2792 • (603) 778-0591 • FAX 772-4709

www.town.exeter.nh.us

February 18, 2011

Charles F. Tucker, Esquire
Donahue, Tucker & Ciandella PLLC
225 Water Street
POB 630
Exeter, New Hampshire 03833

*Nank
Ouzet,
Chair, ZBA*

Re: **Zoning Board of Adjustment Case #1412** – Special Exception Request
77 Kingston Road, Exeter, N.H. (former Reedy parcel)
Tax Map Parcel #97-43

Dear Attorney Tucker:

This letter will serve as official confirmation that the Zoning Board of Adjustment, at its February 15th, 2011 meeting, voted to approve the above-captioned application for a special exception per Article 4, Section 4.2 Schedule I: Permitted Uses to permit the property located at 77 Kingston Road to be developed for a proposed elderly congregate health care use in conjunction with the abutting RiverWoods facilities. This approval was granted subject to the following conditions:

- The **proposed administrative building** shall house a maximum of fifteen (15) full time equivalent employees;
- The building footprint shall not exceed 5,500 square feet in area and the total square footage of the building (all floors) shall not exceed 6,800 square feet in area; and
- The total number of parking spaces associated with the use of the administrative building shall not exceed twenty-one (21) spaces.

As agreed by the Applicant, the Board acknowledges that the conceptual proposal for the development of an outdoor park and recreation area on the portion of the site currently occupied by the existing (Reedy) house and barns was withdrawn from the Application during the hearing. Accordingly, this approval with conditions does not apply to any future development of that area of the property, or any other future development of the property except as presented in the amended Application.

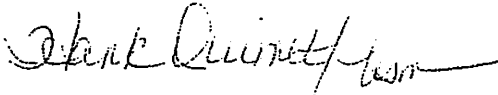
Please be advised that in accordance with Article 12, Section 12.4 of the Town of Exeter Zoning Ordinance entitled "Limits of Approval" that all approvals granted by the Board of Adjustment shall only be valid for a period of three (3) years from the date of such approval was granted; therefore, should substantial completion of the improvements, modifications, alterations or changes in the property not occur in this period of time, this approval will expire and you would be required to submit another application to the Board should you wish to proceed.

Charles F. Tucker, Esquire
February 18, 2011
Page #2

Re: RiverWoods At Exeter – ZBA Case #1412

If you should have any questions relative to this approval, please do not hesitate to contact the Planning & Building Department office.

Sincerely,



Hank Ouimet
Chairman
Exeter Zoning Board of Adjustment

cc: Dawn Barker, RiverWoods Company at Exeter
Mark Hepp, RiverWoods Company at Exeter
Jeff Clifford, P.E., Altus Engineering, Inc.
Douglas Eastman, Building Inspector/Code Enforcement Officer

HO:bsm



TOWN OF EXETER, NEW HAMPSHIRE

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www.exeternh.gov

March 5, 2024

Sharon Cuddy Somers, Esquire
Donahue, Tucker & Ciandella PLLC
16 Acadia Lane
POB 630
Exeter, New Hampshire 03833

Re: Administrative Decision Regarding RiverWoods Exeter Health Center

Dear Attorney Somers:

This confirms our various discussions concerning the proposed health center to be located at RiverWoods Exeter and which will service the health needs of all residents at RiverWoods Exeter. As discussed, RiverWoods Exeter has now merged, for zoning and tax purposes, all of the lots on which the three RiverWoods campuses sit, together with two parcels more recently acquired which are located at 67 Kingston Road and 78 Kingston Road. As a result, the entirety of RiverWoods Exeter will now be located on one site. The presence of one health center on the merged lot, which will provide skilled nursing, satisfies the requirements of Article 6, Section 6.1 of the Zoning Ordinance which calls for on-site nursing home facilities and is now permitted as of right without further need of any use variance.

Additionally, the proposed health center calls for a three-story building. If the proposed building contains a flat roof, then the height of the building will not exceed thirty-five feet (35') feet and is therefore permitted as a matter of right. Should the proposed three-story building contain a gabled roof, then it will exceed the permitted height and will need a height variance.

Finally, I understand that the proposal calls for parking to service the health center and that some of these parking spaces will be located within the landscape buffer located on what was formerly 67 Kingston Road and that a portion of White Oak Drive will need to be relocated into the landscape buffer to reflect the as-built location of the gas line easement. These two proposals will call for variance relief from the requirement to have a one-hundred-foot (100') landscape buffer.

Please contact me if you have any questions.

Sincerely,

Douglas Eastman
Building Inspector/Code Enforcement Officer

DE:bsm

**Bulletin #3: Bills, Bills and More Bills**

1 message

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

Fri, Jan 24, 2025 at 3:17 PM

New Hampshire Municipal Association

THE SERVICE AND ACTION ARM OF NEW HAMPSHIRE MUNICIPALITIES

**LEGISLATIVE
BULLETIN****Legislative Bulletin 3****2025 Session****January 24, 2025****Live Bill Tracker
Bill Hearings Schedule**

It's getting busy, folks. House and Senate committees had hearings and/or executive sessions on more than 180 proposals this week and more than 250 more sessions are scheduled next week. Fasten your seatbelts ...

Zoning, Development Bills in the Senate ...

We are closely monitoring a wave of proposed zoning mandates. These bills, if enacted, could lead to significant changes in how municipalities manage local zoning, planning, and development.

Policymakers and advocates are pursuing an all-hands-on-deck approach to the state's housing crisis, but many of their proposed solutions focus on overriding local decision-making. NHMA is concerned about the loss of local control and the potential negative impacts on municipalities of efforts to promote housing development and zoning regulations through statewide mandates.

On **Tuesday, January 28**, beginning at **9:45 a.m.**, the **Senate Commerce Committee** will hold public hearings on a trio of zoning-related bills.

SB 78 (10:00 a.m.): Changes the period for appeals to the Zoning Board of Appeals (ZBA) from a "reasonable time" to 30 days, overriding local rules that allow for more than 30 days. NHMA opposes this bill.

SB 82 (9:45 a.m.): Creates a new option for municipalities to incentivize new development by identifying land held in “reserve” for rezoning for affordable housing. Municipalities and counties would act as developers in building homes in these new zones. The bill includes an appropriation of \$20 million for infrastructure development, which is seen as a positive aspect. However, there are many specific parameters around what homes can be built in these zones, and it is not entirely clear what land is considered “reserve” land. NHMA is monitoring this bill until we have more details.

SB 84 (10:15 a.m.): Mandates zoning ordinances to allow smaller lot sizes for single-family homes, overriding current zoning regulations. The bill also requires municipalities to provide empirical evidence that the sewer system cannot support the lots, which adds a layer of complexity and burden on local governments. NHMA opposes this bill.

These bills could significantly impact municipalities, with **SB 78** potentially limiting the flexibility of local appeal processes, **SB 82** introducing new development incentives and infrastructure funding, and **SB 84** complicating zoning regulations and capacity assessments. We encourage our members to testify or provide testimony on these bills to the committee. **Note:** Refer to the final article in this week’s Bulletin for information on how to register your position on a bill, submit testimony, or contact committee members.

Another bill with this committee is **SB 90**, which permits residential building in commercial zones by right, pushing for mixed-use developments. While promoting urban density, NHMA opposes this bill because it could lead to conflicts over local land use priorities.

On **Wednesday, January 29**, at **9:00 a.m.** in **SH Room 103**, the **Senate Executive Departments & Administration Committee** (ED&A) holds a public hearing on **SB 94**, which prohibits municipal amendments to the state building code. NHMA opposes this bill and encourages local officials to voice their opposition to **SB 94**.

... And in the House

Here’s a breakdown of some key zoning and development bills in the House and their potential impacts:

HB 428: Prohibits municipal amendments to the state building code like **SB 94**, albeit with different wording. NHMA opposes both bills. The **House Executive Departments and Administration Committee** (ED&A) held a public hearing Wednesday and has scheduled a subcommittee work session for **Tuesday, January 28**, at **10:15 a.m.** in **LOB Room 104**.

Hearings have not yet been scheduled for these bills assigned to the **House Committee on Housing**, all of which NHMA opposes because they erode local control over land use decisions:

HB 457: Prohibits municipalities from adopting any ordinance that restricts the number of occupants of any dwelling unit to less than 2 occupants.

HB 459: Mandates certain acreage requirements and zoning regulations for single family properties depending on whether they are serviced by public water and sewer.

HB 382: Removes the authority for municipalities to regulate mandatory on-site parking requirements. This move could lead to more development flexibility but will create significant parking issues.

HB 577: Modifies the definition of Accessory Dwelling Units (ADUs) by mandating detached ADUs by right, similarly to how attached ADUs are currently permitted. This change would reduce planning and zoning requirements for new ADUs, potentially increasing housing supply but also placing additional burdens on municipalities.

HB 685: Requires manufactured housing to be allowed in all residential zones.

HB 631: Permits residential building in commercial zones by right, pushing for mixed-use developments. While promoting urban density, it may lead to conflicts over land use priorities and contradicts one of the key purposes of zoning in RSA 674:17: to “consider the character of the area involved and its peculiar suitability for particular uses.”

HB 410: Prohibits municipalities from enforcing or adopting any “extraordinary restriction of residential property” unless the ordinance is directly necessary for the health or safety of the community, based on empirical evidence published by a non-partisan source.

Other proposals NHMA is following include:

LSR 25-1089: Prohibits municipalities from denying building or occupancy permits for properties adjacent to class 6 roads under certain circumstances, potentially opening more areas for development.

LSR 25-1142: Relative to road frontage requirements and setbacks for wetlands.

Proposals such as these, as well as those introduced in the Senate, could significantly shift control away from local voters and municipal authorities. Key concerns include:

- **Loss of Local Control:** Municipalities may lose the ability to manage zoning and planning effectively, impacting the character and development of their communities. This includes loss of voter rights, as voters approve or reject zoning in most New Hampshire municipalities.
- **Increased Administrative Burdens:** New mandates, particularly those allowing more ADUs and high-density developments by right, could increase administrative workloads and costs.
- **Parking and Infrastructure Strain:** Removing parking requirements and promoting high-density developments could lead to parking congestion and overburdened infrastructure.

It’s essential for local officials and residents to engage with legislators, share their concerns, and advocate for balanced, practical approaches to zoning and housing development.

Retirement System Bills to Watch

On **Thursday, January 30**, beginning at **10:00 a.m.** in **LOB Room 306-308**, the **House Executive Departments and Administration Committee (ED&A)** will hold public hearings on a series of bills related the New Hampshire Retirement System (NHRS).

HB 622: (Hearing at 10:00 a.m.) Increases the annual number of hours an NHRS retiree may work for a participating employer from 1,352 hours to 1,664 hours and eliminates the 28-day break in service in current law. To the extent that the additional hours allow employers to convert existing full-time positions with part-time, there would be an adverse impact on NHRS liabilities and future employer contribution rates. NHMA is monitoring this bill.

HB 536: (11:15 a.m.) Provides a permanent cost-of-living adjustment to anyone who retired on or before July 1, 2020. The fiscal note provided by the NHRS states that this bill would add more than \$100 million to the system’s unfunded liability, paid off through increase employer contributions over a 20-year period beginning in fiscal year 2028 – an additional \$3.34 million cost to municipalities. NHMA opposes this bill due to the cost.

HB 581: (2:00 p.m.) Establishes a state retirement plan group for new state employee members of the retirement system. While the plan only impacts state employees, there is a potential impact on future municipal employer contribution costs due a reduced number of state employees participating in NHRS. NHMA is monitoring this bill and waiting to see further analysis from the retirement system.

This week, the **House Finance Committee** held a public hearing on **HB 197**, which would create a 7.5% state contribution toward municipal employer contributions to NHRS. Thanks again to members who

expressed support for this bill. The bill was referred to Finance Division I for further consideration and is extremely unlikely to pass in the current state fiscal climate (see more below).

Finally, the text of **HB 727** landed this week, and it appears to be an updated version of HB 436 from 2023, which essentially reverted police and fire (Group II) pension benefits for anyone who was hired before July 1, 2011, back to pre-2011 levels. These changes would affect less than 30% of current police and fire personnel, but would add more than \$130 million to retirement system liabilities, based on a 2023 fiscal of HB 436 (analysis on the new bill from NHRS has not yet been added to the fiscal note for HB 727). **HB 727** does contain recurring state general fund appropriations of \$27.5 million per year through July 1, 2034, to pay for these changes, although it's worth pointing out that the state appropriation can be repealed at any time, leaving municipal employers to absorb a significant contribution increase. The same 2023 analysis of HB 436 estimated a \$10 million increase in municipal employer contributions in fiscal years 2025 and 2026.

The governor has made restoring first responder benefits a priority, so we're expecting to see this addressed in her budget proposal, as well.

NHMA supports the continuing existence of a retirement system for state, municipal, school, and county government employees that is secure, solvent, fiscally healthy, and financially sustainable, and that both employees and employers can rely on to provide retirement benefits for the foreseeable future. However, we oppose legislation expanding benefits that increase current or future employer contribution costs.

Municipal Bills Voted Out of Committee, More on the Way

The **House Municipal and County Government Committee** took action this week on several bills NHMA is following and will hold an executive session on even more bills on **Thursday, January 30, at 2:00 p.m. in LOB Room 301-303.**

Bills voted out of committee this week:

HB 101 creates a new homestead property tax exemption for elderly residents. The committee recommended Inexpedient to Legislate (ITL), 18-0. NHMA opposed this bill.

HB 84 allows municipalities to collect fees for unregistered recreational vehicles located on campground properties. The committee recommended ITL, 18-0. NHMA supported this bill.

HB 86 increases the cost of service for notice of civil forfeiture of unlicensed dogs to the rate for certified mail. The committee recommended Ought to Pass as Amended (OTP-A), 18-0. NHMA supported this bill.

HB 99, which expands the property tax exemption for disabled veterans, recommended Ought to Pass as Amended (OTP-A), 18-0. NHMA was neutral on this bill.

HB 92, which prohibits an individual from simultaneously serving on the local zoning board and planning board, had its executive session recessed. The committee would like to further amend the bill. NHMA opposes this bill.

These bills will be discussed in executive session next Thursday:

HB 139 would allow towns and cities to determine which holidays they recognize and the names of those holidays, giving them more autonomy rather than adhering to state-mandated holidays and titles. NHMA supports this bill.

HB 346 increases the fees municipalities can collect for licensure of racetracks, helping to cover the costs incurred during the licensure process. NHMA supports this bill.

HB 165 increases the amount of disaster relief communities can apply for, although it does not provide state funding for the program. NHMA is neutral on this bill because of the lack of funding.

HB 348 allows municipalities to approve a residency requirement of up to 90 days for receiving local welfare and assistance, suggesting certain evidence to establish proof of residency. NHMA is neutral on this bill due to a variety of concerns with the current version of the bill.

HB 173 would prohibit the public body from amending petition warrant articles at deliberative sessions for SB 2 municipalities. NHMA opposes this bill.

HB 453 prevents municipalities from banning the use of grounds maintenance or snow and ice removal equipment powered by internal combustion engines, allowing only a municipal vote to prohibit such equipment. NHMA opposes this bill.

HB 488 imposes new state-defined limitations on municipal office positions, preventing individuals from serving on multiple boards, commissions, or positions within a municipality. NHMA opposes this bill.

We encourage members impacted by any or all of these bills to share their position by emailing members of the Municipal and County Government Committee.

House Judiciary Committee Hears RTK Bills

The **House Judiciary Committee** held public hearings this week on multiple bills aimed at amending RSA 91-A, New Hampshire's Right-to-Know (RTK) law. Executive sessions on these bills are scheduled for **Thursday, January 30, 2025, at 10:00 a.m. in LOB Room 206-208**, so there is still time for members to share their positions.

Here's a summary of this week's hearings:

HB 66 changes the definition of "citizen" to "person." Additionally, the bill mandates that requests be accepted in person, by mail or electronically and that records must be sent electronically or by mail (the requestor's choice) – rather than simply being made available for public inspection. NHMA testified in opposition to expanding the definition of requestor to include any "person" and the requirement to send records electronically. Multiple individuals and organizations spoke on this bill; supporters argued that requests are typically responded to regardless of the requestor's ties to NH and opponents highlighted the time and cost burden on municipalities from requests by non-residents of both the municipality and state. **Note:** We asked members for examples of onerous and questionable RTK requests to share with the committee and we got a great response. Thank you!

HB 74 defines the requestor as a "citizen" of New Hampshire, or as press acting to inform NH residents. NHMA supported this bill, stating it aligns with the NH Constitution, Supreme Court case law, and Ombudsman decisions. The bill received mixed testimony due to its competing definition of requestor compared to HB 66. Committee members indicated a desire to resolve these differences.

HB 80 replaces "not reasonably practicable" with "unavoidable" regarding reasons for board members not to attend meetings in person. NHMA opposed this bill, which also bans remote voting. The sponsor argued in-person attendance is essential. NHMA and organizations like the Disabilities Rights Center opposed the bill, highlighting potential exclusion of individuals with disabilities and the importance of full remote participation for robust representation.

HB 114 eliminates the collection of fees for compiling RTK requests. The bill also removes protection for staff handling RTK requests, raising concerns about liability for inadvertent disclosures during extensive redaction processes. NHMA opposed the elimination of fees for voluminous RTK requests, citing significant resource costs for municipalities. Opponents argued this would increase property taxes due to unrecovered expenses and argued that requestors should not pay any fees for records.

HB 313 amends non-public session rules regarding "reputation," allowing the subject of the session to be notified and request a public meeting. NHMA testified against this bill. Others testifying in opposition referenced *Sivalingam v. Newton*, in which the NH Supreme Court ruled there was no right

to attend or receive notice of such sessions held under RSA 91-A:3, II(c). Concerns were also raised about the logistics of notification and handling multiple individuals in the same situation. The sponsor acknowledged the need for revisions.

NHMA encourages members to contact committee members to share their concerns about administrative burdens, resource diversion, costs, and privacy and security risks associated with these bills, particularly **HB 66** and **HB 114**. Your input is vital in protecting municipal interests.

House, Senate Hear "Sanctuary City" Bills

The **House Criminal Justice and Public Safety Committee** drew a large crowd when it heard **HB 511** on Wednesday.

The bill, titled, the "Anti-Sanctuary Act," prohibits state and local entities from adopting sanctuary policies that hinder federal immigration law enforcement. It defines key terms and allows the attorney general to seek legal action against violators. It also protects crime victims and witnesses from being reported to immigration authorities. NHMA submitted written testimony opposing this bill as a clear intrusion on local control, usurping the authority of municipalities and local police departments to make decisions about how staff and resources should be allocated. There are also several ambiguities in the bill, some of which may be addressed with an expected amendment.

The **Senate Commerce Committee** held hearings on **SB 62** and **SB 71**, also related to immigration enforcement and "sanctuary cities."

SB 62 creates a new statute allowing local law enforcement to collaborate with ICE through the federal 287(g) program. It prohibits state and local entities from impeding such agreements. However, there may be an unintended issue with the wording of the bill, as it appears to allow a law enforcement agency to make the decision about the program even over any objections or opposition from local governing bodies. NHMA opposes this bill as it seems to be overriding local control, while at the same time, the wording appears to prohibit a local governing body from having input about their local police department's participating in the federal program.

SB 71, known as the "Anti-Sanctuary City Act," bans local governments from enacting policies that obstruct state or federal enforcement of immigration laws. It allows the attorney general to take legal action against violators, with fines up to 25% of state funds. The sponsor indicated that this bill would eliminate the local control that currently allows municipalities to set policies such that they are considered sanctuary cities. NHMA opposes this bill.

The hearings for these two bills did not draw the same crowd as **HB 511**, but the arguments remained consistent between the two. There seemed to be a balance of those supporting and those opposing. Those supporting the bill cited statistics indicating that those entering the country illegally are significantly more likely to be criminals, while those opposed challenged those statistics and questioned if immigration reform or enforcement was able to be regulated by the state since it is generally under the control of the federal government. The questioning from the Committee indicated that the bills would likely be passed based on party lines.

Executive sessions on these bills have not been scheduled.

Mark Your Calendar: Anti-Lobbying Bill Hearing Set

On **Wednesday, February 19**, at **1:00 p.m.** in **LOB Room 203**, the **House Legislative Administration Committee** will hold a public hearing on **HB 314**, this year's version of the anti-lobbying bill.

HB 314, which is essentially the same as last year's **House Bill 1479**, is intended to cut those who represent local governments out of the legislative process (i.e., NHMA) and would affect any

organization that supports, opposes, or even expresses an opinion about legislation at the State House or to legislators on behalf of the public officials or the employees it represents.

While NHMA will be speaking against this bill, there is strength in numbers, so we are asking members to come testify, register your opposition online, and/or reach out to any members of the House Legislative Administration Committee who represent your municipality and ask them to vote **HB 314 Inexpedient** to Legislate. (Please remember to cc: governmentaffairs@nhmunicipal.org on any correspondence for our records.)

The Elephant in the Room: The State Budget, Part 3

Why are we talking about the state budget every week, even though the governor's initial spending proposal is still a few weeks away?

Well, we're concerned – no, downright scared – that state aid to cities and towns will be in the crosshairs when the state tries to make its number match.

The latest shudder-inducing news this week comes in a new report indicating the state has paid out \$125 million in abuse settlement agreements with 242 adult survivors who reported being physically and/or sexually abused at the state's Youth Development Center in Manchester as children.

The state put aside \$175 million to settle claims, but there are more than 600 claims still pending!

A few days later, Governor Kelly Ayotte took steps to head off a potential state budget shortfall by instituting a hiring freeze across state government, exempting law enforcement and other essential areas.

The upstream funding pressure will impact funding downstream, including state aid to municipalities. It is understood that NHMA will do everything in its power to defend the current level state aid to municipalities and fight against cuts, but it's never too early for our members to respectfully impress upon their local legislators that cutting state aid simply passes along existing costs to local property taxpayers.

While the budget is still in development, the House Finance Committee held hearings on bills with appropriations this week, including **HB 197** (see above) and **HB 97**, an NHMA-supported bill which appropriates \$15 million for each of the 2026 and 2027 fiscal years to fund the state share of eligible and completed wastewater projects under the State Aid Grant (SAG) program pursuant to RSA 486. Both bills were referred to **House Finance Division I** for further review.

Follow Bills That Matter Most to You Online

In addition to our weekly *Legislative Bulletin*, NHMA provides members access to FastDemocracy, an online bill tracking platform, for efficient, real-time updates to legislative activity of interest to members. This tool can help ensure that you know when the bills that you care about most are scheduled for public hearing or votes.

Visit our online **Bill Tracker** page to learn more and feel free to subscribe to weekly or daily updates on subjects and bills of interest.

How to Make your Voice Heard

The adage goes that "life is all about showing up." The same can be said for legislative advocacy. If a bill is of importance to your municipality, it's always best to make your case – for or against – in person. Every Friday, NHMA posts a **Bill Hearings Schedule** for the upcoming week. However, if you can't make it to Concord, you can use the Legislature's online portal to put your position on the hearing record.

The House has an [online testimony submission system](#) that allows you to indicate your position on the bill with an option to attach testimony. If you want to email all the members of a House committee, you will have to copy their email addresses individually from the [committee page](#).

The Senate has a [remote sign-in sheet](#) where you can indicate whether you are supportive of a bill, opposed, or neutral. Written testimony can be submitted via the “Email Entire Committee” link found on the [Senate committee page](#).

If you have time to follow along, livestreams of [House](#) and [Senate](#) sessions and committee meetings are available on YouTube. Prior sessions and committee meetings are also archived.

Finally, if you just want to contact your local legislators, there are [Contact a Senator](#) and [Contact a Representative](#) links on the [General Court](#) website.

Reminder: Sharing is Caring ... About Good Public Policy!

If you know of anyone who may benefit from the NHMA Legislative Bulletin feel free to pass this email along and encourage them to sign up!

Members can subscribe to the Bulletin through our member portal at: <https://nhmunicipal.weblinkconnect.com/portal>

Once you are logged in, click “edit this profile” and “newsletter management.” You can sign up for the *Legislative Bulletin*, *Newslink*, and *Town & City* magazine in one place! (If you are having trouble logging into your account, [follow these steps](#).)

Nonmembers can email info@nhmunicipal.org to be added to our email list for the *Legislative Bulletin*.

NHMA Events Calendar 2024 Final Legislative Bulletin

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The Federal Funding Freeze and Its Effects on New Hampshire

1 message

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

Wed, Jan 29, 2025 at 12:16 PM



The Federal Funding Freeze and Its Effects on New Hampshire

On January 27, 2025, the Trump Administration issued a memorandum directing federal agencies to "temporarily pause all activities related to obligation or disbursement of all Federal financial assistance, and other relevant agency activities that may be implicated by the executive orders, including, but not limited to, financial assistance for foreign aid, nongovernmental organizations, DEI, woke gender ideology, and the green new deal." This order created confusion and concern for governments and nonprofits across the country, with conflicting messaging on which programs were affected. NHMA is working closely with the National League of Cities (NLC) and our Congressional Delegation to bring our members accurate and up-to-date information, but much is unknown at this time.

Currently, the freeze is suspended. Minutes before the directive was set to take effect, a federal judge halted the President's freeze on federal aid programs, ruling that the courts need more time to consider the potentially far-reaching ramifications of his order.

The judge's order will expire February 3 at 5:00 p.m, which states that the administration cannot suspend disbursement of any congressionally appropriated funds until then. The judge described the move as a "brief administrative stay" intended to maintain the status quo while further litigation can play out.

NHMA will continue to gather information from NLC and our Congressional Delegation to inform local officials in New Hampshire the best we can. We will post new information on LinkedIn as we have it to share, and will provide another email blast update when appropriate.

Although the freeze is suspended, there may still be delays or other issues with grant funding. We encourage members to contact us to let us know if they are experiencing these issues so that we can communicate what is happening to NLC and our delegation. Please contact us at governmentaffairs@nhmunicipal.org with any information.

Thank you for all you do for New Hampshire local government.



Bulletin #4: Zoning Mandates on the Docket

1 message

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

Fri, Jan 31, 2025 at 2:15 PM

New Hampshire Municipal Association

THE SERVICE AND ACTION ARM OF NEW HAMPSHIRE MUNICIPALITIES

LEGISLATIVE BULLETIN

Legislative Bulletin 4

2025 Session

January 31, 2025



[Live Bill Tracker](#)
[Bill Hearings Schedule](#)

Public Hearings on Zoning Mandates

On **Tuesday, February 5**, beginning at **10:00 a.m.** in **Legislative Office Building (LOB) Room 305**, the **House Committee on Housing** will hold public hearings on four bills related to zoning mandates: **HB 577**, **HB 685**, **HB 459**, and **HB 631**.

These bills aim to address housing shortages and promote development, but they also raise concerns about local control and the potential strain on municipal services and infrastructure, which is why NHMA opposes all four bills.

HB 577 (10:00 a.m.): Under this bill, municipalities would be required to allow either one detached or attached ADU by right on single-family lots, which could strain city and municipal services and infrastructure.

HB 685 (11:00 a.m.): This bill mandates manufactured housing by right in residentially zoned areas. This could impact the character of municipalities and undermine design requirements in planning codes.

HB 459 (1:00 p.m.): Municipalities and cities would be mandated to do two things: One, adopt half-acre maximum lot sizes for land zoned as single-family residential and served by municipal or community sewer; and two, adopt single-family residential lot sizes not on municipal or community

sewer to not larger than is required by the state Department of Environment Services. These mandates would create stress on city and municipal services and infrastructure. Additionally, the onus would be on municipalities and cities to show they can't handle the increased stress on their services and infrastructure.

HB 631 (1:30 p.m.): This bill requires municipalities designated as urban areas by the United States Census Bureau permit multifamily or mixed-use developments by right in commercial zones. Approximately 18 communities would be affected by this bill, which also lists specific zoning regulations that cannot be imposed on such developments.

Municipal officials are encouraged to testify against these attempts to usurp local control or, if that isn't possible, contact the House Committee on Housing to register opposition. For detailed instructions on how to make your voice heard, on these and all other bills, see the final item in this week's bulletin.

This past Tuesday, the Housing Committee held a public hearing on **HB 382**, another mandate that removes the authority of municipalities to regulate mandatory onsite parking requirements. Supporters of the bill, primarily developers and housing advocates, argued that easing regulations will attract more development and with fewer people driving, the need for parking spaces is reduced. Opponents, including NHMA and the Mount Washington Valley Water & Village Districts, emphasized the necessity of local control for community planning. They argued that removing parking regulations could lead to various planning issues, such as traffic management, community aesthetics, health and safety, and snow removal problems. Members with similar concerns are encouraged to contact committee members to discuss or register opposition to the bill.

In other housing news, the Senate has created a **Subcommittee on Housing**, consisting of three members of the **Senate Commerce Committee**. Sen. Keith Murphy was named chairman of the subcommittee, which also includes Sens. Dan Innis and Tara Reardon. The subcommittee is scheduled to hold a work session on **Thursday, February 6**, at **9:30 a.m.** in **State House (SH) Room 103**. The Senate calendar did not specify which bills were assigned to the subcommittee.

Property Tax Credits and Exemptions

On **Tuesday, February 4**, beginning at **9:30 a.m.**, in **LOB 307**, the **House Municipal and County Government Committee** will hold public hearings on nine bills dealing with property tax credits and exemptions for elderly residents, volunteers, non-profits, and certain charitable and religious organizations, including new or increased credits and updates to policies, procedures, and reporting requirements for tax-exempt entities.

Among the bills NHMA is watching are:

- **HB 689** (10:00 a.m.), enabling municipalities to adopt a volunteer incentive property tax credit.
- **HB 766** (10:30 a.m.), enabling municipalities to adopt an exemption from the local education property tax for certain elderly residents.
- **HB 625** (11:10 a.m.), relative to enabling municipalities to levy payments against non-profits at a percentage of their assessed property values.
- **HB 147** (11:30 a.m.), relative to clarifying tax exemptions for properties used by religious, educational, and charitable organizations.
- **HB 426** (1:00 p.m.), relative to property tax exemptions for charitable organizations for the prior tax year.
- **HB 617** (1:30 p.m.), relative to the homestead right.

- **HB 425** (1:50 p.m.), allowing tax-exempt entities to keep their tax-exempt status while renting facilities or property to entities that share their mission.
- **HB 421** (2:10 p.m.), relative to notice of tax exempt-status filing procedures by town officials or offices.
- **HB 782** (2:30 p.m.), expanding property tax exemptions for certain elderly and disabled persons; raising public awareness regarding tax credits and exemptions; and requiring an annual report on the efficacy of the low- and moderate-income homeowners property tax relief program.

This week, the committee held public hearings on several bills we are tracking:

HB 272 aims to expand the exemption for certain agricultural practices from municipal noise regulation, specifically making it so the exemption is not only for “quiet hours” ordinances. NHMA opposes this bill, believing that municipalities should retain the ability to reasonably regulate noise.

HB 149 proposes the establishment of “ranked choice” voting for warrant articles. Testimony at the hearing revealed a general sense of confusion regarding the implementation of such a system as well as concerns that it could complicate the process of amending warrant articles during deliberative sessions. NHMA opposes this bill based on the potential confusion and disruption it might cause.

HB 230 seeks to limit the authority of town health officers in regulating public health matters. The hearing brought to light concerns about the ambiguous language of the bill, particularly the phrase “or other similar threats to public health,” which could create confusion. NHMA opposes this bill.

HB 339 aims to include the preservation of agricultural land and the promotion of food production enterprises in a town’s master plan, which NHMA supports.

HB 407 requires any warrant article raising money to be supported by 15% of all registered voters (not just voters participating) for it to pass. During the public hearing, concerns were voiced about the feasibility of meeting this requirement, given the typically low voter participation rates in many towns. NHMA opposes this bill due to its potentially detrimental impact on local governance and overall impracticality.

HB 432 redefines the term “recovery house” and mandates that such facilities be treated like family housing in zoning ordinances. NHMA opposes this bill, believing that it could undermine municipal zoning authority.

The committee also reported several bills out of committee during an executive session Thursday:

HB 139, which proposed allowing towns and cities to determine their own holidays and their names rather than having them mandated by the state, was recommended Inexpedient to Legislate (ITL), 18-0. **HB 346**, aimed at increasing the fees municipalities can collect for licensure of racetracks to cover related costs, was recommended Ought to Pass (OTP), 10-8. **HB 165**, which sought to increase the amount of disaster relief communities can apply for, although not state-funded, was recommended OTP, 18-0.

Several other bills were retained. **HB 173**, which would prohibit the public body from amending petition warrant articles at deliberative sessions in SB 2 municipalities, was retained by the committee on a 10-8 vote. **HB 348**, proposing to allow municipalities to implement a residency requirement of up to 90 days and suggesting evidence to establish residency proof for local welfare assistance, was retained, 15-3. **HB 453**, preventing municipalities from banning the use of internal combustion engine-powered grounds maintenance or snow and ice removal equipment, was retained, 12-6. Finally, **HB 488**, which introduced new limitations on municipal office roles to prevent individuals from serving on multiple boards, commissions, or positions, was retained, 18-0.

Mixed Results on RTK Bills

The **House Judiciary Committee** met in executive session Thursday to take action on a number of bills dealing with the state's Right to Know Law (RSA 91-A).

HB 66 -- the bill NHMA was most concerned about -- changes the definition of "citizen" to "person." Additionally, the bill mandates that requests be accepted in person, by mail or electronically and that records must be sent electronically or by mail (the requestor's choice) – rather than simply being made available for public inspection. At the executive session, there was lengthy discussion acknowledging the burden the bill could place on municipalities related to out-of-state and out-of-country requests, and the committee ultimately voted to amend **HB 66** to create two tiers of requestors: Any person who is domiciled in the state, or owns property, pays taxes, maintains a place of business or is registered to do business in New Hampshire, or is a member of the media, regardless of location, can still make a request for records under the expanded language included in **HB 66**. However, those who fall outside the above categories (i.e. people or entities with no ties to New Hampshire), must physically pick up the records or review the records in person. The amended bill was recommended as OTP, 13-4. While the amendment is an improvement, NHMA still opposes this bill due to the administrative and cost issues associated with the mandates that records must be sent to anyone with NH ties electronically or by mail, with the requestor choosing the method of delivery.

HB 114, another worrisome bill that NHMA opposed, eliminates the collection of fees for compiling a response to an RTK request and allows for liability if there is wrongful disclosure. In executive session, committee members noted the bill would nullify all the effort last year that went into amending RSA 91-A to allow for fees. The bill was recommended ITL, 13-4.

HB 74, which defined the requestor as a "citizen" of NH or press acting to inform NH residents, was retained by the committee on 17-0 vote. NHMA supported this bill as a common-sense approach.

HB 80, which replaces "not reasonably practicable" with "unavoidable" regarding reasons for board members not to attend meetings in person and bans remote voting was recommended ITL, 13-4. NHMA opposed the bill.

HB 265, which requires the start/stop time of a public meeting to be recorded in the minutes and requires the printed name and signature of the recording secretary, was recommended OTP, 17-0. NHMA took a neutral position on this bill.

HB 313, which amends the non-public session related to "reputation" to allow the person that is the subject of the non-public session to be notified and request the meeting be public, was referred to a subcommittee for further discussion. NHMA opposed this bill.

Finally, **HB 376**, which exempts library information from disclosure, was recommended OTP, 16-1. NHMA was neutral on this bill.

Retirement Bills in the Spotlight

On **Wednesday, February 5**, beginning at **1:00 p.m.**, in **LOB Room 306-308**, the **House Executive Departments and Administration Committee** (ED&A) will hear a pair of bills regarding the New Hampshire Retirement System (NHRS).

HB 702 excludes hours worked by NHRS retirees for "extra or special duty pay" (e.g. "detail" pay) from the annual limits on retiree work hours. The statute defines this pay as "work activities or details for which the employer bills or charges another entity, in whole or in part ...". The retirement system does not have data regarding detail hours worked by retirees. NHMA is monitoring this bill.

At 1:45 p.m., **HB 727** will be heard. This bill is an updated and slightly revised version of HB 436 from 2023, which reverted police and fire (Group II) pension benefits for anyone who was hired before July 1, 2011, back to pre-2011 levels. This bill would benefit slightly more than a quarter of current police and fire personnel and have no impact on first responders who were hired on or after July 1, 2011, who make

up 64.4% of active Group II members. There is still no fiscal note on this bill, but a 2023 analysis of HB 436 found that it would add more than \$130 million to retirement system liabilities.

HB 727 does contain recurring state general fund appropriations of \$27.5 million per year through July 1, 2034, to pay for these changes; however, there is no dedicated funding source identified, and even if there was, state appropriations can be repealed at any time, leaving municipal employers to absorb a significant increase in employer contributions. Since this bill would not benefit any first responder with less than 14 years of service this July 1, it is also unclear how **HB 727** will attract new recruits or help to retain recent hires. NHMA opposes **HB 727** due to the cost.

This week, ED&A held public hearings on three bills:

HB 536, which provides a permanent cost-of-living adjustment to anyone who retired on or before July 1, 2020, would add more than \$100 million to the system's unfunded liability, paid off through increase employer contributions over a 20-year period beginning in fiscal year 2028. NHMA signed in opposition to this bill due to the cost.

HB 581 establishes a state retirement plan group for new state employee members of the retirement system. While the plan only impacts state employees, NHMA is monitoring this bill to see if there is a potential impact on future municipal employer contribution costs as a result of future state employees not participating in NHRS.

HB 622, regarding the number of hours retirees may work, was unanimously recommended inexpedient to legislate (ITL) at the request of the sponsor.

If this wasn't enough retirement system news for one week, the Senate, on a 23-0 vote Thursday, passed and immediately tabled **SB 20**, which would create a 7.5% state contribution toward municipal employer contributions to NHRS. This was an anticipated action, which keeps open the (unlikely) chance that funding for this bill will be included in the state budget. The House version of the same bill, **HB 97**, will be discussed in a **House Finance Division I** work session on **Wednesday, February 5**, at **10:15 a.m.** in **LOB Room 212**. Many members have already testified in support of these bills or registered their support online, but it wouldn't hurt to email Finance Division I to express your continued support.

Update: State Aid Grants for Wastewater Projects

On **Tuesday, February 4**, at **1:40 p.m.** in **SH Room 103**, the **Senate Finance Committee** will hold a public hearing on **SB 240**, an NHMA-supported bill which appropriates \$15 million for each of the 2026 and 2027 fiscal years to fund the state share of eligible and completed wastewater projects under the State Aid Grant (SAG) program pursuant to RSA 486. Historically, the legislature has, by law, expressly authorized the SAG program to provide grants to municipalities of 20% to 30% of the principal and interest payments on completed and eligible environmental infrastructure projects. However, sufficient funding for the grants had not been included in the state budget for years, until the current biennial budget was passed – thus the need for a separate funding bill.

The House has its own version of this bill, **HB 97**, which will be discussed in a **House Finance Division I** work session on **Wednesday, February 5**, at **10:15 a.m.** in **LOB Room 212**.

Please support **SB 240** and **HB 97** by contacting the finance committees in both chambers.

“Sanctuary City” Bills Advance

The Senate on Thursday passed a pair of “sanctuary city” bills on party-line votes.

SB 62 creates a new statute allowing local law enforcement to collaborate with ICE through the federal 287(g) program. However, there may be an unintended issue with the wording of the bill, as it appears

to allow a law enforcement agency to make the decision about the program even over any objections or opposition from local governing bodies.

SB 71, known as the “Anti-Sanctuary City Act,” bans local governments from enacting policies that obstruct state or federal enforcement of immigration laws.

Last Friday, the **House Criminal Justice and Public Safety Committee** voted 16-0 to endorse **HB 511** with an **amendment**. The bill, titled, the “Anti-Sanctuary Act,” prohibits state and local entities from adopting sanctuary policies that hinder federal immigration law enforcement. It also allows the attorney general to seek legal action against violators. Although NHMA opposed the bill, the amendments did improve some of the ambiguity in the original bill that NHMA raised.

NHMA opposes all three bills as a clear intrusion on local control, usurping the authority of municipalities and local police departments to make decisions about how staff and resources should be allocated.

Workplace Safety Rules Discussed

On **Tuesday, February 4**, at **10:00 a.m.** in **LOB 210-211** the **House Labor, Industrial and Rehabilitative Services Committee** has an executive session on **HB 303**.

The bill mandates that the New Hampshire Department of Labor (DOL) adopt rules that are at least as effective as the standards set forth in OSHA 1910. Municipal, county, and state public employees are not covered under OSHA, but are subject to state DOL rules.

NHMA, while in favor of providing a safe working environment for municipal employees, opposes this bill primarily due to the anticipated financial burden on local governments. While the exact costs are difficult to quantify, they are expected to include expenses related to legal advice, staff time for implementing the new standards, the acquisition of new or additional equipment, staff training, and infrastructure improvements. NHMA believes these costs will likely not be offset by any reduction in workers’ compensation claims, thus placing a financial strain on local governments. A similar bill died on the table in the previous legislative session.

During testimony, a representative from DOL indicated that the agency is reviewing and re-adopting its existing safety rules, which expire every 10 years. It is unclear whether **HB 303** is needed, given that DOL already has the legal authority to adopt safety rules similar to OSHA standards.

NHMA has submitted written testimony opposing the bill, and Sullivan County has also testified on the matter. Local officials can still contact the committee to express their opposition.

The Elephant in the Room: The State Budget, Part 4

The memo Monday from the Office of Management and Budget (OMB) ordering a freeze on federal financial assistance programs was the second earthquake felt in New Hampshire that day, but the aftershocks from this one remain unclear after a federal judge issued a temporary stay and OMB rescinded the memo.

(Please note that the rescission of the memo was done to clarify that only spending related to the President’s Executive Orders was implicated by the freeze; it was not an actual rescission of the freeze. This is a significant issue that NHMA continues to follow outside the *Bulletin* and we will continue to provide updates and guidance to municipalities as it becomes available.)

In addition to sending a jolt through state, county and local governments, schools, and nonprofits, the memo is also a timely illustration of the importance of having a steady, dependable source of funding to provide valuable services.

When government at any level builds its next budget, it needs to know where future revenue is coming from. Most NHMA member towns vote on their budgets in March and some level of state aid is factored into their revenue projections, so any cuts to existing aid will be made up from the pockets of local property taxpayers.

While NHMA believes a commonsense review of state and local spending is always necessary to ensure it is fiscally responsible and in the taxpayers' best interest, we oppose interruptions or reductions to state aid that assists municipalities in providing critical services to those who depend on them. We hope state budget writers agree.

Reminder: Sharing is Caring ... About Good Public Policy!

If you know of anyone who may benefit from the NHMA Legislative Bulletin feel free to pass this email along and encourage them to sign up!

Members can subscribe to the Bulletin through our member portal at: <https://nhmunicipal.weblinkconnect.com/portal>

Once you are logged in, click “edit this profile” and “newsletter management.” You can sign up for the *Legislative Bulletin*, *Newslink*, and *Town & City* magazine in one place! (If you are having trouble logging into your account, [follow these steps](#).)

Nonmembers can email info@nhmunicipal.org to be added to our email list for the *Legislative Bulletin*.

How to Make your Voice Heard

The adage goes that “life is all about showing up.” The same can be said for legislative advocacy. If a bill is of importance to your municipality, it's always best to make your case – for or against – in person. Every Friday, NHMA posts a [Bill Hearings Schedule](#) for the upcoming week. However, if you can't make it to Concord, you can use the Legislature's online portal to put your position on the hearing record.

The House has an [online testimony submission system](#) that allows you to indicate your position on the bill with an option to attach testimony. If you want to email all the members of a House committee, you will have to copy their email addresses individually from the [committee page](#).

The Senate has a [remote sign-in sheet](#) where you can indicate whether you are supportive of a bill, opposed, or neutral. Written testimony can be submitted via the “Email Entire Committee” link found on the [Senate committee page](#).

If you have time to follow along, livestreams of [House](#) and [Senate](#) sessions and committee meetings are available on YouTube. Prior sessions and committee meetings are also archived.

Finally, if you want to contact your local legislators, there are [Contact a Senator](#) and [Contact a Representative](#) links on the [General Court](#) website.

NHMA Events Calendar 2024 Final Legislative Bulletin

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Review Board Calendar